

## 1.0 INTRODUCTION

- 1.1 This policy was developed in response to requests from the public for a self help policy for the maintaining and upgrading of transport infrastructure assets which provide a benefit to individuals as well as to the broader community but which cannot be fully funded by Council. The policy provides the opportunity to supplement public funds with private contributions to enable worthwhile projects to proceed.

## 2.0 PURPOSE

- 2.1 To recognise and support the contribution the community can make by providing funds and donation of materials to support Council's expenditure on upgrading and maintaining of Council's infrastructure assets.

## 3.0 SCOPE

- 3.1 This policy applies to infrastructure assets that are owned, managed or under the care and control of Council.
- 3.2 This policy does not apply to works which are or may be required in conjunction with a Development Application.

## 4.0 DEFINITIONS

- 4.1 **Council's transport network** includes regional roads, sealed and unsealed rural roads, sealed and unsealed urban roads, kerb and gutter, bridges on regional and local roads, pathways and the associated roadside environment.
- 4.2 **"Asset"** means a resource controlled by an entity as a result of past events and from which future economic benefits are expected to flow to the entity. Infrastructure assets are a sub-class of property, plant and equipment which are non-current assets with a life greater than 12 months and enable services to be provided.
- 4.3 **"Council"** means Moree Plains Shire Council

## 5.0 POLICY STATEMENT

### 5.1 Responsibilities

- 5.1.1 The Engineering Department is responsible for implementing this policy.
- 5.1.2 The Executive Department is responsible for recording and providing the approved and drafted policies in an easily accessible register through the organisation's record management system.
- 5.1.3 The Executive Department is responsible for distribution of this policy to community members and staff on request.

5.1.4 The Executive Department is responsible for auditing and review of new policies against the standard.

5.1.5 Managers and Supervisors are responsible for ensuring staff are meeting policy standards.

## 5.2 Application Requirements

5.2.1 Council will consider applications to carry out projects or maintenance activities submitted by any individual, group of people or businesses for work on Council's transport infrastructure assets or other assets. For example, bitumen sealing, construction of paths, vegetation control, gravel sheeting etc., other than works which are or may be required of a proponent in conjunction with a Development Application, subject to the following conditions:

- a. Application for the work has the support of the landowner/s adjoining the works i.e. Other residents, commercial or industrial businesses, government facilities and agricultural properties
- b. All proposed works must comply with Council's current standards and legislative requirements
- c. Council may contribute up to a maximum of 50% of the final cost of the works

5.2.2 In assessing the project for approval, and determining any monetary contribution, Council will consider:

- a. Location of the works, including road geometry, road classification, road safety and public liability issues
- b. Funding available to meet Council's contributions
- c. Maintenance implications of the proposed works
- d. Benefits or constraints of the proposed works
- e. Links to the Council's current Delivery Program
- f. Consistency with Council's Section 94 Plan and Section 94A Plan
- g. Consistency with conditions of a Development Consent.

5.2.3 All applications received will be considered in conjunction with the following year's Operational Plan and, if approved, the works will be incorporated into the Works Program in that year to suit resources and programming. For large works the applicant and Council may negotiate a longer delivery timeframe which may allow the works to be delivered over a number of financial years.

- 5.2.4 For budgeting purposes, Council will provide an estimate of cost of the works, including all applicable overheads but not including a profit margin and the applicant is to sign an agreement to pay the agreed percentage of the estimated costs of the work prior to allocation of funding to the project.
- 5.2.5 Prior to commencement of the works, Council will provide a fixed price quotation for the project and/or maintenance activities along with a self help agreement, outlining the obligations of both parties, including any prepayment terms and the agreed percentage contribution as a monetary value or donation of materials (e.g. water or gravel) or a combination of both. The value of donated materials will be determined from current material costs less any profit margin.
- 5.2.6 Council retains the right to accept or reject any proposal application and if necessary negotiate further with the applicant.
- 5.2.7 On completion of the works where the asset has been upgraded, ongoing maintenance will be Council's responsibility for the lifecycle of the new asset. At the end of the new asset's lifecycle, Council will attempt to notify the applicant to negotiate a further funding agreement. The maintenance of the original asset will remain Council's responsibility unless other arrangements are determined.
- 5.2.8 On completion of the works to maintain the asset in its current condition, e.g. grading of a black soil road, ongoing maintenance to achieve the agreed level of service will continue to be the Council's responsibility.
- 5.2.9 If, within 5 years of completion of the works, a development application, for which the applicant would have been required to fund all of the works undertaken under a self help agreement, is lodged, payment of the cost of the works, in excess of the percentage contribution paid under this policy, will be required to be paid by the applicant should the development application is approved.

## 6.0 DELEGATION

- 6.1 The General Manager is authorised, pursuant to Section 377 of the *Local Government Act 1993*, to allow a matter that does not conform to a policy to proceed if the General Manager is of the opinion that the variation from the Policy is of a minor nature.

## 7.0 REFERENCES

- 7.1 Kyogle Shire Council – Policy on Self Help Program Policy
- 7.2 *Local Government Act 1993 (NSW)*

## 8.0 DISPUTE PROCEDURE

- 8.1 In the event of a dispute over any aspect of this policy, immediate action will be taken by the Director of the Department who was responsible for developing the policy through effective

and constructive consultation between the parties concerned. If a resolution cannot be reached, the General Manager will have the final say on the matter.

## 9.0 ATTACHMENTS

9.1 Nil attachments

## 10.0 REVIEW

10.1. Council will review existing policies if at any time it is apparent that the circumstances which gave rise to the policy have changed substantially.

10.2 Council will consider existing policies on a progressive basis, however, each policy is to be reviewed within four years of the date of adoption.

## HISTORY

|                                                         |                                                                |                      |
|---------------------------------------------------------|----------------------------------------------------------------|----------------------|
| Original Policy                                         | <b>Community Voluntary Road Policy (Self Help Policy) 2009</b> |                      |
| Policy drafted by                                       | Engineering                                                    |                      |
| Policy reviewed by Managers' Meeting                    | 5 July 2017                                                    |                      |
| Policy reviewed by Manex                                | 4 July 2017                                                    |                      |
| Council Resolution Number, if applicable                |                                                                |                      |
| Date of Adoption                                        | [Date]                                                         |                      |
| Review Date                                             | [Date]                                                         |                      |
| Classification of Policy                                | External                                                       |                      |
| This Policy works in conjunction with these polices     | Asset Management Policy                                        | 2017/21318           |
| This policy works in conjunction with these procedures: | [Procedure Name]                                               | [Records Manager No] |

ELECTRONICALLY SIGNED BY THE GENERAL MANAGER OF MOREE PLAINS SHIRE COUNCIL,  
WHOSE SIGNATURE APPEARS BELOW.

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**LESTER RODGERS**