

6.17. FLOOD WARNING INFRASTRUCTURE NETWORK ASSET HANDOVER

REPORT AUTHOR	Manager Disaster Management Unit
MANAGER	General Manager TC Jasper Corporate and Communities
DEPARTMENT	Disaster Management Unit
RECOMMENDATION	

That Council:

1. Approves the transfer of ownership of rain gauge assets at stations 531147 and 531149 (Mossman Treatment Plant and Rex Creek Intake), to the Commonwealth of Australia.
2. Enters into a Flood Warning Infrastructure Handover Agreement with the Commonwealth of Australia for the rain gauge assets.
3. Delegates authority to the Chief Executive Officer to approve any future handover of Flood Warning Infrastructure assets to the Commonwealth of Australia and enter into Flood Warning Infrastructure Handover Agreements with the Commonwealth of Australia.

EXECUTIVE SUMMARY

The Flood Warning Infrastructure Network (FWIN) program commenced in Queensland in 2023 with the aim of obtaining and maintaining approximately 1000 flood warning sites over four (4) years. Following acquisition, ongoing maintenance costs will be shared between the Bureau of Meteorology (BoM) and the Queensland Government.

Council's disaster management staff have worked with the BoM to identify priority FWIN assets owned by Council for transfer to the BoM. Currently BoM have agreed on a list of 10 identified flood warning assets for them to acquire from Council.

The BoM have sent a Transfer of Equipment Agreement for two (2) rain gauge sites. Other identified equipment is expected to be transferred over future years.

Staff are seeking Council's approval to transfer identified flood warning assets to the BoM who represent the Commonwealth of Australia.

BACKGROUND

In 2023, the Australian Government allocated \$236 million over 10 years from 2023–24 to remediate high priority flood warning infrastructure and address critical reliability risks across Australia.

In Queensland, the Queensland Reconstruction Authority's (QRA) role is to ensure a best practice flood warning networking in assisting local governments in improving their network, with active stakeholder engagement in the oversight of the Bureau of Meteorology's management of the transition and ongoing operations and management of flood warning gauges in Queensland.

The FWIN program commenced in Queensland in 2023 with the aim of obtaining and maintaining approximately 1000 flood warning sites over the next 4 years. Following acquisition, ongoing maintenance costs will be shared between the Bureau and the Queensland Government. Existing flood asset owners are required to maintain their equipment under the 2018 Council of Australian Governments Intergovernmental Agreement, until sites are acquired by the Bureau.

Continuing this maintenance is crucial to supporting the flood warning services to our communities.

The BoM is committed to maintaining flood assets acquired under FWIN to the same high standard as their existing network. In some circumstances, sites may have conditions that require a specific and localised maintenance agreement. For these sites, the Bureau will execute a formalised maintenance agreement to ensure all monitoring equipment is managed appropriately and accountabilities are clear.

Since 2014, Council's Disaster Management staff have been continually adding flood assets to better inform our communities and assist in disaster operations. Over that period to present, Council went from owning zero assets to 20, including 8 automatic rain gauges, 4 river level gauges, 5 flood cameras and 4 automatic road closure systems.

Since the commencement of the FWIN program, Council's disaster management staff have been working with the BoM on prioritising assets for handover to the BoM.

COMMENTS

Assuming ownership of the gauges that the Bureau relies on to deliver flood forecasts and warnings will ensure that Australia's flood warning network is modernised, resilient and well-maintained, helping communities be better prepared during flood events. It also removes the burden of ongoing maintenance costs from councils.

The prioritised list of FWIN assets to handover to the Bom are listed below, all are rain gauges except where marked. BoM have advised that they will be seeking to acquire and remediate these assets: -

531132 - Barratt Creek Tm (river level gauge)

531133 - Craiglie Tm

531145 - Creb Track Tm (river level gauge)

531110 - Daintree Village Tm

531135 - Diwan Tm

531147 - Mossman Treatment Plant Tm

531134 - Port Douglas Tm

531149 - Rex Creek Intake TM

531148 - Stewart Creek Valley Tm

531146 - Yandill Tm

BoM have committed to looking at transferring these assets and have advised that they are currently ready to take two (2) rain gauge assets. Transfer of Equipment Agreements (see attachment) have been sent for the assets listed in the table below: -

Transfer of Equipment Agreement	
Station Name	Station Number
Mossman Treatment Plant Tm	531147
Rex Creek Intake TM	531149

Whilst the installation of the above assets has improved Council's flood intelligence considerably, the assets require annual maintenance and repairs when they malfunction. This expense runs into the tens of thousands of dollars annually and the cost of replacement of the assets will be required in time.

The majority of the assets have been installed through funding programs and there is no certainty of future programs. Depreciation is another cost borne by Council.

Transferring the assets will mean that the cost to Council and Council resources will be greatly reduced, and the assets will be maintained to the BoM standards.

PROPOSAL

That Council:

1. Approves the transfer of ownership of rain gauge assets at stations 531147 and 531149 (Mossman Treatment Plant and Rex Creek Intake), to the Commonwealth of Australia.
2. Enters into a Flood Warning Infrastructure Handover Agreement with the Commonwealth of Australia for the rain gauge assets.
3. Delegates authority to the Chief Executive Officer to approve any future handover of Flood Warning Infrastructure assets to the Commonwealth of Australia and enter into Flood Warning Infrastructure Handover Agreements with the Commonwealth of Australia.

FINANCIAL/RESOURCE IMPLICATIONS

The transfer of flood warning infrastructure to the BoM will reduce Council's annual maintenance and repair for those assets, reduce depreciation and reduce staff time spent on organising repairs and maintenance.

Where appropriate, staff will continue to install assets where they provide a benefit to communities for information on flooding and provide intelligence to Council's Disaster Management Unit

RISK MANAGEMENT IMPLICATIONS

Council staff use the flood warning assets to inform disaster management decisions and warnings. It is crucial that access for any flood warning systems remain available. This is common practice between the BoM and other councils. The requirements of the BoM for asset standards and maintenance will be able to be assured through the BoM systems of management.

SUSTAINABILITY IMPLICATIONS

Economic:	Reduced costs to ratepayers will occur through the transfer of these assets.
Environmental:	Nil
Social:	Access to data will be carried on through the BoM website and various subscription services. The information from the assets will be able to be used by the BoM for flood warning and prediction.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2019-2024 Initiatives:

Theme 4 - Inclusive Engagement, Planning and Partnerships

In delivering for our communities, economy and environment, Douglas Shire will ensure open and transparent engagement and communication. We will develop robust strategic plans and we will partner with our community and key stakeholders.

Goal 1 - We will implement transparent decision making through inclusive community engagement and communication.

Goal 3 - We will recognise the critical role that our partners play in planning and delivering vital programs and services.

Operational Plan 2024-2025 Actions:

New project arisen during the financial year.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Builder/Owner	Council makes a significant investment every year in the infrastructure that underpins the Shire through its capital works program. Council will manage its assets with appropriate frameworks and deliver its projects through robust project management.
Custodian	Council owns and manages infrastructure, facilities, reserves, resources and natural areas. In fulfilling its role as custodian, Council will be mindful of the community, the economy, the environment, and good governance.

CONSULTATION

Internal: Workshop 18 March, 2025

External: Bureau of Meteorology, other regional councils, Queensland Reconstruction Agency

COMMUNITY ENGAGEMENT

Not applicable

ATTACHMENTS

1. Douglas Shire Council - FWIN Equipment Transfer Agreement [6.17.1 - 4 pages]
2. Bo M FWIN Program Feb 2025 [6.17.2 - 2 pages]

TRANSFER OF EQUIPMENT

Parties

This agreement is made between the following parties:

1. **Douglas Shire Council, ABN 71 241 237 800 of 64-66 Front Street, Mossman QLD 4873**
(Transferor)
2. **The Commonwealth of Australia** as represented by the Bureau of Meteorology ABN 92 637 533 532 of 700 Collins St, Docklands VIC
(Bureau)

Context

This agreement is made in the following context:

- A. In the 2023-24 Federal Budget, the Australian Government committed up to \$236 million over 10 years for the Bureau to address critical, long-standing risks in Australia's flood warning network as part of the Flood Warning Infrastructure Network Program (**FWIN Program**).
- B. As part of the FWIN Program, the Commonwealth will take ownership of a portion of Australia's flood observation network, focused on high priority assets in high priority catchments and including certain flood management assets. The ongoing maintenance and operations costs associated with these flood warning assets will be shared equally by the Commonwealth and each relevant state or territory.
- C. The purpose of this agreement is to transfer ownership of specific items of flood observation network equipment to the Bureau under, and for the purposes of, the FWIN Program.

1. Risk, title and property

- 1.1. On the Transfer Date, risk in, title to, and property in the Equipment immediately passes to the Bureau.
- 1.2. The Transferor must, within a reasonable time after receiving a written request from the Bureau:
 - (a) deliver any thing that is incidental to the Equipment that may be necessary for the operation or maintenance of the Equipment, including any keys, passwords manuals, schematics, documents and information;
 - (b) do all things reasonably necessary to provide the Bureau with the benefit of any warranties, guarantees or service agreements available to the Transferor in relation to the Equipment; and
 - (c) do all other things reasonably necessary to give effect to this clause 1.

2. Equipment Price

- 2.1. The Bureau must, within a reasonable time after receiving written demand from the Transferor, pay the Equipment Price to the Transferor.

- 2.2. The Parties acknowledge and agree that if the Transferor makes the written demand contemplated by clause 2.1, then the Bureau does not have any discretion over whether or not to pay the Equipment Price to the Transferor.

3. Warranties

- 3.1. The Transferor warrants to the Bureau that:
- (a) it has the right to sell and transfer to the Bureau full and unencumbered title to and property in the Equipment; and
 - (b) it has disclosed to the Bureau all information about the Equipment that a person in the position of the Bureau would reasonably want to know, including any unusual features or risks associated with the Equipment.
- 3.2. The Bureau warrants to the Transferor that the transfer of ownership effected by clause 1.1 will not prevent the Transferor from having access to the data produced by the Equipment.

4. General

- 4.1. A variation of this agreement is only binding if agreed in writing and signed by the parties.
- 4.2. This agreement constitutes the entire agreement between the parties in respect of its subject matter.
- 4.3. A party may not assign any right under this agreement without the prior written consent of the other party.
- 4.4. This agreement may be executed in counterparts, all of which taken together constitute one agreement.
- 4.5. This agreement is governed by, and must be construed in accordance with, the laws of Queensland. Each party submits to the non-exclusive jurisdiction of the courts of Queensland and any courts which have jurisdiction to hear appeals from such courts.

5. Definitions

- 5.1. In this agreement:

Equipment means the equipment, items and things described in the Site Assessment/s under the heading "Findings - Equipment to be transferred to the Bureau under FWIN Program".

Equipment Price means \$1.00

Site Assessment means the FWIN Pilot Site Assessment Findings attached to this agreement at Attachment 1.

Transfer Date means the date this agreement is signed by the last party to do so.

[the next page is the signing page]

SIGNING PAGE

Executed as an agreement.

SIGNED for and on behalf of the)
Commonwealth of Australia as)
represented by the Bureau of)
Meteorology by:)

Name *(please print)*

Signature

Date

SIGNED for and on behalf of **Douglas**)
Shire Council by:)
)

Name *(please print)*

Signature

Date

ATTACHMENT 1 – Site Assessment/s

Station Name	Station Number
Mossman Treatment Plant Tm	531147
Rex Creek Intake TM	531149



Australian Government
Bureau of Meteorology

21 February 2025

Mr Scott Osman
Chief Executive Officer
Douglas Shire Council
64-66 Front Street
Mossman QLD 4873

Dear Scott,

I am writing to confirm Douglas Shire Council's participation in the Bureau of Meteorology's national 10-year Flood Warning Infrastructure Network (FWIN) Program.

By acquiring and remediating high priority flood warning assets, FWIN will enable the Bureau to simplify the ownership and management of Australia's flood warning infrastructure.

Assuming ownership of the gauges that the Bureau relies on to deliver flood forecasts and warnings will ensure that Australia's flood warning network is modernised, resilient and well-maintained, helping communities be better prepared during flood events. It also removes the burden of ongoing maintenance costs from councils.

The FWIN program commenced in Queensland in 2023 with the aim of obtaining and maintaining approximately 1000 flood warning sites over the next 4 years. Following acquisition, ongoing maintenance costs will be shared between the Bureau and the Queensland Government via the Queensland Reconstruction Authority. Existing flood asset owners are required to maintain their equipment under the 2018 Council of Australian Governments Intergovernmental Agreement, until sites are acquired by the Bureau. Continuing this maintenance is crucial to supporting the flood warning services to your communities.

The Bureau is committed to maintaining flood assets acquired under FWIN to the same high standard as our existing network. In some circumstances, sites may have conditions that require a specific and localised maintenance agreement. For these sites, the Bureau will execute a formalised maintenance agreement to ensure all monitoring equipment is managed appropriately and accountabilities are clear.

We have worked closely with Shane Brumby, Paul Hoyer and Jamie Kleinhans over the past year to consult on the priority flood gauges that the Bureau is seeking to acquire and remediate where required. Below is a list of sites the Bureau is seeking to obtain from Douglas Shire Council, noting there may be some adjustments to the final list of sites following detailed assessments:

- 531132 - Barratt Creek Tm
- 531133 - Craiglie Tm
- 531145 - Creb Track Tm
- 531110 - Daintree Village Tm

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- 531135 - Diwan Tm
- 531147 - Mossman Treatment Plant Tm
- 531134 - Port Douglas Tm
- 531149 - Rex Creek Intake TM
- 531148 - Stewart Creek Valley Tm
- 531146 - Yandill Tm

The next steps of the Program will be to issue Council with transfer of equipment and/or licence agreements. This will be done progressively for the sites identified, with acquisition likely to be staggered over a number of years. Remediation works on sites will occur following acquisition, with capital works in Queensland scheduled to be completed by June 2029.

The Bureau will continue to work with Douglas Shire Council over the duration of the FWIN Program.

If you have any questions, please contact the Bureau's Flood Warning Infrastructure Network (FWIN) Program team at FWIN@bom.gov.au

Yours sincerely,



Ella Harrison

General Manager, Flood Warning Infrastructure Network Program
Business Solutions Group