



Greater Hume Shire

To: «Name»

ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL

WEDNESDAY, 7 DECEMBER 2016

NOTICE is hereby given that an Ordinary Meeting of the Greater Hume Shire Council will be held at the Culcairn Council Chambers, Balfour Street, Culcairn commencing at 6.00pm.

STEVEN PINNUCK
GENERAL MANAGER

ORDER OF BUSINESS TO BE CONSIDERED
REFER OVERLEAF

ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL

WEDNESDAY, 7 DECEMBER 2016

BUSINESS TO BE CONSIDERED

1. PRAYER

2. ACKNOWLEDGEMENT OF COUNTRY

"I would like to acknowledge that this meeting is being held on the traditional lands of the Wiradjuri people, and pay my respect to elders both past and present".

**3. DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY INTEREST
(CONFLICT OF INTEREST)**

4. APOLOGIES

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

- Minutes of the Ordinary Meeting of Council – 16 November 2016

6. REPORTS FROM OFFICERS

PART A For Determination

- Environment and Planning
- Governance Items
- Corporate and Community Services
- Engineering

PART B For Information

- Governance
- Corporate and Community Services

7. MATTERS OF URGENCY

8. QUESTIONS ON NOTICE

9. CLOSED COUNCIL – CONFIDENTIAL REPORTS

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OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **TENDER NO: TL06 2016-2017 NEW POOL HOLBROOK SWIMMING POOL COMPLEX**

Report prepared by Director Environment and Planning - Colin Kane

REASON FOR REPORT

To allow Council to make a determination on tenders received for the construction of a new swimming pool at the Holbrook Swimming Pool Complex which is facilitated through the provision of a detailed financial analysis of funding for the project.

REFERENCE TO DELIVERY PLAN

Strategy 5.11: To maintain and improve our sports and recreation facilities.

DISCUSSION

At Council's November Ordinary Meeting Council considered a report which allowed for the assessment of tenders that were received for the construction of a new 33 metre swimming pool at the Holbrook Swimming Pool Complex. A copy of that report is **ENCLOSED SEPARATELY**.

In response to that report Council resolved the following:

RECOMMENDATION [Quinn/Osborne]

That:

1. *In accordance with Clause 178 (1)(b) of the Local Government Regulations 2005 Council decline all tenders.*
2. *Council elects to not call for new tenders as stipulated in Clause 178 (3)(b-d) because it wishes to negotiate further with Total Creations because a significant price differential exists between that tenderer and others and Council is satisfied of Total Creations capabilities.*
3. *Council enter into negotiations with Total Creations to seek cost saving for the 33 metre swimming pool.*
4. *A further report be provided to Council's December ordinary meeting to enable a determination to be made.*

It is advised that negotiations with Total Creations have been undertaken and the following table depicts the new costing for the entire project against the original tender which was depicted in the previous report. The finalised budget now includes some provision for Council undertaking some tasks and for a modest contingency.

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TENDER NO: TL06 2016-2017 NEW POOL HOLBROOK SWIMMING POOL COMPLEX [CONT'D]

| Table 1 | Original Holbrook Pool - includes 33 metre pool | New Holbrook Pool – includes 33 metre pool |
|---|---|--|
| Cost Estimate | | |
| Pool and ancillary facilities (includes contingency and Council expenses) | \$1,519,560 | \$1,353,770 |
| Building structures (includes contingency and Council expenses) | \$612,647 | \$627,647 |
| Planning and design costs | \$40,000 | \$40,000 |
| Total | \$2,172,207 | \$2,021,417 |
| Funded by | | |
| Loan borrowing | \$256,000 | \$256,000 |
| Contributions – section 94A | \$0 | \$0 |
| Contributions – user groups | \$3,000 | \$3,000 |
| Holbrook Hostel reserve | \$1,413,207 | \$1,262,417 |
| Grant funding | \$500,000 | \$500,000 |
| Total | \$2,172,207 | \$2,021,417 |

Overall the reduction in the cost of the project is \$150,790 which has been achieved through deletion of tiered seating, changing the type of construction of the plant room and seeking savings wherever possible. The contract price with Total Creations will be \$1,337,410.

BUDGET IMPLICATIONS

The reduction of the cost of the contract payable to Total Creations by \$150,790 to \$1,337,410 will see the actual costs of the overall project better align with the allocated budget.

CONCLUSION

The previous report to Council provided detail on the estimated costs and funding of the entire swimming pool upgrade project which will see complete replacement of infrastructure at both the Henty and Holbrook Swimming Pools. In that report the estimated cost of the entire project was given as being \$3,639,907 however, with the achieved savings in the Holbrook pool tender that cost has reduced to \$3,489,117.

Further it is advised that Council has retendered for the construction of the Henty Swimming Pool Amenities which has recently closed. Tenders are still being evaluated however, based on a very preliminary assessment of the tenders that have been received, it is evident that the cost for this component will be significantly less than \$750,000 mentioned in the previous report. Further reports to consider the tenders for both the Holbrook and Henty amenities buildings will be provided and an information report on the complete costing of the project will be provided when all the tenders have been assessed.

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TENDER NO: TL06 2016-2017 NEW POOL HOLBROOK SWIMMING POOL COMPLEX [CONT'D]

RECOMMENDATION

That:

1. the tender submitted by Total Creations & Services for \$1,337,410 exclusive of GST for the construction of a new pool at Holbrook Swimming Pool Complex be accepted.
2. the General Manager and the Mayor be authorised to sign the contract with Total Creations & Services.
3. the unsuccessful tenderers are advised of the outcome of Council's decision.

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2. TENDER NO: TL07 2016-201 NEW POOL AMENITIES BUILDING HOLBROOK POOL COMPLEX

Report prepared by Manager Waste and Facilities – Andrew Shaw

REASON FOR REPORT

This report is prepared for Council to consider tenders received for the construction of new pool amenities at the Holbrook pool complex to replace the existing facilities as part of the Holbrook pool complex renewal project.

REFERENCE TO DELIVERY PLAN

Strategy 5.11 To maintain and improve our sports and recreation facilities.

DISCUSSION

Council has requested quotations for the construction of a new **amenities** building at the Holbrook pool complex. This tender is part of the Holbrook pool upgrade project that replaces the old amenities building with a new modern building.

The tender period expired on 17 October 2016.

Council received eight (8) quotations from local and interstate building companies that ranged from \$592,647 to \$894,846 (**ex GST**) as per the below list:

| | GST Exclusive | Ranking |
|------------------------|----------------------|----------------|
| Premier Building | \$592,647 | 1 |
| Magi-build | \$708,498 | 2 |
| Connelly Constructions | \$713,976 | 2 |
| Q1 Constructions | \$717,874 | 3 |
| Dezign Interiors | \$718,181 | 4 |
| Burton Constructions | \$726,550 | 5 |
| Witney Constructions | \$829,500 | 6 |
| Gundagai Constructions | \$894,846 | 7 |

Tender evaluation and rating of the tenderers was scored out of 10 and assessed on the following criteria with weighting allocated for each component. Price being the most significant component weighted at 55%.

10 = Outstanding offer, greatly exceeds criterion.

8 = Very good offer, exceeds criterion.

6 = Good offer, no deficiencies, meets criterion.

4 = Fair offer, few deficiencies, almost meets criterion.

2 = Marginal offer, some deficiencies, partly meets criterion.

0 = Inadequate offer, many deficiencies, does not meet criterion.

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TENDER NO: TL07 2016-201 NEW POOL AMENITIES BUILDING HOLBROOK POOL COMPLEX
[CONT'D]

| Previous Building Experience | Technical Compliance | Capacity/ Resource Plan | Programming | Price (\$) |
|-------------------------------------|-----------------------------|--------------------------------|--------------------|-------------------|
| 10% | 10% | 10% | 15% | 55% |

Following the evaluation and scoring of tenderers, Premier has been ranked 1 for price and tender conformance. Premier is an Albury Wodonga based building company with extensive building experience for large projects. Reference checks have confirmed Premier as a reputable building company capable of completing the building works to a high standard.

BUDGET IMPLICATION

A preliminary estimate from David Robinson Pty Ltd (Quantity Surveyor) indicated a budget of \$843,112 ex GST would be the expected for an amenities building of this size.

The quotation received from Premier Building is \$592,647 ex GST and is within costs expectations to complete these works.

CONCLUSION

This report has been prepared to inform Council there have been eight quotes received for the building of a new amenities building at the Holbrook swimming pool complex. The price received from Premier Building & Construction being the lowest tenderer is within the expected costs for a building installation of this size and complexity.

RECOMMENDATION

That:

1. Council accept the tendered price received from Premier Building & Construction for the construction of the Holbrook Pool Complex Amenities Building for \$592,647 ex GST
2. the General Manager and the Mayor be authorised to sign the contract with Premier Building and Construction.
3. the unsuccessful tenderers are advised of the outcome of Council's decision.

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GOVERNANCE

1. DISCLOSURE OF INTEREST RETURNS

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

Tabling of Disclosure of Interest returns in accordance with section 450A of the Local Government Act.

REFERENCE TO DELIVERY PLAN ACTION

Statutory matter.

DISCUSSION

The Register of Disclosures, containing completed Disclosures by Councillors Hicks, Stewart and Weston, elected at the Local Government elections for Greater Hume Shire Council in September 2016, is tabled as required by Section 450A of the Local Government Act 1993.

BUDGET IMPLICATIONS

Nil.

CONCLUSION

A procedural matter only.

RECOMMENDATION

That the report be received and noted.

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2. CROWN LANDS MANAGEMENT ACT 2016

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Council of the Crown Lands Management Act 2016 was assented to by State Parliament on 14 November 2016.

REFERENCE TO DELIVERY PLAN ACTIONS

- Strategy13.1 Lobby Federal and State Governments to introduce uniform legislation covering all public land management issues
- Action13.1.2.1 Establish a single body responsible for the management of crown land and remove overlap of responsibility of various State agencies such as RMS, State Rail etc.

DISCUSSION

The Crown Lands Management Act 2016 (the Act) was assented to by State Parliament on 14 November 2016.

The new Act consolidates eight existing pieces of legislation, some of which date back 120 years, into a single streamlined Crown Lands Management Act.

A summary brochure and a number of fact sheets are available from <http://www.crownland.nsw.gov.au/crown-lands/comprehensive-review-of-nsw-crown-land-management>

Hard copies of the summary brochure and fact sheets most relevant to local government have also be included for Councillors' information as **ANNEXURE 1**.

The new Act has two major benefits for Council:

1. That Council will be able to manage Crowns Lands (that Council is Trustee of) under the Local Government Act using the same procedures that apply to community land owned by councils and
2. Crown land primarily used by local communities will be considered for ownership transfer to local councils.

Both proposals referred to above have the potential reduce council's cost of managing the land and simplify the approval and decision making process for the land. In most instances land will be transferred as community land, although land will be transferred as operation land where appropriate (e.g. waste facilities).

Council is Trust Manger for over 60 parcels of land that include sportsgrounds, swimming pools, waste depots, cemeteries, quarries and gravel pits, tennis courts, golf courses and public halls.

Discussions with Officers of the Department of Primary Industries (DPI) (Lands) indicate that it may be possible that local councils will be able to manage much of the Crown Land within its LGA under the Local Government Act by 1 January 2018.

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CROWN LANDS MANAGEMENT ACT 2016 [CONT'D]

At the Local Government NSW Conference in Wollongong in October this year there was a Workshop session on this topic where DPI (Lands) staff indicated that ownership transfer would commence with four pilot Councils, Warringah, Tamworth Regional, Federation and Tweed Shire during the 2016/2017 financial year, with a further six to eight Councils per year thereafter.

Given that there are currently 129 Councils in NSW actual land transfer could take some time, however the Writer has been advised that in early 2017 DPI (Lands) will be calling Expressions of Interest for Councils wishing to be early starters. It is recommended that Council express an interest to be an early starter.

This will significantly reduce red tape in managing a range of Council facilities delivering significant benefits to Council and volunteers of our communities across the Shire.

BUDGET IMPLICATIONS

It is not expected that the transfer of land ownership will incur any significant cost however the experiences of pilot councils will be monitored.

CONCLUSION

Local government generally, including Greater Hume Shire Council, has been lobbying for streamlined Crown Lands Act to reduce red tape and the cost of managing crown land held predominately for local purposes and the new Act is a significant step forward.

This will significantly reduce red tape in managing a range of Council facilities delivering significant benefits to Council and volunteers of our communities across the shire.

RECOMMENDATION

That:

1. the report be received and noted and
2. at the appropriate time Council express an interest in being an early starter for the transfer of Crown Land to Council.

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3. NSW TREASURY – INTRODUCTION OF EMERGENCY SERVICES PROPERTY LEVY

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Councillors of the timeline for the introduction of the Emergency Services Property Levy (ESPL).

REFERENCE TO DELIVERY PLAN ACTIONS

| | |
|-----------------|---|
| Strategy 5.6 | To improve the availability of policing, emergency and ambulance services in the Shire. |
| Action 5.6.01.1 | Lobby the State Government for increased policing, emergency and ambulance presence. |

DISCUSSION

Council has received correspondence from Rob Whitfield, Secretary of NSW Treasury advising that the release of version 2 of ESPL Operating Procedures Manual for Local Government is now available.

A draft Bill has been prepared which sets out the process for land classification, collection and remittance of ESPL revenues by council to the Office of State Revenue and the requirement for council rates in 2017-2018 to be based on *unimproved land values* with a base date of 1 July 2016.

A timeline of activities required to ensure the ESPL is levied with 2017/2018 local government rates is included as **ANNEXURE 2**.

The timelines for the introduction of the ESPL are very tight, particularly given that the ESPL legislation will not be introduced into Parliament until the first quarter of 2017.

For the purposes of levying the ESPL council must categorise land into one of the following categories:

- Government land
- Public benefit land
- Farmland
- Residential land (non vacant)
- Residential land (vacant)
- Industrial land (non vacant)
- Industrial land (vacant)
- Commercial land (non vacant)
- Commercial land (vacant).

Whilst the above categories are similar to existing rating categories within the Local Government Act it is likely, following the IPART review into local government rating that the Local Government Act will be amended to mirror the ESPL categories.

A flowchart outlining the land categorisation process is also included as **ANNEXURE 2** for Councillors' information.

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NSW TREASURY – INTRODUCTION OF EMERGENCY SERVICES PROPERTY LEVY [CONT'D]

In general terms government land (including local government land) is exempt unless the land is leased or licenced to another person for value.

The ESPL will be raised by levying a base rate and a rate in the dollar on the unimproved value of land for all properties subject to the ESPL. The rates for the categories are yet to be set but can be the same or different for different categories.

The NSW Government has committed to fully funding all reasonable start up costs incurred by councils as a result of the implementation of the ESPL. Options for reimbursement of start up costs are either formula based payments or cost recording.

Greater Hume Shire Council has accepted the formula based payments for its simplicity and the first payment of \$25,258 for the classification of land has already been received. Two further payments will be received when milestones are met.

The table below outlines the start-up cost heads that will be reimbursed:

| Cost Head | \$ |
|---|----------------------|
| Project Management | 17,500 |
| Classification of Land | 25,258 |
| Software updates | Paid by NSW Treasury |
| Software configuration and testing | 7,500 |
| ESPL revenue processing and change management | 5,000 |
| Moving to common base date for valuations | 7,000 |
| Printing and mailing ESPL communications | TBD |
| Customer service enquiries | 1,612 |

The above payments have been offered to ensure a smooth introduction of the ESPL and provide Council with the resources to ensure the tight timelines can be met.

A further set of guidelines is being prepared to cover council ESPL operating (ongoing) costs.

BUDGET IMPLICATIONS

As start cost reimbursements are likely to be in the vicinity of \$65,000 the introduction of the ESPL should not have any adverse budgetary impacts.

CONCLUSION

NSW Treasury has developed a number of cost heads for reimbursement of ESPL start up costs which seem reasonable, however a set of guidelines for reimbursement of ongoing ESPL operational costs are still to be developed. The Writer has considerable concerns that full ESPL operating costs may not be reimbursed.

RECOMMENDATION

That the report be received and noted.

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4. COMMUNITY SATISFACTION SURVEY

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Councillors of proposed actions to address issues raised in the Community Satisfaction Survey undertaken earlier this year.

REFERENCE TO DELIVERY PLAN ACTIONS

Strategy 1.1 To improve community participation in decision making.

Action 1.1.2 Instigate more public forums to discuss the major issues covered by the Plan.

DISCUSSION

At a Workshop held on 9 November 2016 the following review paper was presented to Councillors for consideration and discussion.

Background

The latest Customer Satisfaction Survey was undertaken in May this year with a comprehensive report presented to the August 2016 meeting. A copy of the report to the August meeting is attached along with a brochure which was made available to residents on the Greater Hume Shire website and customer service offices across the shire.

The 2016 Customer Satisfaction Survey was included in the Councillor Induction Manual and electronic Copy is available at the following link:

<http://www.greaterhume.nsw.gov.au/LinkClick.aspx?fileticket=ja3U7g1YJLM%3d&tabid=114>

The 2016 survey is the second of its kind undertaken by Council with the first being completed in 2012.

IRIS Research uses both a Quadrant and Gap analysis in prioritising services and facilities.

Table 1 below details the outcome of that analysis that detail where Council is not meeting (or perceived not to be meeting) the expectations of residents.

Table 1

| | <i>Identified as areas where Council is not meeting resident expectations</i> | |
|---|---|---|
| | <i>Quadrant Analysis Higher importance/lower satisfaction</i> | <i>Gap Analysis (Higher than average gap between importance and satisfaction)</i> |
| <i>Maintaining sealed rural roads</i> | ✓ | ✓ |
| <i>Provision of services and facilities for youth</i> | ✓ | ✓ |
| <i>Council responsiveness to community needs</i> | ✓ | ✓ |
| <i>Consulting with the community</i> | ✓ | ✓ |
| <i>Maintaining town roads</i> | ✓ | ✓ |
| <i>Council leadership and advocacy</i> | ✓ | ✓ |
| <i>Maintaining unsealed rural roads</i> | | ✓ |
| <i>Noxious weeds management and control</i> | | ✓ |
| <i>Informing the community of Council decisions</i> | | ✓ |
| <i>Promoting economic development</i> | | ✓ |

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COMMUNITY SATISFACTION SURVEY [CONT'D]

In undertaking surveys of this kind IRIS Research has developed the following benchmarks in relation to satisfaction levels.

| <i>Level</i> | <i>Mean score range</i> |
|---------------|-------------------------|
| <i>High</i> | <i>3.75-5.00</i> |
| <i>Medium</i> | <i>3.00-3.74</i> |
| <i>Low</i> | <i>Below 3.00</i> |

Table 2 has examined in more detail the demographic groups that have contributed to a low satisfaction level (<3)

Table 2 – satisfaction levels below 3

| | | | | |
|---|--------------|--------------|--------------|--|
| Maintaining sealed rural roads | <i>Rural</i> | <i>18/29</i> | <i>30/49</i> | |
| <i>Reasons for dissatisfaction from ratepayers – 47 out of 89 that commented about dissatisfaction in no maintenance/too long to repair/poor condition/damaged.</i> | | | | |
| <i>Comment – Improved result on 2012 (2.81) to 3.04 and has been addressed by the introduction of the Special Rating Variation which will see an additional \$1 million per annum invested into the road network each and every year from 2017/2018 financial year. This can be discussed further at the preliminary roads workshop.</i> | | | | |
| Maintaining unsealed roads | <i>Rural</i> | <i>18/29</i> | <i>30/49</i> | |
| <i>Reasons for dissatisfaction from ratepayers – 88 out of 115 stated that more regular maintenance was required/not maintained/repared/bad condition or dangerous</i> | | | | |
| <i>Comment – Only a very slight improvement on the result on 2012 (2.72) to 2.74 and again has been addressed by the introduction of the Special Rating Variation which will see an additional \$1 million per annum invested into the road network each and every year from 2017/2018 Financial Year. This can be discussed further at the preliminary roads workshop.</i> | | | | |
| Noxious Weeds Management | <i>Rural</i> | <i>18/29</i> | | |
| <i>Reasons for dissatisfaction from ratepayers -68 out of 80 commented a lot of weeds/no maintenance/not sprayed enough/weeds along road sides</i> | | | | |
| <i>Comment – There may be a misunderstanding as to which weeds Council actually controls. A communication strategy may need to be developed.</i> | | | | |
| Maintaining public toilets | | <i>18/29</i> | | |
| <i>Reasons for dissatisfaction from ratepayers – Very small numbers (11) said they were either unclean/not maintained/poor quality or there were not enough of them</i> | | | | |
| <i>Comment – Overall maintenance of public toilets rated very highly therefore no specific action is recommended.</i> | | | | |

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COMMUNITY SATISFACTION SURVEY [CONT'D]

| | | | | |
|--|--|-------|-------|--|
| Provision of services for youth | | 18/29 | 30/49 | |
| Reasons for dissatisfaction from ratepayers – 46 out of 49 claimed no services/not enough services/activities or variety | | | | |
| Comment – Currently limited projects budget provided by Council however may need greater promotion of what is available and when. | | | | |

Other comments made about dissatisfaction

Footpaths – overall medium rating (3.06)

58 out of 67 stated not enough/poor quality/not maintained

Economic Development – overall medium rating (3.36)

30 out of 39 stated need more/not enough done/lack of support/promotion for local business

Promotion of tourism – overall medium rating (3.43)

27 out of 36 said none/minimal/no promotion

Informing the community – overall medium rating (3.56)

32 out of 44 said poor communication/irregular/no consultation/ information on works being done

Consulting with the community – overall medium rating (3.42)

41 out of 46 said voices not heard/ignored/no consultation/closed meetings/do what they want

Council responsiveness to community needs – overall medium rating (3.30)

36 out of 49 said lack of action/slow response/don't know what community wants/don't listen

Summary

To date Greater Hume Shire Council has undertaken two Customer Satisfaction Surveys, the first in 2012 and again this year. It is strongly recommended that Customer Satisfaction Surveys be undertaken on a bi-annual basis to ensure Council maintains a focus on the areas of most importance to Greater Hume ratepayers and residents.

Obviously road maintenance and improvement will need to be a continuing focus in the short to medium term, however clearly other aspects of Council's operations require discussion as to why satisfaction levels are at the lower end of the medium levels.

In some areas such as Noxious Weeds and Youth activities it may be that residents are unaware of programs in place or policies in relation to those activities. Low satisfaction levels of the 18-29 age groups also requires further discussion.

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COMMUNITY SATISFACTION SURVEY [CONT'D]

This suggests that along with informing the community, consulting with the community and Council responsiveness to community needs indicates that Council needs to review communication strategies to ensure they are fit for purpose.

Management looks forward to further discussing the issues raised above along with other areas of concern to Councillors at the Workshop.

As a result of discussions at the Workshop the following actions are proposed to improve Council's communication with the community:

| Action | Estimated start date | Estimated completion date |
|---|----------------------|---------------------------|
| Development and adoption of a Communications Policy | | 21/12/2016 |
| Development and adoption of a Communications Plan | 1 January 2017 | 31 March 2017 |
| Production of monthly information brochures | December 2016 | Ongoing |
| Review structure of Council Newsletter (prior to winter edition) | March 2017 | May 2017 |
| Development of scope for a new website (including proposed implementation cost) | February 2017 | April 2017 |
| New website live date (subject to the provision of funding in the 2017/2018 Budget) | July 2017 | 31 December 2017 |

Relatively low satisfaction levels with maintenance and improvement of the road network will be considered further when Council's Road Strategy is reviewed in early 2017.

BUDGET IMPLICATIONS

Unknown at this stage, but the development of some aspects of the Communication Plan (e.g. Brand Manual) will require some level of expenditure therefore it is recommended that the existing budget allocation of \$30,000 for new signage be redirected to the development of new communications platforms.

CONCLUSION

In reviewing the Customer Satisfaction Survey it is clear that Council needs to improve the way it communicates with residents, our many and varied communities, councillors and staff. The actions outlined in this report should enable residents to better understand what, how and why Council is undertaking certain functions and activities.

**ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
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COMMUNITY SATISFACTION SURVEY [CONT'D]

RECOMMENDATION

That the implementation of the following actions by Management be endorsed:

| Action | Estimated start date | Estimated completion date |
|---|-----------------------------|----------------------------------|
| Development and adoption of a Communications Policy | | 21/12/2016 |
| Development and adoption of a Communications Plan | 1 January 2017 | 31 March 2017 |
| Production of monthly information brochures | December 2016 | Ongoing |
| Review structure of Council Newsletter (prior to winter edition) | March 2017 | May 2017 |
| Development of scope for a new website (including proposed implementation cost) | February 2017 | April 2017 |
| New website live date (subject to the provision of funding in the 2017/2018 Budget) | July 2017 | 31 December 2017 |

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5. FUTURE OF ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEES

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To recommend to Council that the Economic Development and Tourism Advisory Committees be discontinued.

REFERENCE TO DELIVERY PLAN ACTIONS

Goal 9 – Enhanced job opportunities for our people (various strategies)

Goal 11 – Improved tourism and visitation (various strategies)

DISCUSSION

At the September 2016 meeting of Council delegates were not appointed to the Economic Development and Tourism Advisory Committees pending a further report to Council on possible future consultation mechanisms.

During the recent Customer Satisfaction Survey promotion of economic development and tourism received medium satisfaction levels of 3.36 and 3.43 respectively. Generally comments from residents who were dissatisfied indicated that council was not doing enough to promote local businesses and tourism.

It is the Writers view, supported by existing and former Councillors that both the Economic Development and Tourism Advisory Committees were proficient at disseminating information but lacked the ability to provide relevant information back to Council from community representatives. This is similar to issues experienced with Council's website in that the provision of information is one way.

Council now has extensive business and tourism databases and it is the Writer's view that these databases provide the platform for a more effective communication in the future. The databases enable Council to communicate directly with businesses (including tourism related) as has been the case in the development of the Economic Development and Social Plan, or to facilitate the development of forums, focus/working groups and surveys on issues of importance or specific projects.

Recently a working group was successfully established to oversee the development and implementation of stage one of the Buy Local Campaign. A similar approach is proposed to roll out stage two of the Buy Local Campaign.

The business databases can also be used to more effectively communicate the programs that Council is/has undertaken by the development of Fact Sheets as discussed at a recent workshop.

Whilst Management is very appreciative of the contribution by community volunteers to the Economic Development and Tourism Advisory Committees it is considered that more effective communication strategies can be employed in the future.

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FUTURE OF ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEES [CONT'D]

BUDGET IMPLICATIONS

Nil

CONCLUSION

It is the Writers view, supported by existing and former Councillors that both the Economic Development and Tourism Advisory Committees were proficient at disseminating information but lacked the ability to provide relevant information back to Council from community representatives. This is similar to issues experienced with Council's website in that the provision of information is one way.

Whilst Management is very appreciative of the contribution by community volunteers to the Economic Development and Tourism Advisory Committees, it is considered that more effective communication strategies can be employed in the future.

RECOMMENDATION

That:

1. the Economic Development and Tourism Advisory Committees be discontinued and
2. a letter of appreciation be forwarded to community representatives on the above committees.

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CORPORATE AND COMMUNITY SERVICES

1. STATE EMERGENCY SERVICES AND FIRE RESCUE NSW CO-LOCATION AT GOOMBARGANA HILL COMMUNICATIONS TOWER

Report prepared by Manager Corporate Services – Suzanne Klemke

REASON FOR REPORT

To obtain Council approval to co-locate Fire Rescue NSW (FRNSW) and State Emergency Services (SES) communications equipment at the Goombargana Hill Communications tower site.

REFERENCE TO DELIVERY PLAN ACTION

Strategy 5.6 To improve the availability of policing, emergency and ambulance services in the shire.

DISCUSSION

The Rural Fire Services (RFS) has received an application to co-locate on the RFS Communications Site at Goombargana Hill (Crown Land Lot 7002 DP 1024132) from the SES and FRNSW.

RFS communication sites are vested in Council under s119 of the Rural Fires Act 1997, and managed by the RFS through the Service Agreement under s12A of that Act. The RFS provides the technical assessment and approval process, and provides Council concurrence under s119 of the Rural Fire Act to allow use of the asset.

The request is to multi-couple into the existing RFS antenna located on the pole at Goombargana Hill Communications site. FRNSW plans to install an additional antenna on the pole for FRNSW & SES backhaul. FRNSW and SES have requested early access to the site while agreements are being formalised with Council.

The agreement provides for an annual fee to cover administrative costs and increased electricity usage costs. It is proposed that an annual fee of \$500 per annum exclusive of GST be specified within the agreement.

BUDGET IMPLICATIONS

Income associated with agreement will be included within the annual allocations of the NSW Rural Fire Service and will have no impact on Councils budget.

CONCLUSION

Co-location of communication infrastructure for all emergency services will be of benefit to the service providers and community at large. Therefore approval for the Mayor and General Manager to execute the documents under the Common Seal of Council is sought.

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STATE EMERGENCY SERVICES AND FIRE RESCUE NSW CO-LOCATION AT GOOMBARGANA HILL COMMUNICATIONS TOWER [CONT'D]

RECOMMENDATION

That:

1. authority be granted to enter into an agreement for the co-location of State Emergency Services and Fire Rescue NSW communications infrastructure on the Rural Fire Services Goombargana Hill Communication Tower site.
2. the Mayor and General Manager be authorised to execute the agreement and associated documents under the Common Seal of Council for the co-location of State Emergency Services and Fire Rescue NSW communications infrastructure on the Rural Fire Services Goombargana Hill Communication Tower site.

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ENGINEERING

1. RECONSTRUCTION OF COMMERCIAL STREET, BETWEEN RAILWAY CROSSING AND RAILWAY STREET, WALLA WALLA

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To consider tenders for the reconstruction of the western side of Commercial Street between the railway crossing and Railway Street, Walla Walla.

REFERENCE TO DELIVERY PLAN ACTION

5.2.5.1 Develop an annual capital works program.

11.3.2.1 Upgrade streetscapes in all major towns within the Shire.

DISCUSSION

The area on the west side of Commercial Street at the café and adjacent to the existing Kotzur carpark does not meet expectations with respect to public amenity, footpath safety standards or the ability to drain water during rain events.

The tendered works include construction of new footpath, kerb and channel, underground drainage and associated road pavement works.

Advertisements were placed in the Sydney Morning Herald, Border Mail and on Tenderlink. Tenders closed on Thursday, 17 November 2016. Only a single tender was received via the Tenderlink portal.

The submitted price was \$168,059.00. Price is exclusive of GST.

The following Tender was received:

| No. | Name | Tendered amount. (exc. GST) |
|------------|----------------|--|
| 1. | Longford Civil | \$168,059.00 |

The tender submitted by Longford Civil was checked and is mathematically correct. This contractor has carried out work for Greater Hume Shire in the past and Council Officers have no reservations regarding the contractors' breadth of personnel experience, quality of workmanship or professional conduct.

Longford Civil attended a post-tender telephone interview where they confirmed that they were satisfied with the price as submitted and have the experience and equipment to complete the project to the required standard in a safe and timely manner.

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RECONSTRUCTION OF COMMERCIAL STREET, BETWEEN RAILWAY CROSSING AND
RAILWAY STREET, WALLA WALLA [CONT'D]

A map of the scheme is attached as **ANNEXURE 3**.

BUDGET IMPLICATION

The tendered price of \$168,059.00 (excl. GST) is within the remaining budget of \$238,464. The tendered price does not include the possibility of provisional items which in any case would be expected to amount to less than 10% of the tender price.

CONCLUSION

A single tender was received for the reconstruction of Commercial Street project. That tender was considered. The tender submitted by Longford Civil has been assessed and there is no technical or practical reason to conclude that Longford Civil is not capable of completing the contract to the required standard and within the allotted timeframe.

RECOMMENDATION

That:

1. the tender submitted by Longford Civil of \$168,059.00 (excl. GST) be accepted.
2. the General Manager and the Mayor be authorised to sign the Contract with Longford Civil.

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2. RECONSTRUCTION OF JINDERA STREET AND CONSTRUCTION OF BUS TURNING LANE, JINDERA

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To consider tenders for the reconstruction of Jindera St, including the construction of a bus turning lane at the Pre School and the provision of additional parking in Adams Street, Jindera.

REFERENCE TO DELIVERY PLAN ACTION

- 5.2.5.1 Develop an annual capital works program.
- 11.3.2.1 Upgrade streetscapes in all major towns within the Shire.
- 5.2.08.2 Maintain stormwater drainage network including kerb and gutter.

DISCUSSION

The area of Jindera Street adjacent to the pre-school does not meet community expectations with respect to public amenity, children/student drop-off/pick-up traffic, bus movements or the ability to drain water during rain events.

Advertisements were placed in the Sydney Morning Herald, Border Mail and on Tenderlink. Tenders closed on Monday, 21 November 2016. Two tenders were received via the Tenderlink portal.

Submitted prices ranged from \$140,005.50 to \$192,556.80. Prices are exclusive of GST.

The following tenders were received and are listed in alphabetical order.

| No. | Name | Tendered amount. (exc. GST) |
|------------|--------------------------|--|
| 1. | Hutchinson Civil Pty Ltd | \$140,005.50 |
| 2. | Longford Civil | \$192,556.80 |

The lowest tender submitted by Hutchinson Civil Pty Ltd was checked and is mathematically correct. Hutchinson Civil is a relatively newly formed family based company that possess a wealth of personnel experience from the local civil construction field.

Hutchinson Civil Pty Ltd attended a post-tender interview where they confirmed that they were satisfied with the price as submitted and have the experience and equipment to complete the project to the required standard in a safe and timely manner.

A map of the scheme is attached in **ANNEXURE 4**.

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RECONSTRUCTION OF JINDERA STREET AND CONSTRUCTION OF BUS TURNING LANE,
JINDERA [CONT'D]

BUDGET IMPLICATION

The tendered price of \$140,005.50 (excl. GST) is over the current remaining budget of \$120,000 (inclusive of resident contributions to project). However as this project is one of a number of projects funded from Roads to Recovery Funding received by Council the additional cost can be accommodated within the overall budget if the preceding tender for the Commercial Street tender is accepted. The tendered price does not include the possibility of provisional items which in any case would be expected to amount to less than 10% of the tender price.

CONCLUSION

Two tenders were received for the reconstruction of Jindera Street project. Both tenders were considered. The tender submitted by Hutchinson Civil Pty Ltd has been assessed and there is no technical or practical reason to conclude that Hutchinson Civil Pty Ltd is not capable of completing the contract to the required standard and within the allotted timeframe.

RECOMMENDATION

That:

1. the tender submitted by Hutchinson Civil Pty Ltd of \$140,005.50 (excl. GST) be accepted
2. the General Manager and the Mayor be authorised to sign the Contract with Hutchinson Civil Pty Ltd
3. the unsuccessful tenderer be advised of the outcome of Council's decision.

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3. CONSTRUCTION OF JELBART ROAD TURNING LANE, JINDERA

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To consider tenders for the construction of an extended turning lane at the intersection of Jelbart Road and Urana Road, Jindera Gap, Jindera.

REFERENCE TO DELIVERY PLAN ACTION

5.2.5.1 Develop an annual capital works program.

DISCUSSION

The intersection of Jelbart Rd and Urana Rd is experiencing an increase in traffic as the population continues to increase in the area west of Jindera. Currently south bound through vehicles approaching the crest of the Jindera Gap have limited sight distance of vehicles decelerating prior to making a left hand turn into Jelbart Rd.

The tendered works are for excavation of the batter at the start of the existing Left-Turn lane and the extension of the left turn lane to allow deceleration out of the through-traffic lane.

Advertisements were placed in the Sydney Morning Herald, Border Mail and on Tenderlink. Tenders closed on Tuesday, 22 November 2016. One tender was received via the Tenderlink portal.

The submitted price was \$68,779.70. All prices are exclusive of GST.

The following tender was received.

| No. | Name | Tendered amount. (exc. GST) |
|-----|-------------------|--------------------------------|
| 1. | Hurst Earthmoving | \$68,779.70 |

The tender submitted by Hurst Earthmoving was checked and is mathematically correct. Hurst Earthmoving is an established company in the region and is known to Council Officers regarding breadth of personnel experience, quality of workmanship and professional conduct.

Hurst Earthmoving attended a post-tender telephone interview where they confirmed that they were satisfied with the price as submitted and has the experience and equipment to complete the project to the required standard in a safe and timely manner.

A plan of the scheme is attached as **ANNEXURE 5**.

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CONSTRUCTION OF JELBART ROAD TURNING LANE, JINDERA [CONT'D]

BUDGET IMPLICATION

The tendered price on \$68,779.70 (excl. GST) is in excess of the remaining budget of \$37,663. However, as this project is one of a number of projects funded from Roads to Recovery funding received by Council the additional cost can be accommodated within the overall budget if the earlier tender for the Commercial Street tender is accepted. The tendered price does not include the possibility of provisional items which in any case would be expected to amount to less than 10% of the tender price.

CONCLUSION

A single tender was received for the reconstruction of Jelbart Road turning lane project. The single tender was considered. The tender submitted by Hurst Earthmoving has been assessed and there is no technical or practical reason to conclude that Hurst Earthmoving is not capable of completing the contract to the required standard and within the allotted timeframe.

RECOMMENDATION

That:

1. the tender submitted by Hurst Earthmoving of \$68,779.70 be accepted.
2. the General Manager and the Mayor be authorised to sign the Contract with Hurst Earthmoving.

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4. RECONSTRUCTION OF HUESKE ROAD (CH2000 – 2838), JINDERA

Report prepared by Works Engineer – Andrew Walls

REASON FOR REPORT

To consider tenders for the reconstruction of of 838m Hueske Road, Jindera.

REFERENCE TO DELIVERY PLAN ACTION

5.2.5.1 Develop an annual capital works program.

DISCUSSION

Hueske Road services the brickworks and an increasing number of residential properties due to the development to the west of Jindera. The pavement is narrower than the Council road hierarchy requires and it is suffering from structural distress.

The tendered works are for widening and reconstruction of the section from Urana Road to the brickworks and includes provisional works for the replacement of culverts to better cope with stormwater flows.

Advertisements were placed in the Sydney Morning Herald, Border Mail and on Tenderlink. Tenders closed on Wednesday, 23 November 2016. A single tender was received via the Tenderlink portal.

The submitted price was \$463,901.00 which included the provisional works sum of \$126,255.00. All prices are exclusive of GST.

The following tender was received:

| No. | Name | Tendered amount. (exc. GST) |
|-----|-------------------|--------------------------------|
| 1. | Excell Gray Bruni | \$463,901.00 |

The tender submitted by Excell Gray Bruni was checked and is mathematically correct.

A second contractor indicated that he missed the deadline for the submission of his tender and indicated that he was prepared to submit this tender via email after the deadline. Under clause 177 (2) Local Government (General) Regulation 2005 this tender was not viewed or considered.

A plan showing the extent of the scheme is included in **ANNEXURE 6**.

BUDGET IMPLICATION

The tendered price of \$463,901.00 (excl. GST) is greatly in excess of the remaining budget of \$224,315.00. The tendered price does not include the possibility of provisional items which could reasonably be expected to amount to 10% of the tender price.

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RECONSTRUCTION OF HUESKE ROAD (CH2000 – 2838), JINDERA [CONT'D]

CONCLUSION

Given that only one tender has been received and greatly exceeded the budget allocation it is not considered appropriate to enter into negotiations with the sole tenderer and that at this point retendering the project may achieve an improved outcome. Should a second round of tendering not result in more competitive pricing, Council retains the option under section 178 (3) (e) of the Local Government (General) Regulation 2005 to negotiate with any person (whether or not the person was a tenderer).

RECOMMENDATION

That:

1. in accordance with clause 178 (1) (b) of the Local Government (General) Regulation 2005 Council resolve to decline the tender submitted by Excell Gray Bruni Pty Ltd, and
2. Council invite, in accordance with clause 167 of the Local Government (General) Regulation 2005, fresh tenders based on the same or different details.

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ITEMS TO BE REFERRED TO CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

1. **IRENE LISTER – OFFER TO GIFT LAND ADJACENT TO HOLBROOK GOLF COURSE (LOT 1 DP 215832)**

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

For Council to consider an offer from Irene Lister to gift land to Council. This land is dissected by a creek which has caused soil erosion to at least two properties in recent years.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil

DISCUSSION

Irene Lister of 28 Peel Street, Holbrook has offered to gift Lot 1 DP 215832 to Council. This land is dissected by a creek which has caused soil erosion to at least two properties in recent years.

A copy of correspondence from Mrs Lister (including the Deposited Plan for the land) and an aerial photograph of the lot identifying the creek and erosion areas is included as **ANNEXURE 7**.

This matter was first brought to Council's attention on 24 March 2011 when Council was contacted by the owner of 40 Peel Street raising concerns about the erosion of the creek behind his property following the flooding events of late 2010 and early 2011. Shortly thereafter the Writer received a visit from the owner of 38 Peel Street whose property was also subject to erosion.

At that time Council acted on the complaint and following discussions with the Holbrook Returned Services Club a weir placed downstream was removed.

Council was not contacted by the residents of 38 and 40 Peel Street until after the March 2012 flood event which it was claimed caused further damage. At that time legal advice was sought and a report was presented to the June 2012 meeting of Council.

BUDGET IMPLICATIONS

At the time of writing of the June 2012 report it was estimated that remedial works to alleviate the erosion problems would cost in the vicinity of \$30,000.

CONCLUSION

As the matter could potentially lead to litigation against Council it is recommended that the matter be referred to Closed Council in accordance with section 10A (2)(g) of the Local Government Act, 1993 - advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings of the grounds of legal professional privilege.

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IRENE LISTER – OFFER TO GIFT LAND ADJACENT TO HOLBROOK GOLF COURSE (LOT 1 DP 215832) [CONT'D]

RECOMMENDATION

That the matter of erosion control issues at Holbrook be referred to Closed Council in accordance with section 10A (2)(g) of the Local Government Act, 1993 :- advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings of the grounds of legal professional privilege.

REASON FOR REFERRAL

On balance the need for Council to be able to discuss legal advice previously provided outweighs the public interest in maintaining transparency in Council decision making because in doing so it may prejudice the legal position of Council.

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2. CONSTRUCTION OF HOLBROOK WORKS DEPOT

Report prepared by Director Engineering - Greg Blackie and Works Engineer - Andrew Walls.

REASON FOR REPORT

To consider tenders for the construction of the Holbrook Works Depot.

REFERENCE TO DELIVERY PLAN ACTION

5.2.5.1 Develop an annual capital works program.

DISCUSSION

Council has been leasing their current works depot since the old depot was acquired by RMS for the Holbrook by-pass project.

Advertisements were placed in the Sydney Morning Herald, Border Mail and on Tenderlink. Tenders closed on Thursday, 24 November 2016. Five tenders were received via the Tenderlink portal.

As all tenders received exceed Council's budget for the project. It is proposed that Council not accept any tender submitted but enter into a selective tendering process with the three lowest tenderers on a reduced scope within Council's budget. Discussion of tender prices and Council's financial position may confer a commercial advantage upon those tenderers who have tendered, and it is recommended that the matter be referred to Closed Council in accordance with section 10A(2)(c) information that would, if disclosed, confer an advantage to a person whom Council is conducting (or proposes to conduct) business.

RECOMMENDATION

That the consideration of the tender for the construction of the Holbrook Works Depot be referred to Closed Council in accordance with section 10A(2)(c) information that would, if disclosed, confer an advantage to a person whom Council is conducting (or proposes to conduct) business.

REASON

On balance the public interest in preserving the confidentiality of the tenders for the construction of the new Holbrook Works Depot outweighs the public interest in maintaining openness and transparency in Council decision making because the disclosure of this information confers an advantage to a person whom Council is conducting (or proposes to conduct) business.

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PART B - ITEMS FOR INFORMATION

GOVERNANCE

1. GENERAL MANAGER AND DIRECTORS LEAVE

Report prepared by General Manager – Steven Pinnuck

REASON FOR REPORT

To advise Councillors of General Manager and Director leave in the December 2016/January 2017 period.

REFERENCE TO DELIVERY PLAN ACTIONS

Nil

DISCUSSION

Staff Leave

I advise that the Mayor has approved annual leave for the General Manager from Monday, 19 December until Sunday, 8 January 2017. David Smith will act in the position of General Manager for that period.

Other Senior Staff on leave in December/January are:

- David Smith, Director Corporate and Community Services will be on leave from Monday 9 January 2017 until Sunday 5 February 2017. The General Manager will provide oversight of the Corporate and Community Services Department during this time.
- Colin Kane, Director Environment and Planning will be on leave from Monday 9 January to Sunday 22 January 2016. Bradley Peach will be acting in the role of Director Environment and Planning during the period from Monday 9 January to Sunday 22 January 2016.
- Greg Blackie, Director Engineering will be on leave from Friday 23 December 2016 until Sunday 8 January 2017. Greg Blackie will be on call over the Christmas/New Year period and Michael Oliver will be acting in the role of Director Engineering during the period from Tuesday 3 January to Sunday 8 January 2017.

Emergency contact numbers

At all times Council have staff on call to attend to emergency situations out of hours and over holiday periods for road, water and sewerage, animal control and other enforcement matters. The rostering of staff "on call" ensures that an immediate response can be made when emergency situations arise.

Over the holiday period, in the first instance Councillors are encouraged to contact Council via the following numbers for matters requiring an emergency response.

| | |
|---------------------------|----------------|
| Roads, storm and drainage | 0419 405 768 |
| Water and Sewerage | 0408 691 637 |
| Ranger/Impounding | 0427 556 659 |
| RFS Control Centre | (02) 6051 1511 |

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GENERAL MANAGER AND DIRECTORS LEAVE [CONT'D]

It should be noted that there are occasions when a call to an emergency number will divert to message bank if the 'on call' supervisor is attending to other calls, but the messages are retrieved and acted upon in a timely manner.

Councillors should refrain from contacting other staff directly as it can lead to multiple crews being deployed to same incident if the matter has been previously reported to Council by a member of the public which is often the case following storm events.

CONCLUSION

For Councillors' information.

CORPORATE AND COMMUNITY SERVICES

1. **CHRISTMAS / NEW YEAR OFFICE CLOSURE**

Report prepared by Director Corporate & Community Services – David Smith

REASON FOR REPORT

To provide Councillors with information on the dates for the 2016/17 Christmas / New Year office closure.

DISCUSSION

As Councillors would be aware, Council's offices and customer service centres have traditionally closed for the period between Christmas and New Year.

The 2016/17 closure period will see Council's offices will close from 4pm Friday 23 December 2016 and reopen at 8.30am Tuesday 3 January 2017.

Closure dates will be advertised in Council's regular Public Notice advertisement and notices will be displayed at all customer service centres so as to fully inform residents and ratepayers of the office closure period.

CONCLUSION

For Councillors' information.

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2. GREATER HUME CHILDREN SERVICES

Report prepared by Director Corporate & Community Services – David Smith

REASON FOR REPORT

To provide Councillors with information on a possible growth opportunity for Greater Hume Children Services.

REFERENCE TO DELIVERY PLAN ACTION

Strategy 5.7 To improve the availability of childcare services and facilities within the Shire.
Action 5.7.4 Recruit more family day care educators.

DISCUSSION

Greater Hume Children Services has received an approach from Benalla Family Day Care regarding the possible recruitment of family day care educators from that service.

Benalla Family Day Care is currently operated by the Benalla Rural City Council however Benalla Council has made a policy decision to withdraw as a provider of family day care services. As a result, Benalla have approached Greater Hume Children Services regarding the opportunity for the Benalla educators to be registered with Greater Hume.

Management are currently undertaking an assessment of the opportunity and, subject to clarification on some aspects of the transfer, it appears that the opportunity has merit and management have provided in-principle support for the proposal.

Further assessment and recruitment processes will take place over the coming weeks and a further report will be presented to Council at the conclusion of the project.

CONCLUSION

For Councillors' information.

RECOMMENDATION

That Part B of the Agenda be received and noted.