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20 SEPTEMBER 2000

REPORTS FOR DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

27. **Awnings over Footpaths - Risk Management Policy and Procedures**
Building Code, Risk Management

335

Cr Luff

Cr Marshall

RESOLVED that Council develops an appropriate Risk Management Policy in conjunction with advice from Council's solicitors.

Current Status: Draft Policy to be completed in conjunction with Council's Risk Manager.

21 FEBRUARY 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES

11. **Tweed Valley Flooding 2 - 4 February 2001**

Floods, SES

766

Cr Boyd

Cr Carroll

RESOLVED that:-

1. This report be received and noted.
2. Councillors interested in viewing the ENVIROMON Program contact the Manager Water who will arrange demonstrations.
3. The Director Engineering Services brings forward a report with recommendations as to the conduct of a flood awareness program.
4. Council co-operates in a joint public meeting with the SES.

Current Status: Report being prepared for Item 3. Other items completed.

Schedule of Outstanding Resolutions

21 MARCH 2001

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

5. Dilapidated Structures - Tumbulgum

PF0460/270 Pt1

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

C161

That Council:-

1. Undertakes the work to
 - a) Connect the dwelling situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum to the council sewer.
 - b) Demolish and remove the dilapidated/illegal ferneries/pergolas situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
 - c) Remove waste materials and disused motor vehicles as required from Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
2. Receives a further report to be submitted on the matter of the repairs/maintenance to the dwelling situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
3. Raises a debt against the property to recover all costs.

Current Status: Dilapidated structures, ferneries/pergolas, waste materials and motor vehicles removed. Other matters progressing.

18 APRIL 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

3. Houses on Road Reserve - Reserve Creek Road

R4660 Pt3

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (a) personnel matters concerning particular individuals

C188

That Council enters into confidential discussion with each of the occupants of the premises referred to in the report prior to reporting back to council on a proposed course of action.

Current Status: To be completed

Schedule of Outstanding Resolutions

5 MAY 2001

ORDERS OF THE DAY

4. Pacific Highway - Tweed Shire

Notice of Motion, R4031 Pt13, Pacific Highway

1037

Cr Boyd

Cr Lawrie

RESOLVED that a comprehensive report be provided to Council covering at least the following aspects which relate to that section of the Pacific Highway which will be reclassified within Tweed Shire when the new Motorway is completed in 2002:

1. Its total length
2. Current traffic counts and those forecast for 2005-2010
3. An assessment of the present condition of the pavement of this section so as to identify how much is in a failed or near failed condition
4. An estimate of the cost to bring the existing pavement up to a satisfactory standard before it becomes a Council responsibility.
5. An assessment of the cost of repairing that section of the river bank subsidence threatening the Highway near the Ampol Service Station in Murwillumbah.
6. A forecast as to the time when the section of the Highway between Murwillumbah and the 4 lane section at Stotts Creek will have to be constructed to 4 lane standard.
7. An estimated cost to carry out the construction mention in (6).
8. The number and location of road deaths on this section of Highway over the past 10 years, segregated into those north of Murwillumbah and those south of Murwillumbah.
9. The identification of those sections of this road considered to be black spots such as Murnane's Corner near Burringbar; the turn off at Burringbar to Reserve Creek; and the Railway Bridge at Greenhills.
10. Any other relevant information considered import on this issue.

Current Status: Initial meeting held with RTA, discussions continuing.

Schedule of Outstanding Resolutions

20 JUNE 2001

ORDERS OF THE DAY

1. **Main Street Program - Funding Options**
Notice of Motion, Wollumbin Street, Street Scaping - M'bah

1200

Cr Marshall

Cr Boyd

RESOLVED that the General Manager be requested to investigate funding options with the view of preparing draft concept plans for the re-development of Wollumbin Street, Murwillumbah, under the Main Street Program.

Current Status: To be finalised.

4 JULY 2001

REPORTS FROM SUB-COMMITTEES

1. **Minutes of the Community Cultural Development Committee Meeting held**
Thursday 31 May 2001
Cultural Development – Advisory Committee
3. **Festivals Policy**
Cultural Development – Advisory Committee

1242

Cr Polglase

Cr Marshall

RESOLVED that Council's Cultural Advisory Committee calls a meeting of all the existing shire-wide festival organisers for a round table discussion to determine current needs and ways to initiate long-term and sustainable audience development.

Current Status: Meeting to be arranged in October/November following completion of festivals.

ORDERS OF THE DAY

1. **Wardrop Valley Land**
Notice of Motion; PF5810/305

1257

Cr Beck

Cr Carroll

RESOLVED that a report be brought forward identifying all options considered to this point for the use of Wardrop Valley land.

Current Status: To be finalised.

Schedule of Outstanding Resolutions

1 AUGUST 2001

REPORTS FROM DIRECTOR CORPORATE SERVICES

9. Local National Award Winners - Recognition

Civic Awards, Plaques

55

Cr Boyd

Cr Lawrie

RESOLVED that consideration be given to establishing local achiever recognition plaques to be located within the Murwillumbah Civic & Cultural Centre, together with criteria for determination of recognition.

Current Status: Criteria being developed.

15 AUGUST 2001

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

2. Proposed Tourist Resort including 271 Accommodation Units and the Use of the Existing Building as Reception, Recreation and Restaurant at Lot 2 DP 777875 & Lots 5, 7 & 8 DP 822830 Nos. 136-150 Dry Dock Road, Tweed Heads South

DA1680/785 Pt5

96

Cr Marshall

Cr Youngblutt

RESOLVED that Council invites the applicant to make a presentation on the proposed development.

Current Status: Invitation issued.

Schedule of Outstanding Resolutions

5 SEPTEMBER 2001

ORDERS OF THE DAY

3. Signs - Casuarina Beach

Notice of Motion, Regulatory Signs, Beaches - Dune Care

186

Cr Polglase

Cr Davidson

RESOLVED that a report be brought forward to Council, in consultation with the Casuarina Beach Management Committee, for suitable signs and/or a strategy to encourage the protection of the environment at Casuarina Beach.

Current Status: Report to be prepared.

Mayoral Minute

Councillors,

1. Local Government Sustainability Network

Sustaining The Tweed

The Local Governments and Shires Associations advises that a Local Government Sustainability Network is being organised to assist Councils to develop and implement effective ecologically sustainable development (ESD) policies, procedures and programs.

The purpose of the network is to identify people within Councils who have responsibility for encouraging the implementation of ecologically sustainable management practices and Council has been invited to nominate an appropriate Councillor to participate in the network and take responsibility for promoting ESD at the elected level within Council.

The letter from the Local Government and Shires Associations of NSW dated 21 August 2001 forms an attachment to this Business Paper.

Mayoral Minute

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Reports from Director Development Services

MATTERS FOR CONSIDERATION UNDER SECTION 79(C)(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The following are the matters Council is required to take into consideration under Section 90 of the Environmental Planning and Assessment Act 1979 in assessing a development application.

MATTERS FOR CONSIDERATION

1. In determining a development application, a consent authority shall take into consideration such of the following matters as are of relevance to the development the subject of that development application:
 - (a) the provisions of
 - (i) any environmental planning instrument; and
 - (ii) any draft environmental planning instrument that is or has been placed on exhibition and details of which have been notified to the consent authority, and
 - (iii) any development control plan, and
 - (iv) any matters prescribed by the regulations,that apply to the land to which the development application relates,
 - (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts of the locality,
 - (c) the suitability of the site for the development,
 - (d) any submissions made in accordance with this Act or the regulations,
 - (e) the public interest.

Reports from Director Development Services

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Reports from Director Development Services

1. ORIGIN: Development Assessment Unit

FILE REF: DA3770/20 Pt1

REPORT TITLE:

The Use of an Existing Building for Office Accommodation at Lot B DP 174482 No. 3 Nullum Street, Murwillumbah

SUMMARY OF REPORT:

The proposal involves the conversion of an existing dwelling at 3 Nullum Street, Murwillumbah into a commercial office building to be utilised by a local Town Planning Consultancy. The building was utilised by the Murwillumbah Youth Enterprise Centre from 1993 until 1995. The land is zoned 2(b) Medium Density Residential under Tweed Local Environmental Plan (LEP) 2000 which prohibits commercial premises. To permit the use of this building for commercial premises Council will need to resolve to make an amendment to the Tweed Local Environmental Plan 2000. This can be best achieved by including the subject land under Schedule 3 of Tweed LEP 2000 which allows for the development of certain properties for uses which otherwise are prohibited.

RECOMMENDATION:

That Council:-

1. Pursuant to Section 54(1) of the Environmental Planning and Assessment Act 1979 prepares a draft Local Environmental Plan to amend Tweed Local Environmental Plan 2000 to include Lot B Section 5 DP 174482, 3 Nullum Street Murwillumbah in Schedule 3 to be used as a Commercial Premises.
2. Pursuant to Section 54(4) of the Environmental Planning and Assessment Act 1979 informs the Department of Urban Affairs and Planning of its intention to prepare this draft Local Environmental Plan.

Reports from Director Development Services

REPORT:

BACKGROUND

The site is surrounded by a variety of development including residential flats and dwellings, TTEC Offices, Government Offices, church, pre-school and the Murwillumbah TAFE. The use of the existing building by Murwillumbah Youth Enterprise Centre was approved by Council in January 1993 as a community building. This use continued until 1997 when it was converted back into a dwelling.

The proposed LEP Amendment has been submitted to Council with an accompanying Development Application in accordance with Section 72J of the Environmental Planning and Assessment Act 1979.

The land has an area of approximately 942 m² with access to Nullum Street and Nullum Lane at the front and rear respectively, and contains an elevated weatherboard building.

Reports from Director Development Services

SITE DIAGRAM



Reports from Director Development Services

PLANNING CONSIDERATIONS

The subject land is zoned 2(b) Medium Density Residential under Tweed LEP 2000. The proposed use of the building as an Office is defined as a Commercial Premises under Tweed Local Environmental Plan 2000. Commercial Premises means:-

“Land used as office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this schedule or a building or place used for a land use elsewhere specifically defined in this schedule.”

Commercial Premises are prohibited in the 2(b) Medium Density Residential Zone. To enable the building to be used for commercial purposes an LEP Amendment will be required.

LEP AMENDMENT

To effect the required LEP Amendment, Council can either:

1. Amend the 2(b) Medium Density Zone to make commercial premises permissible in the zone; or
2. Rezone the subject land to another zone in which commercial premises are permissible such as 3(B) General Business Zone; or
3. Include the subject land in Schedule 3 (Development of Specific Sites) of Tweed Local Environmental Plan 2000.

The circumstances of the subject case are unique and relate to the use of an existing building. Options 1 and 2 are not favoured as it is not desirable to enable commercial premises permissible throughout the entire 2(b) Medium Density Zone, or rezoning the land specifically to a commercial zone as this would then permit other uses which may not be compatible with adjoining development.

Pursuant to Clause 53 Development of Specific Sites, Council can permit development for certain additional purposes on land referred to in Schedule 3 of Tweed Local Environmental Plan 2000, subject to development consent. It is considered that listing the subject property under Schedule 3 is the most appropriate approach for the following reasons:-

1. The proposed development due to its nature is compatible with surrounding land uses which comprise a mix of development including residential, educational facilities, and commercial premises. The proposal being an office is unlikely to generate offending noise, odour, fumes or the like and adequate parking facilities are provided at the rear of the property for staff and customers.
2. By placing the subject property in Schedule 3 the land remains zoned 2(b) Medium Density, and does not compromise the future redevelopment of the site for that purpose.

CAR PARKING AND ACCESS

Front and rear access is available to the property from Nullum Street and Nullum Lane respectively. A total of six parking spaces are available. Five parking spaces were constructed at the rear of the property when the building was utilised by the Murwillumbah Youth Enterprise Centre. A garaged

Reports from Director Development Services

space is located off Nullum Street. Car parking in numerical terms complies with Development Control Plan No. 2 – Site Access and Parking Code for Commercial Premises and Offices.

Council's Planning and Design Unit have undertaken a preliminary assessment of the proposal and advise that there are no car parking or access issues which would prevent the proposal from proceeding.

BUILDING ISSUES

Council's Building Services Unit have undertaken a preliminary assessment of the proposal, as the change of use from a dwelling to a commercial premises involves a reclassification from Class 1(a) to Class 5 under the Building Code of Australia (BCA). They advise that if it is unlikely that any major BCA issues would prevent the proposal from proceeding, however any proposal would certainly require the provision of fire extinguishers and exit signs.

CONCLUSION

The use of the subject property for consulting offices by Jim Glazebrook and Associates is defined as Commercial Premises under Tweed Local Environmental Plan 2000. Such a development is prohibited in the 2(b) Medium Density Zone, and in order to grant consent to such a development Council will need to resolve to amend Tweed Local Environmental Plan 2000 to add the property to Schedule 3.

Reports from Director Development Services

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Reports from Director Corporate Services

2. ORIGIN: Administration Services Unit

FILE REF: Elections - Mayoral

REPORT TITLE:

Election of Mayor and Deputy Mayor for the Period to September 2002

SUMMARY OF REPORT:

Section 290(B) of the Local Government Act provides that the election of the Mayor by the Councillors is to be held during the month of September.

RECOMMENDATION:

That should an election be necessary to determine the selection of the persons for Mayor and Deputy Mayor that it proceed by way of ordinary ballot.

Reports from Director Corporate Services

REPORT:

It is necessary for Council to resolve the way in which an election for the positions of Mayor and Deputy Mayor (should it be necessary) is to proceed whether by preferential ballot, ordinary ballot, or open voting. Preferential ballot and ordinary ballot are to be secret ballots. Open voting means voting by a show of hands or similar means.

Schedule 3 from the Regulations sets out the procedure to be followed for the conduct of the election of the Mayor and Deputy Mayor, under the ordinary ballot system. Schedule 3 of the Regulations is reproduced for Council's information:

"SCHEDULE 3 - ELECTION OF MAYOR BY COUNCILLORS

(Cl. 120)

PART 1 - PRELIMINARY

Returning Officer

1. *The general manager is the returning officer, however the General Manager can appoint another person to be the returning officer.*

Nomination

2. (1) *A Councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) *The nomination is to be made in writing by 2 or more councillors, (one of whom may be the nominee.) The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) *The nomination is to be delivered or sent to the returning officer.*
- (4) *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

Election

3. (1) *If only one councillor is nominated, that councillor is elected.*
- (2) *If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) *The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) *In this clause:*
***ballot** has its normal meaning of secret ballot;*
***open voting** means voting by a show of hands or similar means.*

Reports from Director Corporate Services

PART 2 - ORDINARY BALLOT OR OPEN VOTING

Application of Part

4. *This part applies if the election proceeds by ordinary ballot or by open voting.*

Marking of ballot-papers

5. *If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*

Count - 2 candidates

6. (1) *If there are only 2 candidates, the candidate with the higher number of votes is elected.*
- (2) *If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*

Count - 3 or more candidates

7. (1) *If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*
- (2) *If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
- (3) *If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.*
- (4) *A further vote is to be taken of the 2 remaining candidates.*
- (5) *Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
- (6) *If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

PART 4 - GENERAL

Choosing by lot

12. *To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.*

Reports from Director Corporate Services

Result

13. *The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:-*
- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer; and*
 - (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales."*
-

Reports from Director Corporate Services

3. ORIGIN: Administration Services Unit

FILE REF: Committees of Council

REPORT TITLE:

Council Committees - Delegations to September 2002

SUMMARY OF REPORT:

Submitted for consideration by Council.

RECOMMENDATION:

That Council appointments to the various committees be made for the period ending 30 September 2002.

Reports from Director Corporate Services

REPORT:

Submitted for adoption by Council is an alphabetical list of Council Committees and Delegations to September 2002.

Committee: Aboriginal Liaison Committee
File:
Councillors: Boyd, Luff
Alternate:
Contact: Sharen Smith
Staff: Sharen Smith
Others: Mr Frank Krasna (Inaugural Chairman), representatives of Aboriginal Organisations and Community of Tweed Local Government Area

Frequency:

Place:

Duration:

Comment:

Committee: Agenda 21 Steering Committee
File:
Councillors: Boyd Davidson, Lawrie
Alternate:
Contact: Don Buckley
Staff: Don Buckley, Geoff Edwards, Stewart Brawley, Douglas Jardine, Don McAllister, Graham Judge

Others:

Frequency:

Place:

Duration:

Comment:

Committee: Area Assistance Committee
File:
Councillors: Marshall, Youngblutt
Alternate:
Contact: Jenni Funari
Staff: Jenni Funari
Others: Statutory Committee of State Dept of Planning

Frequency:

Place:

Duration:

Comment: Delegate

Reports from Director Corporate Services

Committee: Banora Point Community Centre Establishment Committee
File:
Councillors: Lawrie
Alternate:
Contact: Geoff Edwards
Staff: Geoff Edwards, Robin Spragg, Peter Brook
Others: Anne Grace (Family Centre), Lesley Baker (Tweed Heads & Greenbank Community Preschools), Michelle Hartley (Tweed Heads & Greenbank Community Preschools), Jane Wilkinson (Tweed Heads & Greenbank Community Preschools), Merran Marriott (Centaur Parents & Citizens), Darryl Luhrs (Salvation Army), Neil Clanfield (Salvation Army), John Murray (Banora Point Residents' Association), George Bonomo (Banora Point Resident's Association), Mark Trotter (Fulton Trotter Partners), Emma Harcourt (Fulton Trotter Partners), Robert Weisner (Fulton Trotter Partners).

Frequency:
Place:
Duration:
Comment: 6/6/2001 Min No 1092

Committee: Burringbar Sewerage Community Reference Group
File:
Councillors: Beck, Polglase
Alternate:
Contact: A Abedrabbo
Staff: A Abedrabbo, M Rayner, P Ainsworth
Others: Tom Tabart (Burringbar & District Progress Association & Local Landcare Group), Stuart Cahill (Burringbar Progress Association), Bob McTackett (Burringbar & District Progress Association) Bruce Douglas (Community Rep), Joanne Wyatt (Community Rep)

Frequency:
Place:
Duration:
Comment:

Committee: Cabarita Beach Surf Club Working Group
File:
Councillors: Davidson, James
Alternate:
Contact: Geoff Edwards
Staff: Geoff Edwards, Don Buckley
Others: Wilson Cregan, Fred Perlenfein, Bruce Douglas, Anita Raftery, Terry Kane, Tim Smerd, Patrick Raftery, Steve Dale, Peter Skaines

Reports from Director Corporate Services

Frequency: Monthly as required
Place: CBSC
Duration: 1 ½ hours
Comment:

Committee: Chinderah Planning Committee
File:
Councillors: Beck, Brinsmead, Davidson, Polglase
Alternate:
Contact: Douglas Jardine
Staff: Douglas Jardine, John Henley
Others:
Frequency: As required
Place: Council
Duration: 1-1 ½ hrs
Comment:

Committee: Clarie Hall Dam Fishery Management Committee
File:
Councillors: Beck, Youngblutt
Alternate:
Contact: John Henley
Staff: John Henley
Others: Bob Loring, Colin Wiley, Chris Estreich, Barry Saunders, Tom Senti +
Corresponding Members: Lindsay Cram, David Gardner, Leslie Brims, Michael
Elliott, Des Charles
Frequency: As required
Place: Council
Duration: 1-1 ½ hrs
Comment:

Committee: Communication Committee
File:
Councillors: Davidson, Luff, Marshall(res), Carroll
Alternate:
Contact: Marilyn Smith
Staff: Marilyn Smith, Ian Carpenter
Others: Ray Carlile, Jude Robb, 1 new appointment
Frequency: Monthly
Place: Murwillumbah
Duration: 1 ½ hrs
Comment:

Reports from Director Corporate Services

Committee: Community Advisory Committee
File:
Councillors: Boyd, Luff, Marshall
Alternate:
Contact: Geoff Edwards
Staff: Don Buckley, Kristen Forster, Geoff Edwards
Others:
Frequency: 9.30 am bi-monthly, 3rd Thursday of month
Place: Murwillumbah/Tweed
Duration: 2 hrs
Comment:

Committee: Community Cultural Development Advisory Committee
File:
Councillors: Boyd, Carroll
Alternate:
Contact: Geoff Edwards, Lesley Buckley
Staff: Lesley Buckley
Others: Tony King (Chair), Glenda Nalder, Judith Sutton, Garry Corbett
Frequency:
Place:
Duration:
Comment:

Committee: Community Development and Expenditure Scheme Committee
File:
Councillors:
Alternate:
Contact: Geoff Edwards,
Staff: Geoff Edwards, Jenni, Funari
Others: John Smith and Phillip Kelly (Kingscliff Bowls Club); Ron Lewis (Club Banora); Jenny Wrights (Cabarita Bowls Club); Dallas Ryan (Twin Towns Services Club); Lindsay Howard-Smith (Murwillumbah Services Club); Phillip Dark (Coolangatta-Tweed Golf Club); Michael Hill (Seagulls); Gordon Rhodes and Penne Jeffouse (South Tweed Bowls Club); Geoff Provest (Tweed Heads Bowls Club); Terry Collier (Dept of Community Services); Ron McLean (Seagulls)
Frequency:
Place: Tweed Heads
Duration: 2 hours
Comment: This is not a committee of Council.

Reports from Director Corporate Services

Committee: Community Development Plan Working Group
File:
Councillors: Carroll
Alternate:
Contact: Jenni Funari, Robin Spragg
Staff: Jenni Funari, Robin Spragg
Others:
Frequency:
Place:
Duration:
Comment:

Committee: Community Options Project Management Committee
File:
Councillors: Carroll, Marshall
Alternate:
Contact: Heather Tannock
Staff: Don Buckley, Geoff Edwards, Heather Tannock, Marilyn Haan
Others:
Frequency: As required
Place: Council
Duration: As required
Comment:

Committee: Companion Animal Committee
File:
Councillors: Marshall, Youngblutt
Alternate:
Contact: Peter Ainsworth
Staff: Don Buckley, Terry Lintern, Peter Ainsworth
Others: Rob Philp, Digby Moore, Alma McAllister, Christie Walker, Wendy Marshall, Jeremy Cornford, Len Greer, Ronnie Hoskisson, Noela Wynne; Audrey Rennison & Milena Morrow (Companion Animal Owners)
Frequency: First Monday of each month
Place: Rous Room
Duration: 2 hrs
Comment:

Committee: Contiguous Local Authority Group (Mosquito Control)
File:
Councillors: Marshall
Alternate: Beck
Contact: Clive Easton
Staff: Clive Easton, Don Buckley

Reports from Director Corporate Services

Others:
Frequency: Quarterly meeting day to be advised
Place: Rotationao (Tweed-Redlands)
Duration: All day
Comment: Renamed from Biting Midge Research and Control Committee

Committee: Coolangatta Airport Environment Management Committee
File:
Councillors:
Alternate:
Contact: Don Buckley
Staff: Don Buckley
Others: As appointed by Gold Coast Airport
Frequency: TBA
Place:
Duration: 1-2 hrs
Comment:

Committee: Coolangatta Airport Noise Abatement Consultative Committee
File:
Councillors:
Alternate:
Contact: Don Buckley
Staff: Don Buckley
Others: As appointed by Gold Coast Airport
Frequency: TBA
Place:
Duration: 1-2 hrs
Comment:

Committee: Coolangatta Airport Regional Advisory Committee
File:
Councillors: Polglase
Alternate: Beck
Contact: John Griffin Don Buckley
Staff: John Griffin, Don Buckley
Others: 2 reps Qld Airports Ltd, 2 reps GCCC, 1 rep GC Tourism Board, 1 rep TACTIC, 1 rep GC Economic Dev Org, 1 rep TEDCO, Mr. Trevor Stephenson (community rep TSC), 1 community rep GCCC
Frequency: Monthly
Place: Council
Duration: 1-2 hrs
Comment:

Reports from Director Corporate Services

Committee: Cudgen Lake Catchment Rehabilitation Committee
File:
Councillors: Davidson, James, Marshall
Alternate:
Contact: Mark Tunks
Staff: Mark Tunks, Don Buckley
Others: Rhonda James, Harry Boyd, Lance Tarvey, Betty Wood, Bill Shaw, Robert Quirk, Reg Carter, Geoff Provest, Rob Loring, Richard Hagley, Stan Dawson, Nigel Greenup, Douglas Jardine
Frequency: As required
Place: Council
Duration: 2 hrs
Comment:

Committee: Development Assessment Panel
File:
Councillors:
Alternate:
Contact: Garry Smith
Staff: Garry Smith, Rick Paterson, Don McAllister
Others:
Frequency: Wednesday & Friday each week
Place: Rous Room
Duration: As required
Comment:

Committee: Far North Coast County Council
File:
Councillors: James, Youngblutt
Alternate:
Contact:
Staff:
Others:
Frequency: Monthly (3rd Thursday)
Place: Rotational
Duration: All day
Comment:

Committee: Flood Plain Management Committee
File:
Councillors: Beck, Boyd, Brinsmead, Marshall
Alternate:
Contact: John Henley
Staff: John Henley, Douglas Jardine, Mike Rayner

Reports from Director Corporate Services

Others: Reps of DLAWC, DUAP, SES & Community reps as appropriate (P Reynolds, J Everingham, I Taylor (DLWC), T Flood (SES))
Frequency: As required (infrequent)
Place: Council
Duration:
Comment:

Committee: General Manager Review Committee
File:
Councillors: Mayor, Deputy Mayor, Crs Carroll, Lawrie, Youngblutt
Alternate:
Contact: Mayor
Staff:
Others:
Frequency:
Place:
Duration:
Comment:

Committee: Home & Community Care Centre Working Management Group
File:
Councillors: Marshall
Alternate:
Contact: Kristen Forster
Staff: Kristen Forster
Others:
Frequency: 3rd Tuesday of month 11 am (bi-monthly)
Place: HACC Centre
Duration: 1 hr
Comment: Not operational.

Committee: ILAP Advisory Committee
File:
Councillors:
Alternate:
Contact: Douglas Jardine
Staff: John Griffin, David Broyd, Doug Jardine
Others: Members of the Public
Frequency:
Place:
Duration:
Comment: Pending further report

Reports from Director Corporate Services

Committee: Joint Council Border Gateway Committee
File:
Councillors: Luff
Alternate:
Contact: Don McAllister
Staff: Don McAllister
Others: Cr Sue Robbins GCCC, Mr. R. Roylance TTSC, Mr. M Cotton, Mr. V. Faley, Mr. G. Bilton GCCC
Frequency:
Place: Board Room Twin Towns Services Club
Duration:
Comment: Completed

Committee: Joint Tourism Committee
File:
Councillors: Boyd, Marshall
Alternate:
Contact: Marilyn Smith
Staff: Marilyn Smith
Others:
Frequency: 10 am Monday (approx 2 monthly)
Place: Rotational
Duration: All Day
Comment: 20/10/99

Committee: Krekelberg Environment Reserve Management Committee
File:
Councillors: James
Alternate:
Contact: Stewart Brawley
Staff: Stewart Brawley
Others: Peter Krekelberg, Len Greer
Frequency: As required
Place: Pottsville Environment Park
Duration: 1 hr
Comment:

Committee: Lend Lease Development – The Anchorage
File:
Councillors: Beck
Alternate:
Contact: Ian Carpenter
Staff: Ian Carpenter, Richard Adams, Stewart Brawley
Others:

Reports from Director Corporate Services

Frequency: 3 monthly
Place: The Anchorage Tweed Heads
Duration: 2 hrs
Comment:

Committee: Local Environmental Plan Advisory Committee
File:
Councillors: Polglase, Beck, Boyd, Brinsmead, Marshall
Alternate:
Contact: Douglas Jardine
Staff: David Broyd, Douglas Jardine
Others: Bruce Graham, Trevor Stephenson, Col Brooks, Don Beck, Alan McIntosh, Athol Dobson, Mike Allen, Darren Gibson, Craig Venner, Tom Senti
Frequency: Third Tuesday of each month at 2.00pm
Place: Canvas & Kettle
Duration: 1 ½ hours
Comment: First mtg 30/1/2001

Committee: Local Traffic Committee
File:
Councillors: Davidson
Alternate: Marshall
Contact: Paul Morgan
Staff: Paul Morgan (Chairman) Judith Finch, Ray Clark
Others: Mr Neville Newell, MP, State Member for Tweed, Mr Don Page, MP, State Member for Ballina, Police Representative and Mr Mike Baldwin, RTA Rep
Frequency: Monthly or as need arises
Place: Oxley Room
Duration: Approx. 2 hrs
Comment:

Committee: Lot 490 Committee
File:
Councillors: All
Alternate:
Contact: Ian Carpenter
Staff: Ian Carpenter, David Broyd
Others: Mr Tim Rabbige (DLAWC), Mr Satwant Calais(Tourism NSW), Trustee(s) Tweed Shire Council, One Community Representative
Frequency:
Place:
Duration:
Comment:

Reports from Director Corporate Services

Committee: Millennium & Centenary of Federation Advisory Committee
File:
Councillors: Boyd, Marshall
Alternate:
Contact: Lesley Buckley
Staff:
Others: Terry Cleal (Chairperson), Carmel Harris, Sandra Flannery, Mary Lee Connery, Ken McDonald, Vic Crowley
Frequency:
Place:
Duration:
Comment: 3/11/99 reconstituted

Committee: Murwillumbah Airfield Management Committee
File:
Councillors: Beck, Boyd
Alternate: Youngblutt
Contact: Richard Adams
Staff: Richard Adams
Others: Mr Greyden, S Tapp (Tapp's Aviation), Mr. Brian Budd, Mr. J H Williams, Mr. Ken Zealey
Frequency: As need arises
Place: Murwillumbah Airfield
Duration:
Comment:

Committee: Murwillumbah Design Advisory Committee
File:
Councillors: Lawrie, Luff, Youngblutt
Alternate:
Contact: Brian Donaghy
Staff: Mike Rayner, David Broyd, Brian Donaghy, Don McAllister
Others: Carmel Harris (Main St Coord), Retail sector & community reps.
Frequency:
Place:
Duration:
Comment: Completed

Committee: New Art Gallery Construction Committee
File:
Councillors: Boyd, Beck, Davidson, Polglase and Youngblutt
Alternate:
Contact: MEH
Staff: Director Environment & Community Services, Manager Environment & Health

Reports from Director Corporate Services

Others: Architect, a representative of the Friends of the Gallery, and the Art Gallery Director

Frequency:

Place:

Duration:

Comment: New Committee 5/9/2001

Committee: New Tweed River Regional Art Gallery Committee

File:

Councillors: Beck, Davidson, Boyd, Polglase

Alternate:

Contact: Geoff Edwards

Staff: John Griffin, Don Buckley, Geoff Edwards, Ann Schardin, Gary Corbett

Others: 1 Art Gallery Advisory Committee rep and 2 Friends of the Gallery reps

Frequency: As required

Place: Art Gallery

Duration: 1-2 hrs

Comment: New Committee 15/12/99

Committee: Northern Rivers Catchment Management Board

File:

Councillors: Boyd (Ministerial Appointment)

Alternate:

Contact: Cr Boyd

Staff: Geoff Edwards

Others: Gary Varga (Co-ordinator)

Frequency: Quarterly

Place: Canvas & Kettle

Duration:

Comment: Ratified 6/10

Committee: Northern Rivers Regional Advisory Management Committee

File:

Councillors: Boyd, Marshall (Delegate)

Alternate:

Contact:

Staff: Douglas Jardine

Others:

Frequency: Bi monthly

Place: Rotational

Duration:

Comment:

Reports from Director Corporate Services

Committee: Public Transport Committee
File:
Councillors: Luff
Alternate:
Contact: Robin Spragg
Staff: Robin Spragg, Paul Morgan
Others: Stephanie Cooper (Public Trans Dev Proj), other transport industry reps & community reps
Frequency: Monthly 3.30 pm Tuesday
Place: Murwillumbah TAFE
Duration: 2-3 hrs
Comment:

Committee: Recycling Review Committee
File:
Councillors: Youngblutt
Alternate:
Contact: Ian Percy
Staff: Ian Percy, Geoff Edwards, Don Buckley
Others: Contracting representative
Frequency: As required
Place: Council
Duration: 2 hrs
Comment:

Committee: Richmond-Tweed Regional Library Committee
File:
Councillors: Boyd, Polglase
Alternate:
Contact: Geoff Edwards
Staff: Don Buckley, Geoff Edwards
Others:
Frequency: 10 am 2nd Thursday (Feb, May, Aug, Nov)
Place: Rotational
Duration: 4 hrs
Comment:

Committee: Rural Fire Service Liaison Committee
File:
Councillors: James, Youngblutt
Alternate:
Contact:
Staff:
Others:

Reports from Director Corporate Services

Frequency:

Place:

Duration:

Comment: New Committee 20/6/2001

Committee: Southern Regional Organisation of Councils (SouthROC)

File:

Councillors: Boyd, Marshall

Alternate: James

Contact: Ian Carpenter

Staff: Mark Tickle

Others:

Frequency: Thursday (monthly)

Place: Rotational (Tweed-Redlands)

Duration: 4 hrs

Comment:

Committee: Sports Advisory Committee

File:

Councillors: Boyd, Polglase, Youngblutt, Davidson

Alternate:

Contact: Stewart Brawley

Staff: Stewart Brawley, Don Buckley

Others: M Edwards, L Sharpe, K Baldwin, K Brennan, P Moschogianis, R Brisby, G Kenny, A Walker, R Conlon

Frequency: 3rd Tuesday (monthly)

Place: Alternates Tweed/ Buchanan Room

Duration:

Comment:

Committee: Strategic Planning Committee

File:

Councillors: Committee of the Whole

Alternate:

Contact: Douglas Jardine

Staff: Douglas Jardine, staff from SPU

Others:

Frequency: 2nd Wed (monthly) 2.30pm

Place:

Duration:

Comment: 1/12/99

Reports from Director Corporate Services

Committee: Tweed & Coolangatta Tourism Inc
File:
Councillors: Polglase, Brinsmead
Alternate:
Contact: Ian Carpenter
Staff:
Others:
Frequency: Irregularly
Place:
Duration:
Comment:

Committee: Tweed Australia Day Committee
File:
Councillors: Beck, Youngblutt
Alternate:
Contact: Brian Donaghy
Staff:
Others:
Frequency: As required
Place: Council
Duration:
Comment:

Committee: Tweed Bush Fire Management Committee
File:
Councillors: Youngblutt
Alternate:
Contact: Ian Gibson
Staff: Ian Gibson, Tom Maye
Others: Emergency Organisation reps
Frequency: Twice yearly (minimum)
Place:
Duration:
Comment:

Committee: Tweed Coastal Committee
File:
Councillors: Boyd, Brinsmead, James, Marshall (Chair)
Alternate:
Contact: Jane Lofthouse
Staff: John Henley, Stewart Brawley, Jane Lofthouse

Reports from Director Corporate Services

Others: C Cormack (Waterways Auth), R James (Caldera), G Budd (EPA), T Rabbidge, R Hagley (Dept Land & Water Cons), L Tarvey (NPWS), N Newell (State Member), G Thorpe (Hastings Pt) J Harbison (P'ville), T Kane (Bogangar), E Griffiths (K'cliff), C Venner (TBLC)

Frequency: 2 monthly approx.

Place: Canvas & Kettle Restaurant

Duration: 2 hrs

Comment: Originally only 3 Councillors

Committee: Tweed Dune Care Advisory Committee

File:

Councillors: Boyd, James

Alternate:

Contact: Stewart Brawley

Staff: R Keevers, S Brawley

Others: B Graham, G Thorpe, J Gillieatt, F McLeod, J Kelly, B Scott, K McKenzie, R Glover, M Stewart, L Greer, C Lynch, P Langley, J Davidson, I Anderson

Frequency: Bi-monthly

4-6 pm

Place: Pottsville Environment Centre

Duration: 2 hrs

Comment:

Committee: Tweed Economic Development Corporation

File:

Councillors: Polglase, Marshall

Alternate:

Contact: Dr John Griffin

Staff: Dr John Griffin

Others: Now includes Tweed Shire Town Centres Committee

Frequency:

Place:

Duration:

Comment: Includes Tweed Shire Town Centres C'ttee

Committee: Tweed Games Committee

File:

Councillors: Polglase

Alternate:

Contact: Stewart Brawley

Staff: Marilyn Smith, Stewart Brawley

Others: P Moschogianis, R Quirk, R Pettyfor, R Brisby, K Baldwin, D Black

Frequency:

Place:

Reports from Director Corporate Services

Duration:

Comment: 17/11/99

Committee: Tweed River Committee

File:

Councillors: Boyd, Brinsmead, James, Marshall (Chair)

Alternate:

Contact: Jane Lofthouse

Staff: John Henley, Graham Judge, Geoff Edwards, Jane Lofthouse

Others: C Comack (Waterways Auth) R James (Caldera) G Budd (EPA) T Rabbidge, R Hagley (DLWC), L Tarvey (NPWS), Bob Loring (NSW Fisheries), N Newell (State Member), A Blundell (T & J Blundell), R Quirk (TRAC & NSW Canegrowers Assn)

Frequency: 2 monthly approx

Place: Canvas & Kettle Restaurant

Duration: 3 hrs

Comment: (formerly Tweed River Management Plan Advisory Committee Renamed 8/8/01), Originally only 3 Councillors

Committee: Tweed River Regional Art Gallery Advisory Committee

File:

Councillors: Beck, Boyd

Alternate:

Contact: Geoff Edwards

Staff: Gary Corbett, Geoff Edwards

Others: M Anthony, D Francis, A King, R Stephens, R Watson, J Flett, J Sutton, A Schardin, B Connery, D Calrow

Frequency: Every 6 weeks approx

Place: Gallery

Duration: 2 hrs

Comment:

Committee: Tweed Shire Council Access Committee

File:

Councillors: Boyd, Marshall

Alternate:

Contact: Kristen Forster

Staff: Kristen Forster, Stewart Brawley, Ross Cameron, Ray Clark, Bob Missingham

Others: E Booth, B Chapman, U Cowdroy, R Douglas, P Frost, S Gamble, A Maglaras, G Martin, B McKennariy, A Fisher, J Needham, M O'Brien, S Pigram, S Pollit, S Zak, M Cooper, D Baker

Frequency: 3rd Thursday of month

Place: Tweed HACC Centre, Mbah Buchanan Room

Reports from Director Corporate Services

Duration: 2 hrs
Comment: Requested that name include Disability as it can get mixed up.

Committee: Tweed Shire Council Bush Fire Risk Management Implementation Committee
File:
Councillors: James, Youngblutt
Alternate:
Contact:
Staff: Stewart Brawley, Douglas Jardine, John Henley, Geoff Edwards, Brian Donaghy
Others:
Frequency:
Place:
Duration:
Comment: Min 31 of 18/7/2001

Committee: Tweed Shire Council Consultative Committee
File:
Councillors: Marshall
Alternate: Davidson
Contact: Joyce Lillyin
Staff: Joyce Lillyin, MEU Rep (2), Ruth Ormella, Edward Dickson, Greg James, Merv Bridger, Greg James, Gary McArthur, Steve Sharp, Bill Miller, DES, LGEA Rep, HBSA Rep
Others:
Frequency: 3rd Thursday of month
Place: Buchanan Room
Duration: 1-2 hrs
Comment:

Committee: Tweed Shire Council Mayor's Disaster Relief Fund
File:
Councillors: Beck, Brinsmead, Davidson
Alternate:
Contact: Cr Beck
Staff:
Others:
Frequency: As required
Place: Council
Duration:
Comment:

Reports from Director Corporate Services

Committee: Tweed Shire Council Occupational Health & Safety Committee
File:
Councillors: Marshall
Alternate:
Contact: Geoff Hussey
Staff: R Harper, R Jones, T Dawson, N Hunt, I Dusi, B Alexander, R Norvill, R Missingham, S Brawley, Ian Carpenter
Others:
Frequency: Monthly 2nd Wednesday each month
Place: Buchanan Room
Duration: 1 hr
Comment:

Committee: Tweed Shire Local Emergency Committee
File:
Councillors: Beck
Alternate: Marshall
Contact: Geoff Edwards
Staff: Geoff Edwards, Ian Percy
Others: Emergency Organisation representatives
Frequency:
Place:
Duration:
Comment:

Committee: Tweed-Brunswick Valley Committee
File:
Councillors: Marshall (Chair-appointed by DUAP)
Alternate:
Contact: Katrina Luckie
Staff: David Broyd
Others:
Frequency: Monthly
Place: M'bah Civic Centre
Duration: 1-2 hrs
Comment: Renamed from Tweed Valley C'tee

Committee: Vegetation Management Plan Committee
File:
Councillors: James, Youngblutt, Boyd
Alternate:
Contact: Graham Judge
Staff: Graham Judge, Douglas Jardine, Stewart Brawley

Reports from Director Corporate Services

Others: Mr Brian Sandercock, Ms Barbara Stewart, Mr Gary Varga, Ms Rhonda James, Ms Kate McKenzie, Mr Robert Quirk, Mr Jim O'Brien, Mr Paul Bolster, Mr Paul Hopkins, Mr Peter Mason, Mr David Lovell, Mr Colin Brooks (Combined Rural Industries), Mr Mark Kingston (Ecograph), Ms Diane Mackay (National Parks & Wildlife Service), Mr Bruce Hungerford (DLAWC) and Mr David Hart (DLAWC).

Frequency:

Place:

Duration:

Comment:

Committee: Waste Disposal Working Party (Proposed)

File:

Councillors: Beck, Marshall, Brinsmead

Alternate:

Contact: Beck

Staff: Joint Working Party with Gold Coast City Council

Others:

Frequency:

Place:

Duration:

Comment: 4/4/2001 Min 924

Committee: Water & Wastewater Infrastructure Steering Committee – Kingscliff Wastewater Augmentation

File:

Councillors: Boyd, Brinsmead, Davidson, Beck

Alternate:

Contact: John Henley

Staff: John Henley

Others: C Hennessy (DLWC), I Norris (DPW&S)

Frequency: As required

Place: Peter Border Room

Duration: 2-3 hrs

Comment: DLAWC Committee

Reports from Director Corporate Services

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Reports from Director Corporate Services

4. ORIGIN: Director

FILE REF: Councillors - General

REPORT TITLE:

Elected Members - Business Cards

SUMMARY OF REPORT:

Council for many years has provided elected members with business cards.

A Councillor has requested that consideration be given to including a photograph of the elected representative on the business card.

The current provider of business cards has indicated that the cost per 1,000 would be in the vicinity of \$160.00.

RECOMMENDATION:

That Councillors individually choose the business card format and advise the Mayoral Secretary accordingly.

Reports from Director Corporate Services

REPORT:

Council currently provides its elected members with business cards that identify they are an elected representative of Council and provides contact details.

A Councillor has requested that the business card include a photograph to ensure the legitimacy of the card.

The current provider of business cards has indicated that the cost per 1,000, which would include a digital photo of the elected representative, would be in the vicinity of \$160.00, negotiable depending on numbers.

Currently the cost per 1,000 is approximately \$140.00, with cards being ordered in 250 unit lots, with each lot ordered being a minimum of 1,000.

Business cards are a cost that is reflected in the expenses, as set out in the Annual Report for each elected representative.

It is suggested that Councillors should have the option to continue with the current business card format, or elect to include a digital photo on their business cards.

For Council's determination.

Reports from Director Corporate Services

5. ORIGIN: Director

FILE REF: Electricity

REPORT TITLE:

Contestable Energy Market - Implementation Disadvantage

SUMMARY OF REPORT:

Since the introduction of a contestable energy market for large electricity consumers and its commencement in July 1997, Council has been unable to access this market. This has resulted in a comparably higher energy cost being borne by this Council for its electricity energy in comparison with other NSW Local Government authorities.

The Minister for Energy, the Hon. Kim Yeadon, at the request of the Local State Member, has been the first State Ministers prepared to meet with large energy consumers of the Tweed. This meeting took place on Monday, 20 August 2001.

Council's endorsement of the General Manager's response to that meeting is recommended.

RECOMMENDATION:

That:

1. The letter from the General Manager dated 5 September 2001 to the NSW Minister for Energy, the Hon. Kim Yeadon, be endorsed.
2. Council seeks the support of the Minister for State and Regional Development, the Hon. Harry Woods, together with the State Member for Tweed, Mr Neville Newell, to have the matter of compensation satisfactorily resolved by the State Government for Council and the business communities of the Tweed.

Reports from Director Corporate Services

REPORT:

The Tweed, in comparison with the balance of the State of NSW, continues to experience a cost differential in the contestable energy market. This is reflected in the differing higher energy rates experienced by businesses who receive their energy from the Queensland contestable market.

Council has been pursuing the Premier, Minister for Energy and the Treasurer on the inequities since the commencement of the NSW contestable energy market in July 1997.

Successive Energy Ministers have been unwilling to meet with representatives of Council and the business communities until 20 August 2001.

The Hon. Kim Yeadon, with the assistance of the Local State Member, Mr Neville Newell, held a briefing at Banora Point and outlined the government's action in seeking to address the unsatisfactory situation that has been allowed to occur.

The Minister indicated that the Tweed now has access to a contestable market in Queensland with access criteria at the same levels applicable to the NSW market.

It has also been pointed out that there is likely to be regional market variations across the State of NSW and that the Tweed is one of these markets experiencing this situation.

Advice was also provided that an interconnector established in February 2001 will continue to reduce the energy contestable market rates differing between Queensland and NSW.

What is outstanding and has impacted on the Council and its communities is that Council was unable to access a contestable market, as did other eligible Local Government authorities and therefore has suffered a financial loss.

It is suggested that the Local Member, Mr Neville Newell, be requested to continue his support in representations to the NSW Government on this matter and that the Minister for State and Regional Development, the Hon. Harry Woods, be also requested to provide support.

Council's endorsement of the General Manager's response (refer below) is recommended:

"18 September 2001

*Hon. Kim Yeadon
Minister for Energy
Level 34, Governor Macquarie Tower
1 Farrer Place
SYDNEY 2000*

Dear Minister

Contestable Energy Market - Implementation Disadvantage

The Mayor has requested that I pass onto you her appreciation on behalf of Council and the communities of the Tweed for your attendance and briefing of primary contestable energy consumers on market irregularities applicable to the Tweed region Monday, 20 August 2001.

Reports from Director Corporate Services

A matter yet to be satisfactorily addressed relates to a consequence of your Government's inability to provide access to the NSW contestable energy market for Council at the same time as other eligible NSW consumers were provided the opportunity.

The NSW Minister for Energy, Mr Michael Egan, on 25 November 1997 advised the Legislative Council "the delay in introducing contestable energy for Tweed customers is unfortunate."

As you are aware, Council sought and received tenders for the supply of contestable electrical energy on 1 July 1997. These tenders indicated the magnitude of the potential cost reductions in the supply of services provided by Council and received by other local authorities in the State of NSW.

As indicated by you, your government's aim in the reform of the electricity industry is primarily focussed on delivering benefits to the customer.

The Tweed Shire falls within the jurisdiction of the State of NSW and is required to comply with the statutory and legislative requirements applicable to the State and yet has only partly experienced the benefit enjoyed by most other areas of the State.

What continues to be disappointing is that the communities of the Tweed expect an effective and efficient delivery of Local Government services.

This drive for efficiency is encouraged by your government's application of rate capping, which is applied universally to all NSW local government authorities.

The inability to access a contestable energy market coupled with the rate capping measures placed additional pressure on the Council's capacity to deliver local government services at a level comparable with the Grants Commission benchmark standards.

It is our claim that the NSW government has an obligation to provide a fair and reasonable level of compensation to Council for reimbursement of the additional direct costs of electricity for the period from the commencement of the contestable energy market, up until the Tweed commenced accessing a NSW competitive contract provided by Advance Energy.

The claim is for reimbursement of the cost of \$74,724.00 (see attached calculations).

Yours faithfully

DR JOHN GRIFFIN
General Manager

Attach

*cc Hon Harry Woods, Minister for Local Government
Minister for Regional Development
Level 14, AGC House
130 Phillip Street
SYDNEY 2000*

Reports from Director Corporate Services

COST TO TWEED SHIRE FROM BEING EXCLUDED FROM NSW CONTESTABLE ELECTRICITY MARKET

<i>750 MW Sites Open to Competition (Tweed Shire Council 12 Sites)</i>	
<i>July 1997 - March 1998</i>	<i>\$ 86,250</i>
<i>Tweed Shire Council Open to Queensland Competitive Market</i>	
<i>April 1998 - March 1999</i>	<i>\$ 47,000</i>
<i>Time of Transition to NSW Competitive Market</i>	
<i>April 1999 - August 2000</i>	<i>\$ <u>62,667</u></i>
<i>SUB TOTAL</i>	<i>\$ 195,917</i>
<i>Less Transmission Tax relief of 0.55c per KWH</i>	
<i>April 1998 - August 2000</i>	<i>\$121,193</i>
<i>TOTAL</i>	<i>\$ 74,724</i>

Notes:

Prices for period 1 are based on the difference in price between actual price charged by North Power and best price achieved through tendering process for sites. All bids were subsequently withdrawn due to inability to supply from the NSW wholesale market. Total potential annual cost saving \$115,000.

Period 2 and 3 represent a contract being established with Energex with a cost saving of \$68,000 per annum.

Transmission Tax Relief commenced with the Tweed Shire Council access to the Queensland Market and is based on a usage of 9,118,000 KWH per year.”

Reports from Director Corporate Services

6. ORIGIN: Financial Services Unit

FILE REF: Exemptions, Aboriginal Matters

REPORT TITLE:

Rate Exemption Application by Tweed Byron Local Aboriginal Land Council

SUMMARY OF REPORT:

Under Section 43 of the Aboriginal Land Rights Act 1983 the Minister administering the Act may exempt land vested in an Aboriginal Land Council from the payment of rates, where the Minister is of the opinion that special circumstances exist.

The Minister has received an application to exempt certain lands owned by Tweed Byron Local Aboriginal Land Council from the payment of rates. The Land Council seeks exemption from the payment of rates on the basis that the lands are not being used for a residential or commercial purpose.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Corporate Services

REPORT:

Council has been advised that the NSW Department of Aboriginal Affairs has received a request from the Tweed Byron Local Aboriginal Land Council for exemption to the payment of rates on the Land Council's seven (7) lots that and are rated in the name of the Land Council.

The Land Council is seeking this exemption on the basis that the lands are not being used for residential or commercial purpose.

SCHEDULE OF GUIDELINES FOR EXEMPTION FROM PAYMENT OF RATES BY ABORIGINAL LAND COUNCIL UNDER SECTION 43 OF THE ABORIGINAL LAND RIGHTS ACT

“Under Section 43 of the Aboriginal land rights Act 1983 (“the Act”), the Minister administering the Act may exempt land vested in an Aboriginal Land Council from the payment of rates, where the Minister is of the opinion that special circumstances exist. Special circumstances justifying a rate exemption may exist where the land vested in the Aboriginal Land Council:-

- 1. is of spiritual or cultural significance; or*
- 2. is not being used for a commercial purpose; and*
- 3. is not being used for residential purposes.*

All land claims for vacant land granted on or after the date of issue of these guidelines will be exempt from the payment of rates until the land is developed. Land currently vested in Aboriginal Land Council may be exempted from the payment of rates, in accordance with the criteria outlined above, on application to the Minister.

Where rate exemption is granted by the Minister in accordance with the criteria outlined above, the relevant Aboriginal Land Council may be requested to provide evidence to the Minister annually that the land is not being used for commercial or residential purposes.

In the case of rate exemptions for land already vested in Aboriginal Land Councils, the Minister will seek the views of the affected Local Government authority, before any decision.

Where land vested in an Aboriginal Land Council has been declared exempt from the payment of specified rates, the Aboriginal Land Council will be requested to provide a written undertaking to inform the Minister of any change in the use of the land, before the publication of a notice in relation to the declaration of exemption.

Any exemption may be reviewed or revoked at any time by the Minister.

The Minister will determine each case on its merits before making a declaration of exemption from rates and causing a notice to be published in the Government Gazette.”

Reports from Director Corporate Services

APPLICATION LAND LISTING PROVIDED BY DEPARTMENT

	Lot	DP	Address	Reason	Rates Charged
1	705	726473	Letitia Road, Fingal	Vacant) 0
2	706	728473	Letitia Road, Fingal	Vacant) \$5,471.90
3	707	726473	Letitia Road, Fingal	Vacant	\$4,630.05
4	504	728216	Coast Road, Pottsville	Vacant	\$450.50
5	700	740337	Bambery Street, Fingal	Vacant	\$1,767.85
6	719	820030	Dry Dock Road, South Tweed	Vacant	\$2,020.40
7	4	706573	Howards Road, Burringbar	Vacant	\$1,913.25
				Total	\$16,253.95

PROPERTY INSPECTIONS

Site inspections have been carried out, with the exception of Lot 4 Howards Road, Burringbar, all properties do not appear to be used for commercial or residential purposes. The property in Howards Road, Burringbar has two unused sheds, one unused glass house and has cattle grazing on the land.

FINANCIAL IMPLICATIONS – NO LOSS OF COUNCIL INCOME

If the Land Council properties should become rate exempt the \$16,253.65 general rates income currently levied on the seven (7) lots will form part of Council's total "notional general income" and will be distributed across all properties in the shire. No rate income is lost by Council.

SUMMARY

The Department is seeking information from Council on "*any objection to the granting of the exemption, detailed reasons for the objection*". Objections must be received by the Department by 1 October 2001.

Reports from Director Corporate Services

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Reports from Director Corporate Services

7. **ORIGIN:** Director

FILE REF: TACTIC

REPORT TITLE:

Tweed and Coolangatta Tourism Inc. (TACTIC) Monthly Performance Report - July 2001

SUMMARY OF REPORT:

Tweed and Coolangatta Tourism Inc (TACTIC) monthly performance report for July 2001 is provided in accord with the Agreement in criteria in Clause 5.1.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Corporate Services

REPORT:

The agreement between Council and TACTIC requires the organisation to report on a monthly basis its performance in accord with a number of specific requirements as detailed in Clause 5.1. The details are provided for the month of July 2001.

5.1.1 The number and category of financial members of TACTIC:

	May 2001	June 2001	July 2001
Gold Members	4	4	As membership renewals were sent out during July, the number of members who will renew is not able to be determined.
Ordinary Members	136	136	
Service Members	22	22	
Total	162	162	

5.1.2 The visitor numbers to the World Heritage Rainforest Centre and the Tweed Heads Tourism Centre:

	May 2001	June 2001	July 2001
World Heritage Rainforest Centre	2364 (including 318 from bus groups)	1970 (including 185 from bus groups)	2956 (including 247 from bus groups)
Tweed Heads Visitors Centre	574	731	891
Total	2938	2701	3847

Currently the two centres are undertaking surveys on the type of enquiries received:

World Heritage Rainforest Centre Tweed Heads Tourist Information Centre

Type of Enquiry	No of Enquiries	%	Variance from June	Type of Enquiry	No of Enquiries	%	Variance from June
Tourism	392	72	-7%	Tourism	983	74	-6%
National Parks	3	1	-8%	National Parks	165	12	+10%
Street Directions	51	6	+3%	Street Directions	81	6	-5%
Bus Timetables	36	7	+6%	Bus Timetables	8	0	-10%
Other	58	11	+6%	Other	107	8	-1%

Reports from Director Corporate Services

5.1.3 The provision by TACTIC to Council of updates on current programs conducted by TACTIC:

Internet Site

Initial work on the TACTIC website commenced in late April. TACTIC is presently collecting data from members to be included on the website. The new TACTIC website was launched at the Networking evening on 26 July 2001.

Review of operations of the tourist Information Centre

Staff and Volunteers

- A familiarisation program is in place whereby volunteers visit at least one TACTIC member per month to further product knowledge. During July TACTIC staff and volunteers visited Bella Mare Apartments, Greenmount Beach Resort, Calypso Plaza and Tweed River Catch-A-Crab. Getaway was filming a story on Catch-A-Crab and the staff and volunteers in attendance acted as extras during the filming.

Strategic Marketing Plan

- The next TACTIC Marketing Meeting will be held in late August.
- TACTIC combined with Northern Rivers Tourism to place a co-operative advertisement in the July-August edition of Open Road Magazine. 135 responses from this ad have been recorded.
- The TACTIC Marketing Committee is in the preliminary stages of implementing a TV campaign.

Networking

- The last TACTIC Networking Evening was held on 26 July at Twin Towns Services Club in the new auditorium. The launch of the TACTIC website was held in conjunction with the networking evening and approximately 70 members and guests were in attendance.

Group Bookings

- TACTIC is the nominated booking agent for the Army Reunion to be held in the Tweed-Coolangatta area in October 2001.
- TACTIC is also the nominated booking agent for the Twin Towns – Club Banora Golf Classic in September.

Central Reservations System (CRS)

- The new TACTIC website will allow on-line bookings and payments to be made and will supersede the CRS.

5.1.4 The comparison between quarterly profit and loss statement and the budget:

See attached Profit and Loss Statement for July 2001.

5.1.5 The provision by TACTIC to Council of a monthly bank reconciliation:

See attached reconciliation statement for July 2001.

Reports from Director Corporate Services

5.1.6 The level of involvement by TACTIC in Australian Tourism Exhibition Trade Shows:

International Marketing

- The next Australian Tourism Exchange (ATE) trade event will be held mid 2002.

5.1.7 The provision by TACTIC to Council of details of promotional activities conducted by TACTIC:

TACTIC Marketing Committee

- The next TACTIC Marketing Committee meeting is to be held late August.

Shopping Centre Promotions

- No further shopping centre promotions are scheduled at this stage.

Advertising

- Advertising was booked in the July-August edition of the Open Road Magazine.
- TACTIC has been nominated as co-ordinator of a co-operative advertisement in the Open Road Publication for the Northern Rivers Region.

Domestic Marketing

- TACTIC represented the Northern Rivers region at the Domestic Tourism Educational (DTE) in Sydney from 29-31 July 2001.
- The TACTIC Bus and Coach mail-out was printed and circulated to 450 bus and coach companies and social groups along the eastern seaboard.

Consumer Travel Shows

- No consumer travel shows were attended in July. Consumer shows are not scheduled to begin again until 2002.

Familiarisations

- Getaway filmed a segment on Tweed River Catch-A-Crab during July.

5.1.8 The amount of retails sales:

May 2001	June 2001	July 2001
\$1,879.40	\$1,613.39	\$2,743.09

The amount of commission income from goods on consignment - \$236.12

Reports from Director Corporate Services

5.1.9 The number and value of the booking system growth:

	May 2001	June 2001	July 2001
Number	36	45	78
Accommodation bookings	\$3,610.80	\$5,666.40	\$12,213.00
Tours	\$2,004.30	\$1,778.40	\$3,193.10
Commission	\$623.90	\$827.20	\$1,959.90
Total	\$6,239.00	\$8,272.00	\$17,366.00

(NB: Accommodation and tour bookings totals do not include commission amounts)

5.1.10 Minutes of the Tweed and Coolangatta Tourism Incorporated meeting held 19 July 2001 are attached.

Present: Lee Eyre, James McKenzie, Shane Marshall, Barrie Briggs, Phil Taylor, Cr Bob Brinsmead and Melinda Yates.

Informal: Sheridan Hargreaves

Apology: Cr Warren Polglase

Reports from Director Corporate Services

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8. ORIGIN: Financial Services Unit

FILE REF: Financial Reporting

REPORT TITLE:

Monthly Investment Report - Period Ending 31 August 2001

SUMMARY OF REPORT:

This report is provided to Council to advise details of monies Council has invested in accordance with Section 625 of the Local Government Act 1993.

RECOMMENDATION:

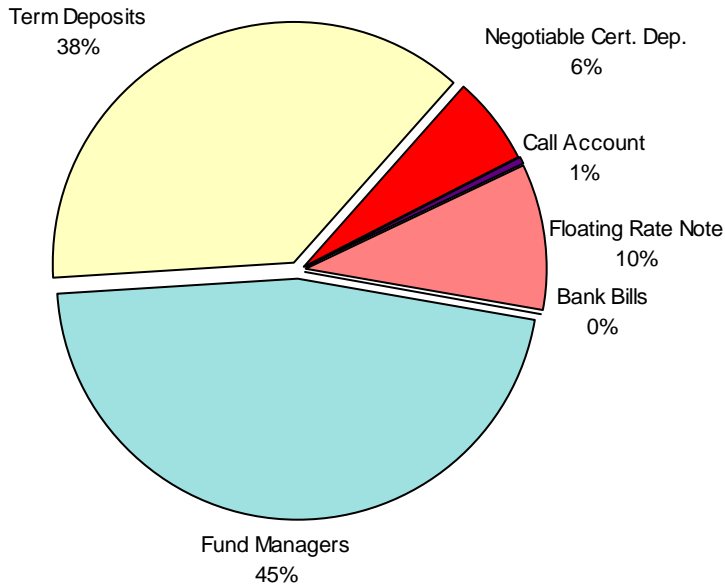
That this report be received and noted.

Reports from Director Corporate Services

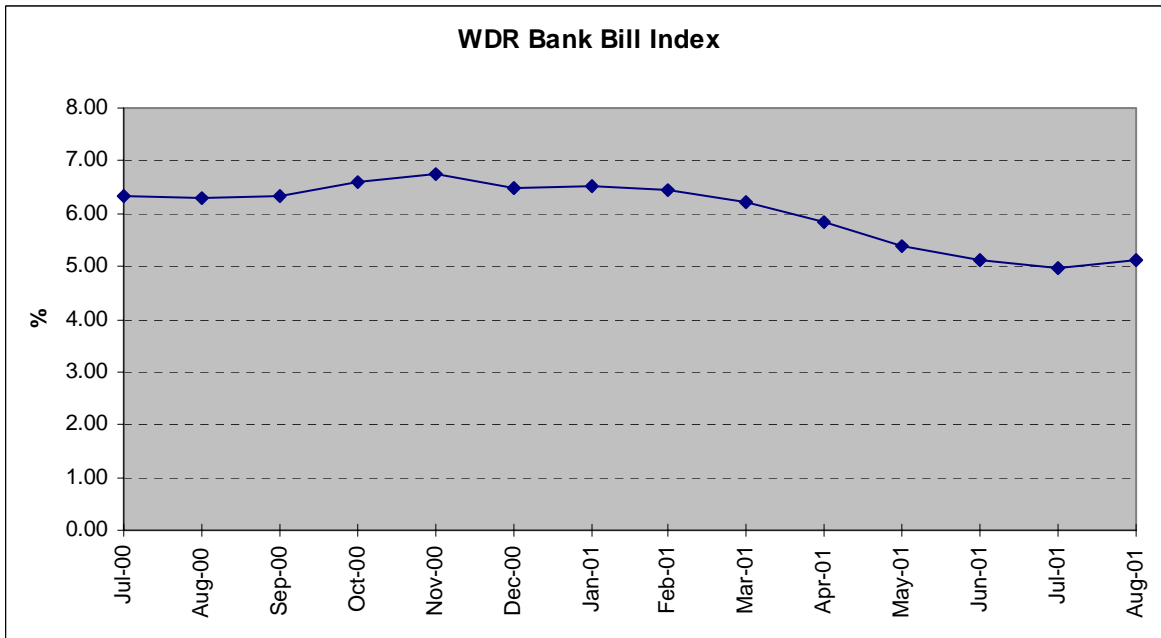
REPORT:

1. CURRENT INVESTMENT PORTFOLIO BY CATEGORY

% of Funds Invested by Category



2. INVESTMENT RATES – 90 DAY BANK BILL RATE (%)

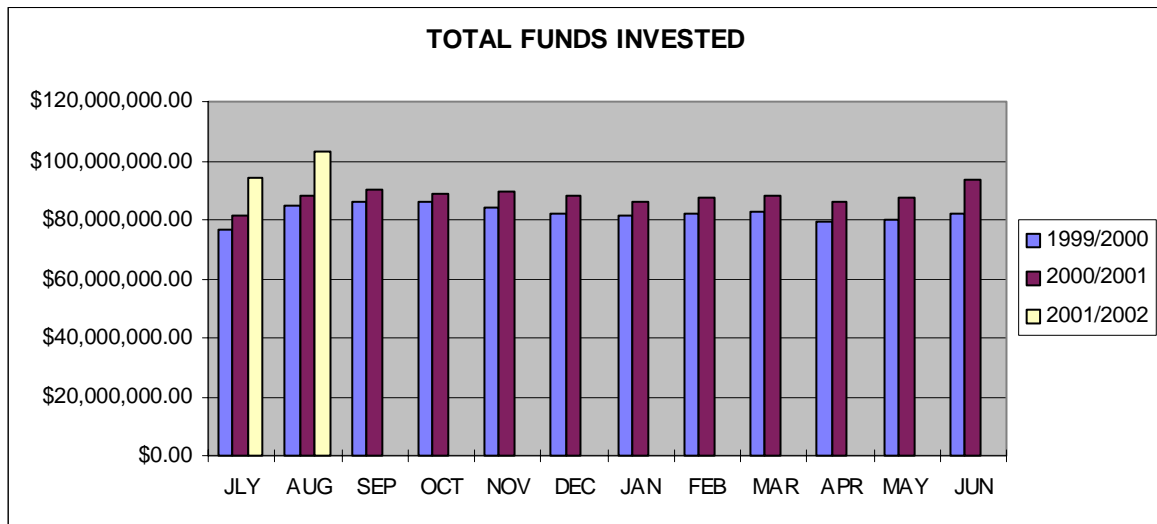


Reports from Director Corporate Services

3. ANNUALISED RATE OF RETURN FOR FUNDS MANAGERS – NET OF FEES

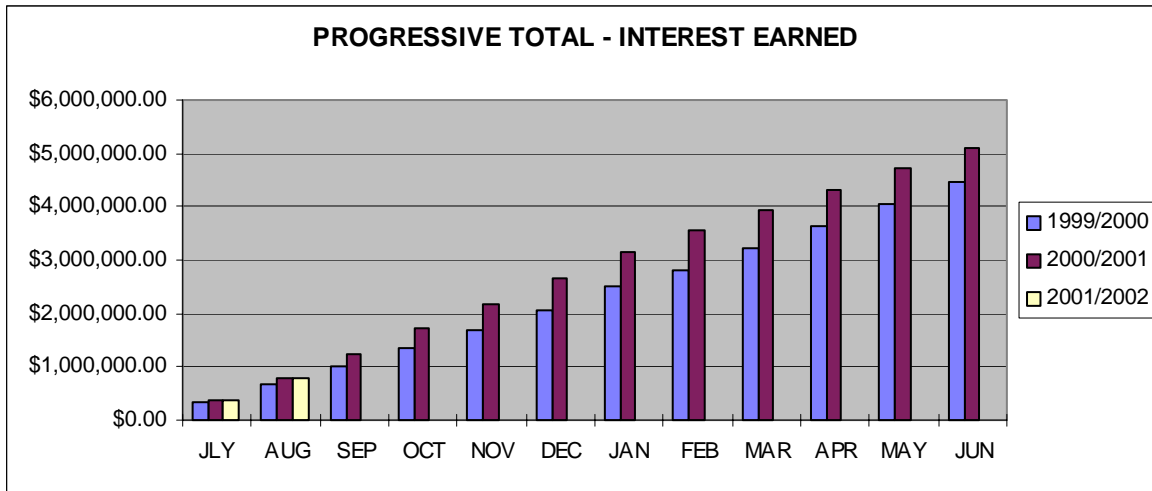
Fund	30 Days %	90 Days %	1 Year %
ANZ	4.75	5.03	5.99
Deutsche	5.18	5.26	-
Macquarie Diversified	6.12	5.58	-
National Mutual	3.50	4.77	6.00

4. MONTHLY COMPARISON OF TOTAL FUNDS INVESTED



Reports from Director Corporate Services

5. ANNUAL PROGRESSIVE TOTAL OF INTEREST ON TOTAL FUNDS INVESTED



6. MARKET COMMENTARY

The Reserve Bank of Australia cut official cash rates by another 0.25% on 5 September. This is intended to protect the Australian economy from the global economic downturn. Conversely it will also increase the chance of fuelling inflation particularly by exacerbating the already rapid pace of household borrowing and exerting further pressure on house prices.

Market opinions are now divided as to whether or not the RBA may lower rates (by 0.25%) one last time in this easing cycle.

7. INVESTMENT SUMMARY AS AT 31 AUGUST 2001

GENERAL FUND

BANKS	25,572,250.00	
FUND MANAGERS	2,416,921.15	
LOCAL GOVT. FIN. SERVICES	4,000,000.00	
CALL	607,798.51	32,596,969.66

WATER FUND

BANKS	5,000,000.00	
FUND MANAGERS	27,372,445.81	
LOCAL GOVT. FIN. SERVICES	5,000,000.00	37,372,445.81

SEWERAGE FUND

BANKS	5,000,000.00	
FUND MANAGERS	17,664,373.47	
LOCAL GOVT. INV. SERVICE	10,500,000.00	33,164,373.47

TOTAL INVESTMENTS **103,133,788.94**

Reports from Director Corporate Services

It should be noted that the General Fund investments of \$32.5million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

STATUTORY STATEMENT – LOCAL GOVERNMENT FINANCIAL MANAGEMENT REGULATIONS (SEC 19)

I certify that Council's investments have been made in accordance with the Local Government Act 1993, the Financial Management Regulations and Council's investment policies.



R R Norvill CPA

Responsible Accounting Officer
Manager Financial Services

Reports from Director Corporate Services

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Reports from Director Engineering Services

9. ORIGIN: Planning & Design Unit

FILE REF: DA1190/1210 Pt1

REPORT TITLE:

Bogangar School Traffic Implications

SUMMARY OF REPORT:

The following report addresses the issues raised in Council's resolution from the meeting on 5 September 2001 as follows:-

"That Council officers bring forward to the next meeting a report detailing the traffic implications of the Bogangar School proposal to access the site from Towners Avenue and Cooley Street."

RECOMMENDATION:

That Council formally advises the Department of Education and Department of Public Works and Services that:-

1. The proposal to date does not address the significantly reduced amenity of Cooley Street and Towners Avenue in terms of increased parking and on-street parking.
2. The state owned Crown land on the corner of Sandalwood Avenue and the Coast Road is considered more appropriate for the school site and this should be further pursued by them.

Reports from Director Engineering Services

REPORT:

At its meeting on the 5 September 2001 Council resolved the following:-

“That Council officers bring forward to the next meeting a report detailing the traffic implications of the Bogangar School proposal to access the site from Towners Avenue and Cooley Street.”

Council staff have been aware of the planned Bogangar Public School since June 2000 when staff attended a meeting with Department of Education representatives. At that meeting Council concern was expressed over the proposal to use Cooley Street and Towners Avenue to service the school in conjunction with a bus bay and staff car parking accessing from the Coast Road. The obvious concerns are the impact of traffic generated by parents picking up and dropping children off at the school and being forced to undertake these manoeuvres on Cooley Street and Towners Avenue because no on-site provisions are proposed. Council advised the Department of Public Works & Services representing the Department of Education of these concerns and requested that the school be designed with a safe appropriate intersection on the Coast Road providing access to an on-site car park with sufficient parking places for staff and parents as well as an on-site bus bay, similar to Wollumbin High, as it is considered inappropriate to have parents dropping children off adjacent to the Coast Road. Alternatively, Council requested that the Department exchanges the school site for the adjacent site to the south, which also fronts Sandalwood Avenue which has much better potential for infrastructure in terms of traffic management for the proposed school. At a meeting on the 29 August 2001 Council staff were informed that due to the request from DUAP to purchase the adjoining site the Department of Education had resorted to the original site with some minor amendments. These amendments included relocating the staff car park to be accessed off Cooley Street and a 9 space parent set down area. Whilst this is technically possible and was acknowledged at the Development Assessment Panel meeting on the 22 June 2001 the applicant was given the following advice:-

- *“The key infrastructure issue for this site is access.*
- *The proponent’s submission to obtain northbound bus access via the Coast Road and staff and visitor parking via Cooley Street and Towners Avenue was tentatively supported, subject to resolution of issues regarding pedestrian safety and amenity impacts on adjoining properties. The capability of the existing street network to accommodate additional traffic would need to be addressed.”*

Based on information obtained by Council from the Tweed Safer Routes to School Programme, average figures for the shire indicated that 50% of primary school children travel by private vehicle which would mean that in the case of the proposed school about 200 students may be driven to and from the school in private vehicles. This obviously would result in a high demand for car parking at over 100 spaces which are not being catered for on-site. The overflow parking would then impact on the amenity of Cooley Street and Towners Avenue which would have to be widened to provide on-street parking on both sides of both roads to accommodate this parking demand and the impact on the amenity of local residents would clearly deteriorate. Council has recently written to the Department of Public Works reiterating these concerns and copies of both previous letters are reproduced below for Council’s information:-

Reports from Director Engineering Services

Please Quote
Council Ref:

[ctr]

Your Ref No:

For Enquiries
Please Contact: Mr Paul Morgan

Telephone Direct (02) 6672 0473

L19Z15

26 June 2000

Mr Lindsay Turner
NSW Department of Public Works & Services
McKell Building
Level 20
2-24 Rawson Place
SYDNEY 2000

Dear Sir

Bogangar Primary School

I refer to the meeting between yourself, John Nesbitt, Paul Morgan, Steve Enders & Kellie Shapland regarding traffic and pedestrian issues at the proposed school site.

At the meeting you advised that the adjoining parcel of land to the south of the school site appeared to be privately owned thereby precluding utilising it to provide a safe efficient bus and parent set down/pick up area. A search of Council records show that this parcel of land is owned by the crown and its use could be negotiated between the Government Departments concerned.

Your proposal to provide a bus lay by and parent parking on the Coast Road is not Council's preferred option and when compared with Pottsville School would work efficiently due to the lack of access for southbound buses and parents.

A much more satisfactory arrangement would be to utilise the crown land accessed from Sandalwood Drive to provide a bus lay by area and parent parking area. It may be possible to shift the school site to south onto the crown land enabling the State Government potential for residential subdivision at the terminating ends of Cooley Street and Towners Avenue.

An inspection of Ti Tree Avenue has been undertaken and it was noted the walkway from the site is very narrow and a bus lay by would be difficult to locate on Ti Tree Avenue due to road intersections and driveway accesses and would not be appropriate for southbound school bus services.

The problems with parents turning in the terminating ends of Cooley Street and Towners Avenue is a major concern as without proper cul-de-sac heads children will be at risk of being hit by moving vehicles as well as the impact on the amenity of local residents.

..12

Reports from Director Engineering Services

-2-

It is Council's opinion that the Department of Education should be responsible for providing for and managing the impacts created by the development in the same manner as private school developers and as the Department of Education provided at Wollumbin High School in Murwillumbah. This site is similar to the Wollumbin High School site in that it fronts a main distributor road and has side access from residential streets, however in the Wollumbin High School site the local amenity was protected and the safety issues of school related activity on a main road were avoided by providing a very good access to the site with adequate parking for staff and parents.

Parent parking and its impact must be addressed as part of the Development as survey results for the "Tweed Safe Routes to School Program" indicates 40% of students travel by bus, 10% walk leaving 50% to travel by private vehicles. Applying these figures to the proposed school indicates that up to 200 students may be taken to and from school by private vehicle. This would indicate that sufficient car parking for over 100 vehicles is required, which cannot be provided on the Coast Road leaving unsuitable local roads for parents to utilise unless the crown land is utilised.

Given the above information and the other safety and traffic related issues discussed at the above meeting, it is requested that new consideration be given to utilising the State owned crown land adjacent to the school site to provide a safe efficient bus area and parking area.

If you require any further information regarding this matter, please contact Mr P Morgan on the above number.

Yours faithfully

Don McAllister
Manager
PLANNING & DESIGN

cc. Deputy Mayor Cr G Davidson

Reports from Director Engineering Services

Please Quote [eltr]
Council Ref:

Your Ref No:

For Enquiries
Please Contact: Mr Paul Morgan

Telephone Direct (02) 6672 0473

L26y13

29 June 2000

Mr Lindsay Turner
NSW Department of Public Works & Services
McKell Building
Level 20
2-24 Rawson Place
SYDNEY 2000

Dear Sir

Bogangar Primary School

I refer Council letter dated 26 June 2000 regarding the above subject.

Unfortunately, a typographical error in the third paragraph was overlooked and this paragraph should read as follows:

*Your proposal to provide a bus lay by and parent parking on the Coast Road is not Council's preferred option and when compared with Pottsville School would **NOT** work efficiently due to the lack of access for southbound buses and parents.*

I apologise for any inconvenience this may have caused and if you require any further information on the matter please contact Paul Morgan on (02)6672 0473.

A copy of the original letter with the amendment is attached for your information.

Yours faithfully

Don McAllister
Manager
PLANNING & DESIGN

cc. Deputy Mayor Cr G Davidson

Reports from Director Engineering Services

Please Quote DW553017 R1181 R1320 [eltr]
Council Ref:

Your Ref No:
For Enquiries Mr Paul Morgan
Please Contact:
Telephone Direct (02) 6670 2473

127f18.doc

30 August 2001

NSW Department of Public Works & Services
McKell Building
Level 20
2-24 Rawson Place
SYDNEY NSW 2000
Attention: Mr Lindsay Turner

Dear Sir

Bogangar Primary School

I refer to the meeting between yourself and Council staff on 29 August 2001 and the public meeting held at Bogangar on the same date.

Council is receiving complaints from residents claiming that at the public meeting it was stated that the reason Cooley Street and Towners Avenue are being utilised as the main entrance to the school was because Council would not allow access from the Coast Road.

Council wishes to clarify this issue and refers you to Council's previous letter dated 26 June 2000, a copy of which is attached, which clearly states that Council does not consider the bus lay-by and parent drop off adjacent to the Coast Road as being satisfactory and on page two encourages the school design to be based on that used for Wollumbin High School. A suitable intersection could be constructed on the Coast Road and provided adequate on site parking for teachers, parents and bus services be constructed. Council's letter also goes on to state that it was unacceptable to utilise the local roads to serve the school site for this purpose. Whilst the design tabled at the public meeting is a marginal improvement on the original design it is still not considered adequate in terms of amenity and traffic management on Cooley and Towners Avenue.

Whilst the Development Assessment Panel Minutes of the 22 June 2001 (copy attached) show the proposal was tentatively supported, it was subject to resolution of issues regarding pedestrian safety, amenity impacts and traffic management issues on the local street network being addressed. These issues have not been resolved to date and it would appear from the community concern that the amenity issues directly affecting residents have not been satisfactorily addressed. It is therefore advised that the comments made in Council's original letter dated 26 June 2000 are still applicable and in particular the impact on the amenity and safety of the local road network.

If you require any further information regarding this matter, please contact Mr P Morgan on the above number.

Yours faithfully

Patrick Knight
Acting Manager
PLANNING & DESIGN

Reports from Director Engineering Services



LAND & WATER
CONSERVATION

Contact: Richard Dunning
Phone: (02) 66402045
Fax: (02) 66402035
e-mail: rdunning@dlwc.nsw.gov.au

Our Ref: GF89H673
[Document2]

Ms J. Noller
4 Cooley Street
BOGANGAR NSW 2488

3 September 2001

Dear Ms Noller

Re: BOGANGAR PUBLIC SCHOOL SITE

I refer to your letter dated 30 August 2001 regarding the site of the proposed Bogangar Public School at Bogangar.

This Department has received correspondence from the Department of Education and Training regarding land adjoining the proposed school site.

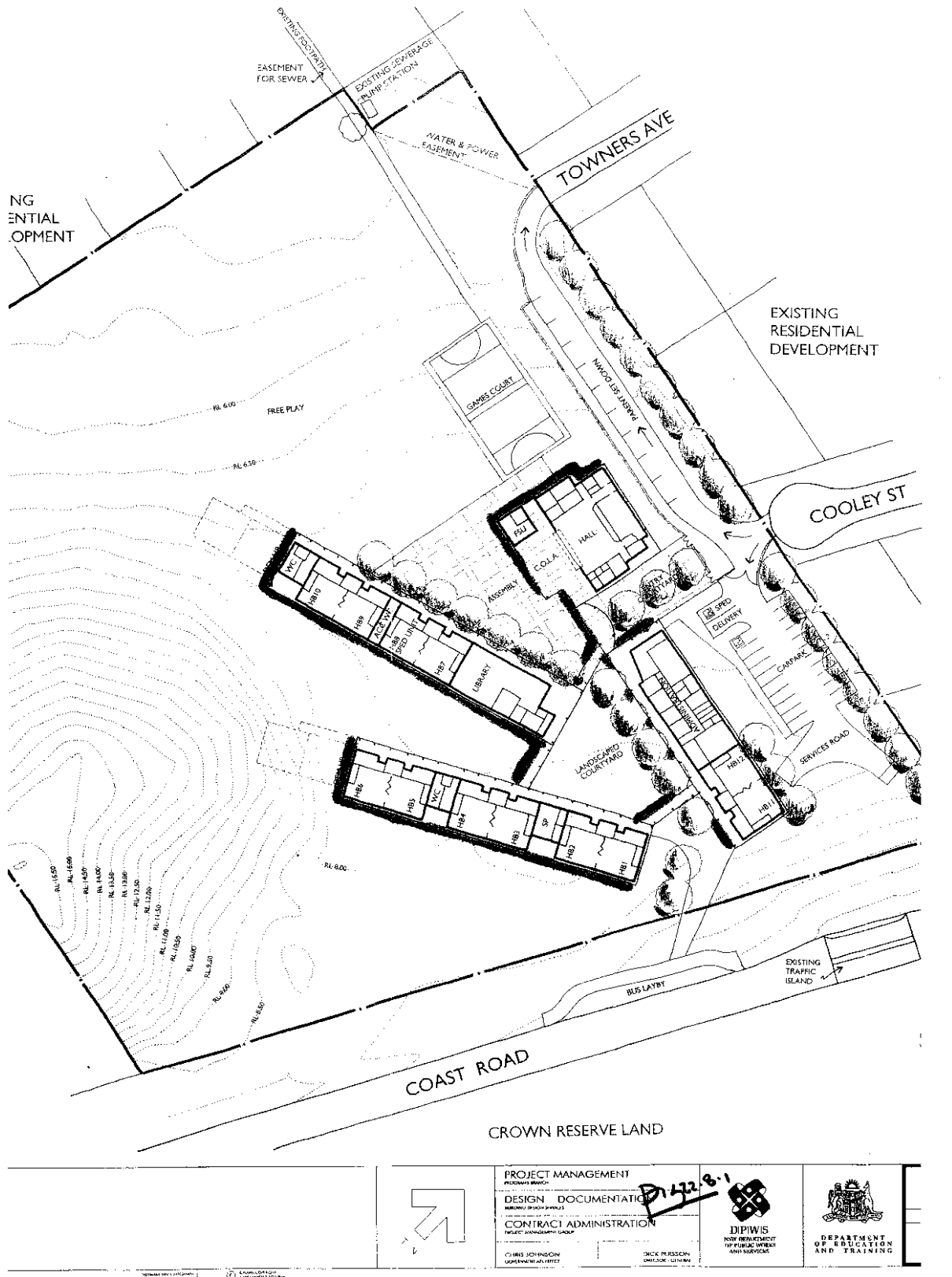
This Department has requested the Department of Education and Training to provide a report on the vegetation type and significance on both the school site and adjoining lands so that this Department may make an informed decision on the possibility of any land exchanges or sale of land for the school site.

I trust this information is of assistance to you in this matter.

Yours sincerely

Richard Dunning
Principal Lands Officer, Land NSW Grafton
NSW Department of Land and Water Conservation

Reports from Director Engineering Services



	PROJECT MANAGEMENT PROJECTS BRANCH	 DIPWIS NOW EMPLOYMENT FOR FORMAL WORKERS AND SERVICES	 DEPARTMENT OF EDUCATION AND TRAINING
	DESIGN DOCUMENTATION DESIGN BRANCH		
	CONTRACT ADMINISTRATION PROJECT MANAGEMENT GROUP		
<small>© 1995 JOHN HANCOCK Landscape Architecture</small>	<small>DICK PETERSON ENGINEERING CONSULTANTS</small>		

Reports from Director Engineering Services

10. ORIGIN: Works Unit

FILE REF: R5250

REPORT TITLE:

Stoddarts Road - Application for Public Gate

SUMMARY OF REPORT:

An application for a public gate across Stoddarts Road has been received from Mr Anthony Main. Written consent from affected property owners has been received as part of the application.

RECOMMENDATION:

That Council advertises in the Tweed Link, the proposal for a public gate across Stoddarts Road inviting written submissions for a period of 28 days from the date of advertisement.

Reports from Director Engineering Services

REPORT:

An application for a public gate across Stoddarts Road has been received from Mr Anthony Main who resides at the end of the road formation. The proposal is for the gate to be erected at 1.8m into Stoddarts Road from its intersection with Tyalgum Creek Road at the common boundary of Lot 3 DP774793 and Lot 42 DP755748 (refer sketch attached).

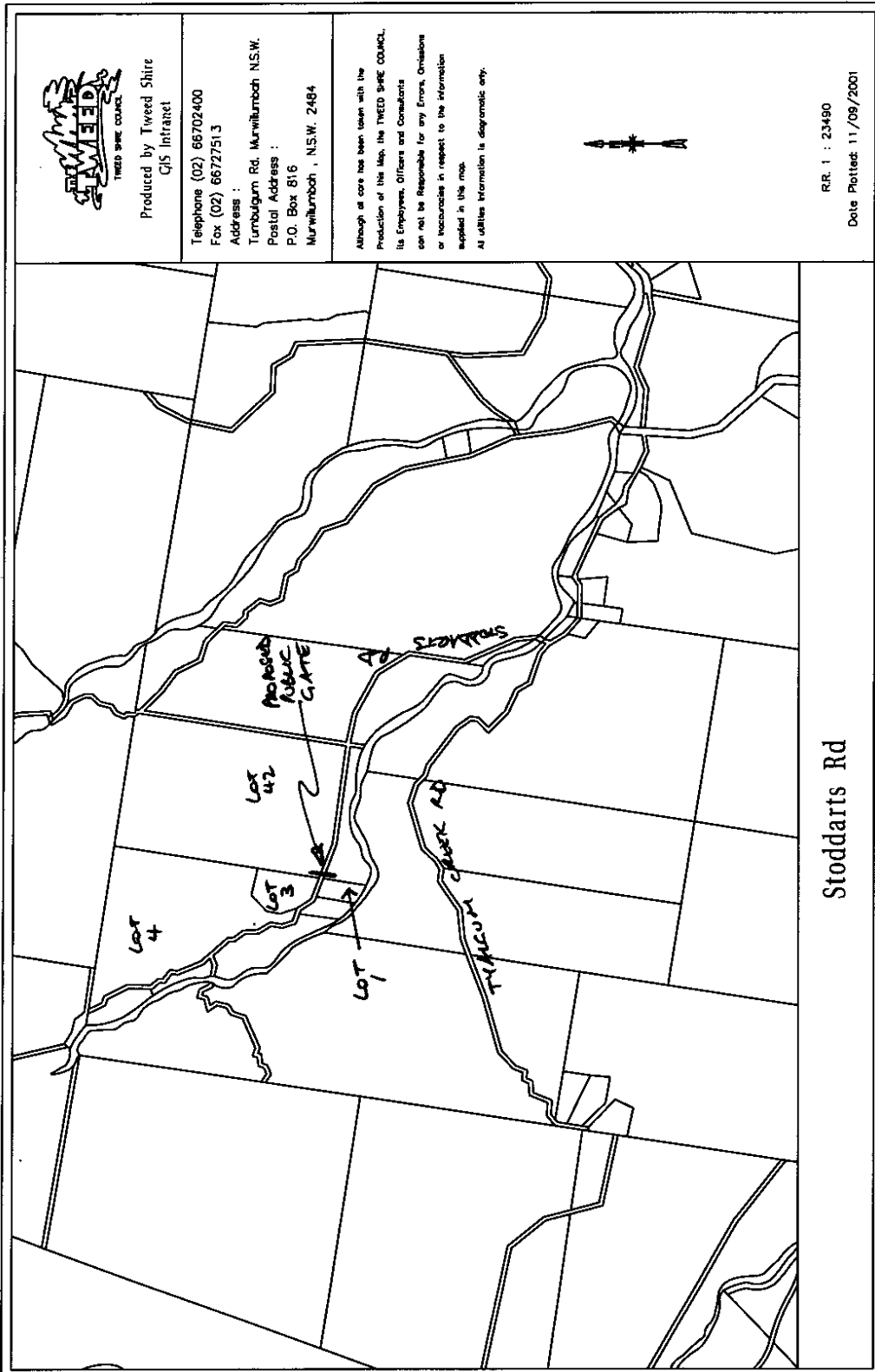
In accordance with the Roads (General) Regulation 1994, the written consent of the owners affected have been obtained.

Prior to determining an application for a public gate Council in its role as a road authority is required to publish a notice of the proposal in a local newspaper calling for written submissions. Following the completion of this process a further report to Council will be prepared for determination of the application.

The applicant has been verbally advised that should a permit for the public gate be issued that it would be a recommendation that Council reduce the length of Stoddarts Road that it maintains to the gate only.

The reason for the application for the public gate is traffic safety, limiting stock from entering the road. This application will formalise an existing gate that has been placed across the road for the same reasons. Should Council approve the gate it will be a requirement that the gate be painted white and the words "Public Gate" be placed across it.

Reports from Director Engineering Services



Reports from Director Engineering Services

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Reports from Director Engineering Services

11. ORIGIN: Planning & Design Unit

FILE REF: DA1180/382 Pt14

REPORT TITLE:

Classification of Land as Operational - Proposed Lot 82 in Casuarina Development - Stages 3 & 6 (North Precinct)

SUMMARY OF REPORT:

Council in its meeting of Wednesday 15 August, 2001 resolved, at Item 19, that a Pumping Station in proposed Lot 182 in the Casuarina Development be classified as Operational.

Subsequent to the Council resolution, the developers have amended the plan to consolidate some Lots.

The numbering of the plan has been affected by the consolidation, the Lot which was referred to previously as proposed Lot 182 is now proposed Lot 82.

Proposed Lot 82 should be classified as Operational under the provisions of section 31 of the Local Government Act, 1993 in lieu of Lot 182.

RECOMMENDATION:

That the proposed Lot 82 in Stages 3 & 6 (Northern Precinct) of Casuarina to be transferred to Council as a Lift Station, be classified as Operational under Section 31 of the Local Government Act, 1993.

Reports from Director Engineering Services

12. ORIGIN: Planning & Design Unit

FILE REF: GS4/96/135 Pt19

REPORT TITLE:

Public Road Naming and Renaming in "Casuarina" Area

SUMMARY OF REPORT:

At a meeting held on Wednesday, 18 July, 2001 it was resolved that Council approves

1. The naming and renaming of the public roads as detailed below; and
2. The advertising of the proposals allowing for public submissions as provided in the Roads (General) Regulations, 1994.

A notice was published in the Tweed Link on August 7, 2001. One written objection was received from the Kingscliff Business Corporation, but was later withdrawn. Copies of these letters are included in the report.

RECOMMENDATION:

That:-

1. Council adopts the naming and renaming of the public roads as follows:-
 - a. The renaming of Coast Road, Old Bogangar Road and part of Chinderah Road as "*Tweed Coast Road*";
 - b. The naming of the extension of the existing Casuarina Way to Cudgen Creek and the renaming of Catherine Street as "*Casuarina Way*";
 - c. The naming of the Link Road from Tweed Coast Road to Casuarina Way as "*Dianella Drive*";
 - d. The retention of the existing name "Old Bogangar Road" for the service road fronting the existing residential lots immediately north of Depot Road.
2. The naming and renaming of the public roads be gazetted under the provisions of the Roads (General) Regulation, 1994 and the Roads Act, 1993.

Reports from Director Engineering Services

REPORT:

A notice was published in Issue 232 of the Tweed Link on August 7, 2001 with regard to the proposed naming and renaming as described below:

1. The renaming Coast Road, Old Bogangar Road and part of Chinderah Road as "*Tweed Coast Road*";
2. The naming of the extension of the existing Casuarina Way to Cudgen Creek and the renaming of Catherine Street as "*Casuarina Way*;
3. The naming of the Link Road from Tweed Coast Road to Casuarina Way as "*Dianella Drive*";
4. The retention of the existing name "Old Bogangar Road" for the service road fronting the existing residential lots immediately north of Depot Road.

One letter of objection was received from Kingscliff Business Corporation, but was later withdrawn.

Reports from Director Engineering Services

13. ORIGIN: Water Unit

FILE REF: Coastal Conference

REPORT TITLE:

11th NSW Coastal Conference

SUMMARY OF REPORT:

An invitation has been received to the 11th Annual NSW Coastal Conference to be hosted by Newcastle City Council from Tuesday 13 November to Friday 16 November 2001. The venue for the conference is the Newcastle City Hall. Keynote speakers comprise The Honourable Justice Mahla L Pearlman AM, Chief Judge of the NSW Land & Environment Court and Dr Peter J Crawford, NSW Commissioner for Healthy Rivers.

RECOMMENDATION:

That:-

1. Attendance at the 11th NSW Coastal Conference be authorised for Councillors Marshall, James and other nominating Councillors.
2. A staff member attends from each of the Engineering and Development Services Divisions.

Reports from Director Engineering Services

REPORT:

An invitation has been received to the 11th Annual NSW Coastal Conference to be hosted by Newcastle City Council from Tuesday 13 November to Friday 16 November 2001. The venue for the conference is the Newcastle City Hall. Keynote speakers comprise The Honourable Justice Mahla L. Pearlman A.M., Chief Judge of the NSW Land & Environment Court and Dr Peter J Crawford, NSW Commissioner for Healthy Rivers.

A range of papers are scheduled for presentation on 14th and 15th November addressing estuarine and coastal issues as well as coastal management planning. The afternoons of the 15th and morning of the 16th is largely devoted to workshop sessions on coastal management. Registration cost for the full conference is \$473 if registered before 12 October. Air travel is available from Coolangatta.

Council at its meeting on 20 December 2000 resolved that this conference be attended by the Chair of the Coastal & Estuary Management Committee and one staff member only.

Council has generally been represented at these conferences by the Chair of its Coastal & Estuary Management Committees (Tweed River Committee and Tweed Coastal Committee) and Councillor James in his capacity as a member of the Coastal Council of NSW with a number of staff members. As Council has recently received the Hazard Definition Study for the Tweed Coastline which needs to be translated into a Coastal Management Plan, consideration should be given to attendance by other interested Councillors.

It is felt advantageous to Council under these circumstances for staff members from the Engineering Services and Development Services Divisions to attend.

Reports from Director Engineering Services

14. ORIGIN: Planning & Design Unit

FILE REF: DA3975/10 Pt4

REPORT TITLE:

Creation of Easement for Drainage of Water 3 Wide, 2 Wide and Variable Width within Proposed Lot 5 in a Subdivision Plan and Lot 166 in DP626372

SUMMARY OF REPORT:

It is proposed to replace an existing Easement created in DP 626372 with a proposed Easement to Drain Water through property fronting Overall Drive, Pottsville.

RECOMMENDATION:

That:-

1. Council approves the cancellation of an Easement to Drain Water 2 wide, created in DP 626372 and burdening Lot 166 of that DP;
2. Council approves the creation of Easement to Drain Water 3 wide, 2 wide and variable within proposed Lot 5 in a plan of subdivision of Lot 166 in DP 626372; and
3. All necessary documentation be executed under the Common Seal of Council.

Reports from Director Engineering Services

REPORT:

In the course of preparing a subdivision plan the surveyors for the registered proprietor of Lot 166 in DP 626372 noted that the existing stormwater installations were not within the easement created in that Lot. A request has been forwarded seeking Council's approval to create a replacement Easement within the proposed Lot 5 in lieu of the existing Easement.

The proposed Easement would be created by the lodgement of the subdivision plan and s88B instrument, and the existing Easement would be released by the lodgement of the standard LPI Release form at the office of Land and Property Information.

A copy of DP 626372 showing the existing Easement, marked (W) and a copy of the proposed plan to create the replacement Easement follows:

Reports from Director Engineering Services

PLAN FORM 2
Revisions and scale only.

D.P.626972

Request: **D.P.626972**
C.A. 11/02 on 19-5-1902.

The System: **TORRENS**
Register: **SUBDIVISION**
Ref. Map: **X5M-52-1-A***
Lot Plan: **D.P.269193**

PLAN OF SUBDIVISION OF LOT 1 IN
PLAN OF SUBDIVISION OF LOT 1 IN
D.P.120376, PT FOR 177, 108, 178
& LOTS 1, 2, 3 IN D.P. 43837

Relativity Ratio: 1:2500
Municipality: **TWEED**
Locality: **POITTSVILLE**
Pillar: **MOOBALL**
County: **ROUS**

1. **ROBERT JAMES HAYES**
2. **ANDREW JAMES HAYES**
3. **ANDREW JAMES HAYES**

IT IS INTENDED TO DEDICATE
LOT 165 AS PUBLIC RESERVE

PURSUANT TO SEC. 160 OF THE
CONVEYANCE ACT 1915 IT IS
INTENDED TO CREATE:
1. EASEMENT FOR DRAINAGE
2 WIDE.

Surveyor's Statement: **1/27/02 / 626972**

Plan Drawing only to appear in this space

DIAGRAM
SCALE: 1:11000

WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

POITTSVILLE
Shire of Tweed
Secretary

The common seal of
Poittsville Landers Pty Ltd
was hereunto affixed
pursuant to a resolution of
the Directors and in accor-
dance with the Articles of
Association.

Signed and sealed by the said **ANDREW JAMES HAYES** Clerk of the said Poittsville Landers Pty Ltd
in the presence of the said **ROBERT JAMES HAYES** and **ANDREW JAMES HAYES** both of whom are the said Directors of the said Poittsville Landers Pty Ltd
and in the presence of the said **ANDREW JAMES HAYES** and **ANDREW JAMES HAYES** both of whom are the said Directors of the said Poittsville Landers Pty Ltd
and in the presence of the said **ANDREW JAMES HAYES** and **ANDREW JAMES HAYES** both of whom are the said Directors of the said Poittsville Landers Pty Ltd

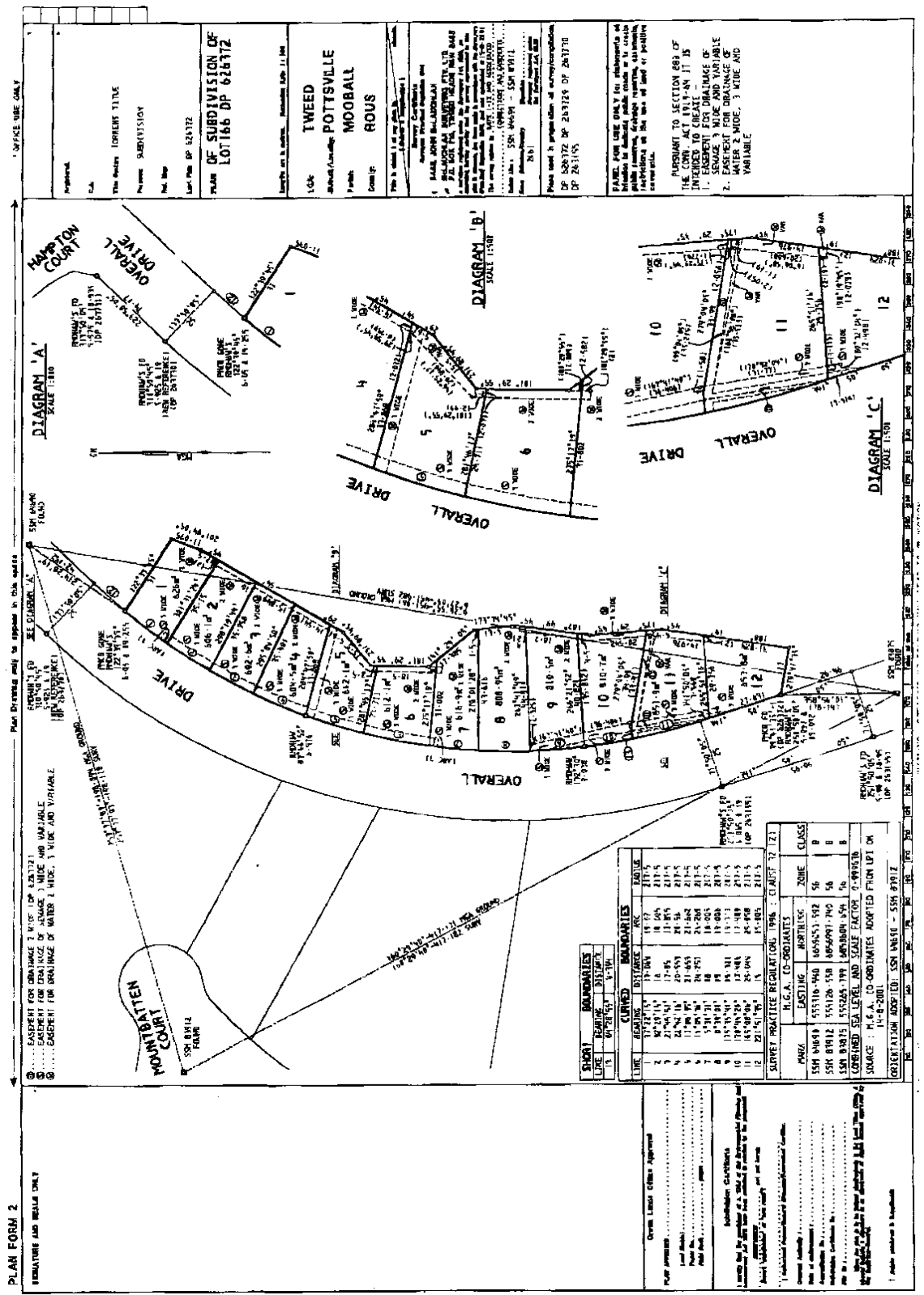
Director's Declaration

I, the undersigned, being a member of the Local Government Act 1995
and being duly qualified for the application of
the provisions of the said Act in relation to the
provision of the said Act, do hereby certify that the
above plan is a true and correct copy of the plan
as shown to me by the applicant in relation to the
provision of the said Act.

Date: **22/08/02**

I, Bruce Ritchie, the Registrar General for Lands and
Titles, do hereby certify that the above plan is a
true and correct copy of the plan as shown to me
by the applicant in relation to the provision of the
said Act in my custody this day, **21st August, 1992.**

Reports from Director Engineering Services



Reports from Director Engineering Services

15. ORIGIN: Water Unit

FILE REF: Coastline Hazard Definition Study

REPORT TITLE:

Tweed Coastline Hazard Definition Study

SUMMARY OF REPORT:

The final Tweed Coastline Hazard Definition Study as prepared by consultants WBM Oceanics will be presented to Councillors at tonight' meeting. To progress to a Coastline Management Study and Coastline Management Plan in accordance the NSW Coastline Management Framework it is suggested that a small steering committee be formed to manage the process and make recommendations to Council.

It is considered that the study should be made available for public perusal and that limited interested focus groups should be provided with the opportunity of being briefed by the consultants on the outcomes of the Hazard Study.

RECOMMENDATION:

That :-

1. Council adopts the Tweed Coastline Hazard Definition Study report prepared by WBM Oceanics dated September 2001.
2. The report be made available for public perusal at the Murwillumbah and Tweed Heads Civic Centres with an explanation appended as to the status of the report and Council's future direction with the Coastline Management Plan.
3. Council offers to have WBM Oceanics brief a limited number of interested focus groups.
4. A Steering Committee be formed comprising 3 Councillors, Director Engineering Services, Director Development Services, Manager Water and a representative from the Department of Land and Water Conservation to provide recommendations to Council on the development of the Coastline Management Study and Plan.

Reports from Director Engineering Services

REPORT:

Following the workshop on the 12 September 2001 with Council, Consultants WBM Oceanics have finalised the Hazard Definition Study for the Tweed Coastline. The final report will be available for distribution to Councillors at this meeting.

The study provides an assessment of the hazards impacting on the coastline based on the best information currently available, as well as providing predictions of future trends. The study is an essential resource for Council but, in isolation, does not provide any immediate planning direction for Council.

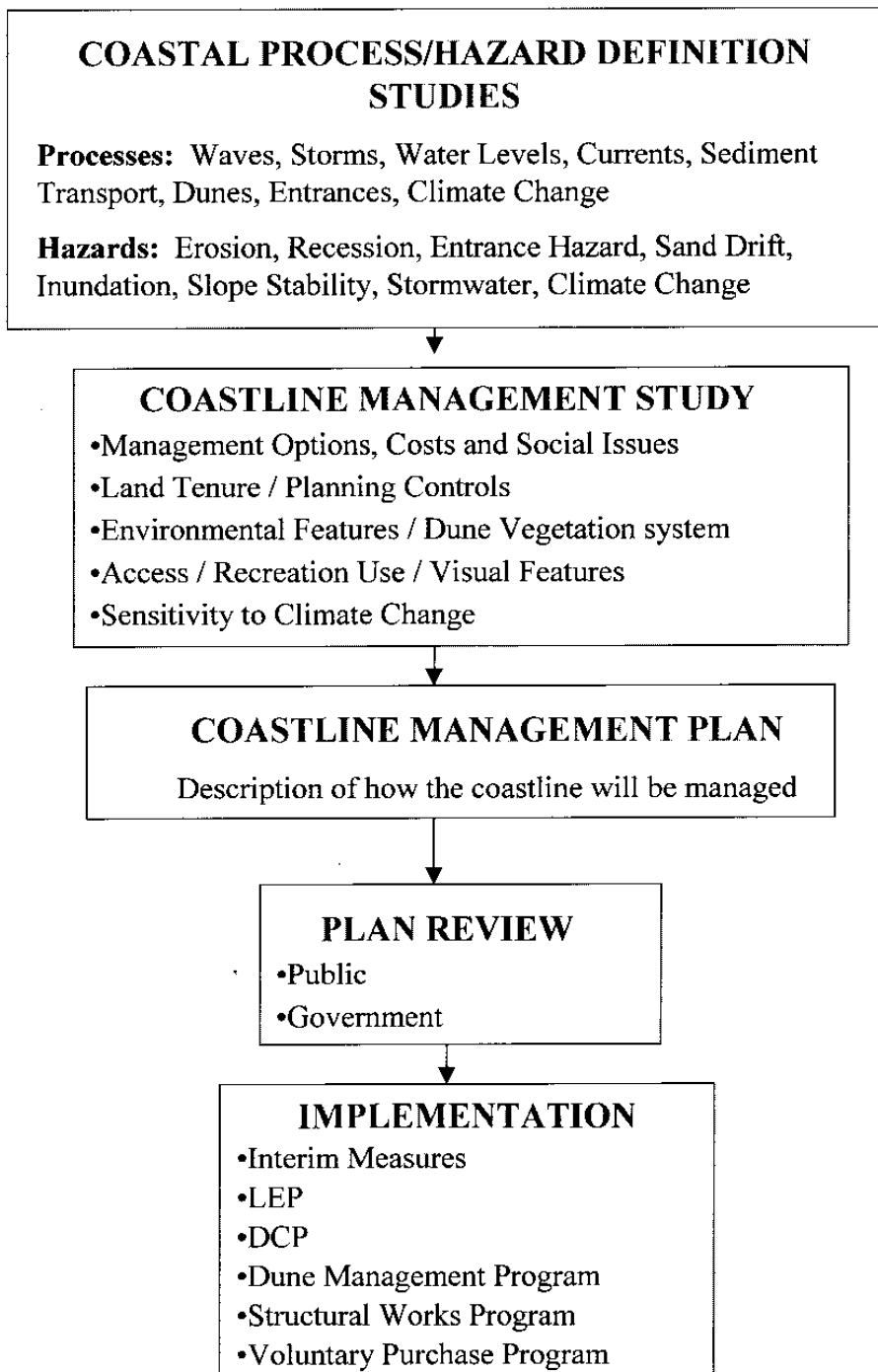
In accordance with the NSW Coastline Management Framework, copy of which follows at the end of this report, this Hazard Study is the essential prerequisite for the development of the Coastline Management Study and Coastline Management Plan. The Coastline Management Plan is the document that will provide direction for Council's planning of the coastline and future development. The Coastline Management Study and Plan will require the engagement of consultants and is likely to cost up to \$200,000. Subsidy on a dollar for dollar basis is available from the NSW Government through its Department of Land & Water Conservation for this Study and Plan.

It is suggested that the development of the Coastline Management Study and Plan would be best managed by a small steering committee, reporting to Council and similar in size to that which successfully managed the review of the Kingscliff Sewage Treatment Plant. It could comprise 3 Councillors, Director Engineering Services, Director Development Services, Manager Water and a representative of the Department of Land & Water Conservation, probably Mr Richard Hagley from its Alstonville office.

In the early stage of development of the Hazard Study the consultants conferred with the community through three public meetings at Fingal Head, Kingscliff and Pottsville. At these meetings it was indicated to the community that at the conclusion of the Study that the consultants would be available to explain the study outcomes to interested community members. It is now considered that this Study should be available to the community for perusal at Murwillumbah and Tweed Heads offices and that the consultants be made available to address a limited number of focus groups (2-3), should such interest be forthcoming. It is proposed that where the reports are placed on display a covering letter be attached explaining the status of this report within the NSW Coastline Management Framework and how Council plans to proceed forward within the management framework.

Reports from Director Engineering Services

COASTAL MANAGEMENT COMMITTEE



Reports from Director Engineering Services

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Reports from Director Engineering Services

16. ORIGIN: Planning & Design Unit

FILE REF: Reservoir – Hospital Hill

REPORT TITLE:

Proposal to Construct New Hospital Hill Reservoir

SUMMARY OF REPORT:

Council has long identified the existing reservoir reserve and part of the adjoining crown land on Hospital Hill, Murwillumbah as the site for a future large reservoir. The proposed reservoir site is located on crown land zoned 6a Open Space. It is proposed to demolish the existing 1 Megalitre (ML) reservoir on Hospital Hill to allow the construction of a new 13ML reservoir in the same location. An additional area of crown land is required for the larger reservoir construction. Negotiations with the Department of Land and Water Conservation are under way for the acquisition of the additional area required. The existing 7ML reservoir will remain.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Engineering Services

REPORT:

Tweed Shire is continuing to grow at an annual rate of 4% and the District's water supply system requires expansion to meet this growth demand.

Following recommendations in the Water Conveyancing Master Plan prepared by GHD Consulting the reservoir reserve and part of the adjoining crown land on Hospital Hill, Murwillumbah has been identified as essential for this purpose. The proposed new reservoir site is located on crown land under Council's control. It is zoned 6a Open Space. After completion of the conceptual design it was identified that an additional area is required outside the existing reservoir reserve to construct the reservoir at its required capacity. Negotiations with the Department of Land and Water Conservation are under way to acquire the area required.

The proposed activity is permissible with consent under LEP 2000. The re-zoning of the proposed reservoir reserve to 5a Special Uses is under way as part of the review of LEP 2000. The site elevation and its proximity to both the water treatment plant at Bray Park and the Trunk Distribution System make it ideally suited for this purpose. All other possible locations within the district either don't meet these criteria, or are cost prohibitive in terms of infrastructure provisions.

It is proposed to demolish the existing 1 megalitre (ML) reservoir on Hospital Hill to allow the construction of a new 13ML reservoir in the same location. The existing 7ML reservoir will remain.

It is proposed to undertake the construction in two stages. Construction of Stage 1 is proposed to commence in 2002, soon after approvals are obtained and tenure resolved.

Stage 1 will involve the demolition of the existing 1ML reservoir and excavation of approximately 12,000m³ of spoil in preparation for Stage 2, which will involve the construction of the 13ML reservoir. As this is a growth related project, it will be funded through developer contributions. The total cost of the project is expected to be over \$1.5M.

Stage 1 will be undertaken by Council Works Staff or contract. During this stage, the existing 1ML reservoir will be demolished and the area will be levelled to create a flat pad for the new reservoir.

It is envisaged that the spoil will be removed from the site over a 6 week period (excluding weather interruptions or the striking of hard material). It has been calculated that there will be approximately 100 truck movements a day to and from the reservoir site to remove the spoil. Due to the nature of the site, no work will be undertaken during periods of wet weather.

Given the residential nature of the access road (i.e. Bent St), strict traffic control measures are proposed to reduce the potential noise and vibration impact on residents.

The nature of Stage 2 of the project (construction of the 13ML reservoir) will require a public tendering process to determine the most cost effective design and construction technique.

It is envisaged that the new 13ML reservoir will be either concrete or steel.

The site will be fully fenced during the entire construction period. Council has a number of options with regard to public access to the Lookout during the demolition and construction process including:-

Reports from Director Engineering Services

- Restriction of access to all visitors for the duration of the entire project (i.e. Stages 1 & 2);
- Restriction of access to the public during Stage 1 of the project (i.e. demolition) and weekend access in Stage 2 (i.e. construction);
- Restriction of access to the public during working hours for the duration of the project; and
- No restriction to public access to the Lookout.

To minimise the risk to the public, the preferred scenario is Option 2 - to allow public access after the majority of vehicular movements have been complete. However Option 1 may be necessary to limit Public Liability within the site during the time the project is being undertaken.

Options 1 and 2 will include the installation of lockable gates at the Bent St entrance to the site. Advisory signage will be erected as a matter of course for all Options.

On completion, the road surface within Bent St will be reconstructed to better than the current standard with a 250mm gravel pavement and two coat flush seal.

The environmental assessment with a view to preparing a development application is currently in progress under Part 4 of the Environmental Assessment and Planning Act 1979.

Reports from Director Engineering Services

Reports from Director Engineering Services

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16a. ORIGIN: Director

FILE REF: GT1/LEP/2000/10

REPORT TITLE:

Area E Rezoning - Transport Network Issues

SUMMARY OF REPORT:

At its meeting of 15 August 2001, Council resolved to convene a meeting between landholders from Area E, Council and the State Member for Tweed, Mr Neville Newell with the objective of addressing transport issues as previously reported to Council and in particular, resolution with the Roads and Traffic Authority (RTA) of access arrangements onto the Tweed Heads By-pass.

The meeting was held on Monday, 17 September 2001. The meeting unanimously resolved the State Member would convene a delegation to the RTA to progress the outstanding issues.

The delegation consists of:-

- State Member for Tweed, Mr Neville Newell
- Mr Geoff Greber representing the Area E landowners
- 1 Councillor
- Mr Alan Blundall representing the South Tweed business area
- Director Engineering Services
- Director Development Services.

RECOMMENDATION:

That Council nominates one (1) Councillor to participate in the delegation to the Roads and Traffic Authority.

Reports from Director Environment & Community Services

REPORT:

As per summary.

Reports from Director Environment & Community Services

Reports from Director Environment & Community Services

17. ORIGIN: Director

FILE REF: Library – Richmond Tweed

REPORT TITLE:

Review of Library Act 1939

SUMMARY OF REPORT:

The above Act is currently being reviewed. A Richmond Tweed Regional Library Sub-committee has formulated a response to the issues raised in the review.

Accordingly it is considered that Council should make its submission in the terms of the Richmond Tweed Regional Library suggested response

RECOMMENDATION:

That Council's submission to the Library Act 1939 Review reaffirms the submission forwarded by the Richmond Tweed Regional Library.

Reports from Director Environment & Community Services

REPORT:

Council is advised that the Library Act 1939 is currently under review. The NSW Library Council, the State government and key stakeholders have identified key issues that are considered to require clarification and amendment. Detailed discussion on these issues have been provided for comment and the Richmond Tweed Regional Library has formulated a response from a sub-committee consisting of members from each member Council.

There responses have been received and should be supported by Council on the basis for much needed reform of the Library Act 1937.

These responses are set out below.

It is considered that Council should respond to the Review in the terms of those as formulated by the Richmond Tweed Regional Library.

RECOMMENDATIONS

<i>Recommendation 1 – pages 9 and 30</i>	<i>Agree Yes/No</i>
<i>That Library Council continue its development and support activities, in place of an inspectorial role.</i>	<i>Yes</i>
<i>Comments</i>	

<i>Recommendation 2 – pages 9 and 31</i>	<i>Agree Yes/No</i>
<i>That the principle of entitlement to subsidy be retained.</i>	<i>Yes</i>
<i>Comments</i>	
<i>The current subsidy is grossly inadequate, when compared to all other States and Territories. The subsidy must be restored to a level commensurate with other States and Territories. Please see attached ABS Figures for Library Subsidies 1999-2000 (appendix 1)</i>	
<i>Once an adequate standard of funding has been achieved the legislation should incorporate a mechanism to ensure that the quantum of funding is increased each year by CPI plus population growth.</i>	

Reports from Director Environment & Community Services

Recommendation 3 – pages 9 and 31	Agree Yes/No
<i>That a definition of State Government assistance be included to incorporate the range of means by which funding is available.</i>	Yes
<p><i>Comments</i></p> <p><i>What is required is a clear needs-based formula-driven quantum of funding which would aim to achieve a more equitable, uniform level of service throughout the State. This funding formula should recognise key factors including</i></p> <p><i>A) Total population. B) % Of population growth/loss.</i></p> <p><i>C) Population Density e.g. Richmond-Tweed Regional Library serving a total population of 186,000 spread over an area of 3,618 sq km must maintain a full-time courier van and driver to deliver material around its 11 branches and 1 Mobile Library. In addition, with many small rural villages to be served the Region must provide a Mobile Library, which covers 1,380 kms each fortnight.</i></p> <p><i>D) Existing capital assets (i.e. a library service with a large modern purpose built library will need less support than a service with old and inadequate premises).</i></p> <p><i>E) Communications costs (e.g. Richmond-Tweed Regional Library’s annual costs for data lines linking all 12 libraries to the central computer is over \$60,000 p.a.) no metropolitan library faces such costs.</i></p> <p><i>F) Population dispersion (e.g. a rural council with a population of only 30,000 may well have 3 or 4 significant centres of population, with limited or no public transport thus needing a library branch in each Centre, while a metropolitan Council with a population twice the size will be able to provide just one well sited library able to rely on a ubiquitous public transport system). In order to avoid being ‘locked’ into an inflexible formula, there should be one additional factor “other” to ensure future developments could also be catered for.</i></p>	

Recommendation 4 – pages 11 and 39	Agree Yes/No
<i>That electronic publications be specified in a definition of “library material”.</i>	Yes
<p><i>Comments</i></p>	

Reports from Director Environment & Community Services

Recommendation 5 – pages 12 and 40	Agree Yes/No
<i>That the Act retain the principle of free access to basic reference services and extend this service to any person seeking a basic reference service on library premises.</i>	Yes
<i>Comments</i>	

Recommendation 6 – pages 12 and 40	Agree Yes/No
<i>That electronic access be included as a part of free access to information.</i>	Yes
<i>Comments</i>	
<i>Electronic access should <u>not</u> include email facilities. Public libraries must retain the right to charge for email, as State Library currently does. This is essential not only to keep email use within manageable proportions but also to avoid unfair competition with internet cafes.</i>	

Recommendation 7 – pages 12 and 41	Agree Yes/No
<i>That the part of section 10 requiring the classification of library material as being of “literary, informative or educational value or as being a fiction monograph” in order for a member to borrow library materials free of charge be deleted.</i>	No
<i>Comments</i>	
<i>This classification must be retained. Libraries must have the ability to charge for costly items like videos/dvds. Without a charge demand for the items would be unmanageable.</i>	

Recommendation 8 - pages 12 and 42	Agree Yes/No
<i>That the transfer of materials between branches of a library service be provided free and not incur an administrative fee.</i>	NO

Reports from Director Environment & Community Services

Comments

The transfer of materials between branches is an insignificant cost for many wealthy metropolitan libraries with only one branch or only two or three branches relatively close by. In Country areas it is a very major cost (e.g. with Richmond-Tweed Regional Library we have to maintain a courier van and full-time driver. This unit covers approx. 4,000km each month of the year. Cost of this service is \$54,000 p.a. and it is fully used – there is no capacity for any additional stock to be carried). Currently (2000-01 financial year 40,000 items were reserved by patrons, for a fee. If no charge were made this number of reservations would double overnight and the reservation system could not be maintained. The Richmond-Tweed Regional Library could not afford, nor justify two full-time courier services. Furthermore, my own personal experience is that when reservation fees are not charged or are very low the service is misused. At Geelong Regional Library where the fee was 50cents for reservations, up to 40% of items were never collected by the patron placing the request. This wasteful use of resources was successfully controlled when the charge was increased to \$1.00.

If State Library wishes to ensure that all libraries provide such services free, regardless of costs, then in order to do so it must be prepared to reimburse rural and remote libraries fully for all costs involved.

Recommendation 9 - pages 13 and 43

Agree

Yes/No

That clients are not charged handling fees, including ALIA fees, for inter-library loans from the State Library and between New South Wales public libraries when those loans are provided free of charge.

No

Comments

Libraries must retain the right to charge a proportion of the high costs involved in Inter Library Loans. The National Library's very substantial increase in search fees charged to public libraries can not be absorbed by small public libraries! If free Inter Library Loan is required the National Library must act like a true National Library and not a profit-driven commercial organisation, charging public libraries search fees and must also lend material free of any charge. Furthermore, New South Wales State Government must provide a proper level of subsidy commensurate with the National Average.

Recommendation 10 – pages 13 and 43

Agree

Yes/No

That the free delivery of materials to members who are sick or have a disability be retained.

Yes

Reports from Director Environment & Community Services

<p><i>Comments</i></p> <p><i>This service can only be maintained in rural New South Wales with the assistance of volunteers. Where no volunteers can be found Public Libraries must have the right to state that free home delivery is beyond their financial capabilities. The maintenance of this and other services is dependent upon the New South Wales State Government providing a proper level of subsidy commensurate with the National Average.</i></p>	
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<p><i>Recommendation 11 – pages 14 and 46</i></p>	<p><i>Agree</i></p> <p><i>Yes/No</i></p>
<p><i>That the part of section 10 concerning the prohibition of certain commercial services be deleted, as the requirements of the Competition Principles Agreement are now in place.</i></p>	<p><i>Yes</i></p>
<p><i>Comments</i></p>	

<p><i>Recommendation 12 – pages 14 and 47</i></p>	<p><i>Agree</i></p> <p><i>Yes/No</i></p>
<p><i>That the part of section 10 concerning the free ordering of books for library members be deleted.</i></p>	<p><i>Yes</i></p>
<p><i>Comments</i></p>	

<p><i>Recommendation 13 – pages 15 and 50</i></p>	<p><i>Agree</i></p> <p><i>Yes/No</i></p>
<p><i>That the Act prescribe that New South Wales local authorities participating in cross-border library services are eligible for State Government assistance.</i></p>	<p><i>Yes</i></p>
<p><i>Comments</i></p>	

Reports from Director Environment & Community Services

QUESTIONS

Question 1 – pages 10 and 32

Should the requirement that a minimum amount be spent by local authorities on public libraries in order to be eligible to that entitlement be retained or deleted?

Comments

This requirement is now unnecessary, however, there should be a requirement that the State Library Subsidy should be maintained at a level commensurate with the National Average and linked to CPI and population increases.

New legislation should make it clear that a Council's continued provision of free library services is dependent upon State Government adhering to an adequate level of funding which is maintained every year in real terms.

Question 2 – pages 10 and 35

Should the funding formula for the payment of assistance be prescribed in a regulation, or by means of a Library Council guideline?

Comments

Library Council Guidelines with Minister to approve.

The Funding Formula should properly recognise the disadvantages and the extra costs faced by rural and regional councils, as detailed earlier in this Response. See Recommendation 3 (page 22) items A-F. This Formula should be prescribed by Library Council Guidelines, and be subject to Ministerial approval.

Question 3 – pages 10 and 35

Are there other methods for prescribing the funding formula that Library Council should consider?

Comments

YES – All library services which are required by State Government to be provided free should be fully costed, and the State Government should be required to meet 50% of such costs. Those services for which charges may be made could receive no subsidy.

Reports from Director Environment & Community Services

Question 4 – pages 11 and 38

Should reciprocal membership be included as a free service? YES

Comments

Yes, but only subject to adequate and proper State Government Funding. It is demonstrably inequitable for public libraries in New South Wales to be required to provide library service to reciprocal members from other States, where their State Government is providing more than twice the level of subsidy. N.B. If Reciprocal Membership is to be maintained and formalised then it will be absolutely essential that library membership rules include the statement that membership details e.g. full name, address and all contact details be available to every NSW Public Library.

Currently new privacy legislation prevents one library advising another of the details of a defaulting patron. Clearly, given the State Government Library Subsidy, books purchased by any library are partly purchased with State Government Funds. When a patron fails to return books, that patron is in fact stealing from State Government as much as from one local Council. Currently patrons are completely free to take books from one library service after another, with impunity and there is no doubt that some do. No business would allow this casual misuse of funds. Public Libraries should not allow it either. A Statewide database of defaulting patrons is long overdue. It would be simple matter to introduce into all library joining procedures the statement that “Your membership details will be kept strictly confidential within the NSW public library service.” In the long term, public libraries should work towards a National database of library patrons.

Comment by Ms. Robyn Read, The General Manager, Byron Shire Council.

Byron Shire with a tourist population of 0.75 million people a year (expected to rise to 1.5m within five years) cannot possibly offer reciprocal membership/services to a population of this size. Council library facilities at Byron Bay are totally inadequate and the town population of some 7,000 people, or the Shire population of approximately 30,000 should in no way be expected to provide a service to tourists.

Question 5 – pages 13 and 44

Should public libraries be able to charge administrative handling fees?

Comments

Yes, public libraries should be able to charge such fees for specific value-added individual services.

Reports from Director Environment & Community Services

Question 6 – pages 13 and 44

Which activities could incur a charge?

Comments

- a) Fines for late return of items (essential to encourage the return of items, particularly in under-resourced rural libraries where stock levels are inadequate).*
- b) Fee for reserving a particular item (essential not only to cover costs of transport, staff time, postage etc, but also to avoid wasteful over use).*
- c) Photocopying (to cover paper, toner and maintenance).*
- d) Printing pages from PC's/Scanners (to cover paper, ink cartridges and maintenance).*
- e) Loss or damage to library materials.*
- f) Loss or damage to library membership card.*
- g) Library publications.*
- h) Use of meeting rooms and equipment.*
- i) Specialised reference services.*
- j) Faxes*
- k) Email*
- l) Visitors who are not current library member in Australia and expatriate visitors.*
- m) Specialised reference and research to meet individual need*
- n) Formal instruction by library staff in pc skills etc.*
- o) All other personal value added services provided.*

Question 7 – pages 13 and 45

Which activities could be exempt from a charge?

Comments

As in current legislation.

Reports from Director Environment & Community Services

Question 8 – pages 14 and 45

Should the ability to charge for fee based or value-added services be retained? Yes

Comments

If the ability to charge is not retained many libraries would be unable to meet the demands e.g. if no charge could be made for specialised advanced research on behalf of an individual library member, no library could hope to meet the demand.

Question 9 – pages 15 and 49

How should regional library services and joint regional library committees be defined in the Act?

Reports from Director Environment & Community Services

Comments

The Act should be concerned with outcomes. It does not need to nor should it attempt to dictate management models. So long as Councils are providing free library services which meet the service requirements of the Act, the model different Councils may choose to deliver that service is immaterial. The Local Government Act already provides Councils very clear guidelines on how their activities may be carried out. The Library Act should not attempt to interfere in this area.

Since the 'new' Local Government Act was first proclaimed there have been several amendments to reflect new developments. If any innovative new Management Model is conceived, and is appropriate, it is likely this will be recognised and enshrined in the Local Government Act. Amendments to the Library Act will in comparison be very rare.

It is clearly evident from the current unfortunate situation whereby the majority of Regional Libraries have for years been operating "illegally" that dictating management models in the Library Act is not appropriate.

I believe State Library overlooks the fact that many Regional Libraries have developed into very large organisations, and need management structures appropriate to their size and operations.

For example, Richmond-Tweed Regional Library, established as a joint library between two Councils in 1970, is now a substantial business. It operates facilities with a capital value conservatively estimated at \$12 million and owns property plant and equipment valued at \$2 million. It has cash assets of over \$1 million. It directly employs over sixty staff, several of whom have been employed in excess of 20 years, and has an annual wage bill (2001-02) of \$1.84 million. The annual operating budget of the Regional Library (2000-01) is \$3.2 million. Inclusive expenditure on library services in the Region by the Regional Library's four partner Councils would be approximately \$5 million. In the past six years the Regional Library has completed every financial year with a small surplus or a balanced budget.

The Richmond-Tweed Regional Library has invested significantly in legal advice on appropriate management models, and has been advised that a number of models is available to Regional Libraries these include:

- a) County Council*
- b) A Company Limited by Guarantee*
- c) Incorporation (as Regional Libraries in Victoria currently operate)*
- d) A trust*
- e) Joint Management by participating Councils*

Furthermore, our expert legal advice clearly demonstrates that, contrary to the Crown Solicitor's arcane interpretation of the current Library Act, all these models are currently legally available to Councils under the current Library Act. In addition, the many other "non-conforming" Agreements developed by the majority of other Regional Libraries also clearly demonstrate that the majority of legal advice in this area supports that view.

Reports from Director Environment & Community Services

ISSUES

Any other issues? YES

It is essential that all Councils in New South Wales are provided not only with access to the first drafts of the proposed new Library Legislation, but also that adequate time is given for those drafts to be properly considered by Councils.

The response time allowed for this Document was totally inadequate. Many Councils only meet on a monthly basis. There must be adequate time to brief Councillors and place Draft legislation on the Council Agenda.



Dr John Griffin
GENERAL MANAGER

Reports from Committees/Working Groups

1. Minutes of the Sports Advisory Committee Meeting held Tuesday 21 August 2001

Sports Advisory Committee

VENUE:

Tweed Heads Civic Centre

TIME:

5.30pm

PRESENT:

Committee Members: Warren Polglase, Mr Merve Edwards, Ms Leanne Sharp, Mr Peter Moschogianis, Ms Glennys Kenny, & Mrs Blyth Short.

APOLOGIES:

Cr George Davidson, Cr Phil Youngblutt, Mr Stewart Brawley, Mr Kevin Brennan

CONFIRMATION OF MINUTES:

Moved: Leanne Sharp

Seconded: Merve Edwards

RESOLVED that the Minutes of Sports Advisory Meeting held Tuesday 17 July 2001 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

2. Australian Oztag Sports Association

Council has been advised that a representative from Sydney is visiting the area to interview 6 people who have expressed interest in the paid convenor positions at Tweed, Kingscliff and Murwillumbah.

Reports from Committees/Working Groups

CORRESPONDENCE:

1. Tweed Heads Soccer Club - Goal Posts

Tweed Heads Soccer Club advised Council that it has been brought to the attention of the club by their governing body that a claim has been made against a QLD club for an injury which occurred on the hooks of the goal posts.

G Kenny advised that the steel hooks are on the goal post to fasten the nets to the post. Another viable option would be to cut the steel hocks off with an oxy welding set and finish with a grinder and to secure the nets with Velcro straps.

Moved: M Edwards

Seconded: L Sharp

RESOLVED that Council staff assess the number of posts and costs involved in the alternative option available and report back to the committee.

2. Assets Reserves Trust Fund Application

Assets Reserves Trust Fund

Murwillumbah Touch Association has submitted an application for installation of lighting at Willward Park. The lights have been donated to the club and for the cost of \$3000 they can be installed onto the existing light poles. The club request Council financially assist towards the installation costs of lights at Willward Park on a dollar for dollar basis, from the Sports Field Assets Reserves Fund.

Moved: M Edwards

Second: L Sharp

RECOMMENDATION:

That Council contributes financially towards the installation of lights at Willward Park on a dollar for dollar basis, from the Sports Field Assets Reserves Trust Fund.

GENERAL BUSINESS:

3. Tweed Heads Soccer Academy

Steven Styles a resident of the Tweed Shire wishes to promote and structure a Soccer Academy with Tweed Heads Soccer Club, an Australian professional club and an overseas club both which are yet to be decided. Mr Styles is due to visit England and European countries in September to investigate possible options. Funding for this venture would come from the professional clubs. The project would work similarly to the successful Sydney Blacktown/Westham Academy or Paramatter/Manchester United Academy. It is envisaged to negotiate usage of the existing facilities at Arkininstall Park and work together with the community to benefit the area and promote and improve facilities. A requirement prior to any negotiations is to have a letter of support from Council outlining that in the next five years

Reports from Committees/Working Groups

Arkininstall Park will not be rezoned or used for any other purpose other than Active Open Space. Tweed Heads Soccer Association have utilised the Arkininstall Park Fields over the last 20 years and there are no future plans of anything changing in regards to the Sports Fields Licence Agreements, which are done on a 6 month seasonal basis.

Moved: G Kenny

Seconded: L Sharp

RECOMMENDATION:

That a letter of support from the Sports Advisory Committee be forwarded to Mr Styles advising that in the next five years Arkininstall Park will not be rezoned or used for any other purpose other than Active Open Space.

4. Steel Pegs on Sports Fields

Licences – Sports Fields

B Short advised that Council staff continue to collect steel pegs up to 30 cm long on Soccer Fields throughout the shire.

The committee discussed that Clubs were requested to paint pegs fluorescent colours after the 18 April meeting. Very few clubs have done so.

Moved: G Kenny

Seconded: P Moschogianis

RESOLVED that the Sports Fields Licence Agreement is amended to state that all steel pegs used on Council fields are to be painted white or clubs are to use polycarbonate white tent pegs. Letters are to be forwarded to all Clubs requesting that clubs paint the steel pegs white or to purchase the polycarbonate tent pegs. If Clubs fail to adhere to this condition then their licence agreement will be null and void which could affect their public liability insurance.

5. Sports Fields Maintenance

B Short advised the committee that the 25 Sports Fields in the Shire are functioning to full capacity and all fields are under extreme stress. Due to increased usage over the years the fields are continuing to deteriorate. At present it has been calculated that approx 4000 sports people utilise the Council grounds throughout the year. At the current level of funding within the budget Council staff are only able to maintain fields to a below satisfactory standard. Council gardening staff are not financially able to fertilize, aerate or top-dress fields as required to maintain fields to a safe standard.

Reports from Committees/Working Groups

Moved: L Sharp

Second: P Moschogianis

RECOMMENDATION:

That the committee request the possible surplus funds from the Regional Solutions Grant for Bilambil Sports Field be spent on the existing sporting grounds within the Shire to improve and upgrade the fields to a safe standard.

6. Toilet Facilities - Piggabeen Sports Complex

Piggabeen Sports Complex

P Moschogianis advised the committee that there is an ongoing issue of clubs utilising Piggabeen Sports Complex and not maintaining the toilet facilities to a satisfactory standard. Condition 2 of the Sports Fields Licence agreement states: 'Maintain the Property in a clean and tidy condition.' Previously clubs were given the option to have professional cleaners maintain the toilet facilities and to charge the clubs. It was unanimously agreed by the clubs that they would maintain the toilets themselves.

Moved: P Moschogianis

Seconded: L Sharp

RESOLVED that all licensees of Piggabeen Sports Complex be advised that the toilet facilities are to be cleaned after each attendance at the fields. If they do not comply then a professional contract cleaner will be requested to maintain the facilities and the clubs charged accordingly.

NEXT MEETING:

The next meeting of the Sports Advisory Committee will be held Murwillumbah Buchanan Depot.

The meeting closed at 6.30pm

Director's Comments:

1. That the resolution under item 1 of correspondence be referred to the Manager Recreation Services.
2. Item 3. As Mr Styles was to leave for overseas on the 7 September 2001 a letter of support as requested was provided. Accordingly, it is recommended that this action be confirmed.
4. Item 4 and 6 be referred to Manager Recreation Services for implementation.
5. Item 5 is supported.

Reports from Committees/Working Groups

DIRECTOR'S RECOMMENDATIONS:

2. Assets Reserves Trust Fund Application

Assets Reserves Trust Fund

Committee Recommendation:

That Council contributes financially towards the installation of lights at Willward Park on a dollar for dollar basis, from the Sports Field Assets Reserves Trust Fund.

Director's Recommendation: That the committee recommendation be endorsed.

3. Tweed Heads Soccer Academy

Sports Advisory Committee

Committee Recommendation:

That a letter of support from the Sports Advisory Committee be forwarded to Mr Styles advising that in the next five years Arkinstall Park will not be rezoned or used for any other purpose other than Active Open Space.

Director's Recommendation: That the committee recommendation be endorsed.

5. Sports Fields Maintenance

Sports Advisory Committee

Committee Recommendation:

That the possible surplus funds from the Regional Solutions Grant for Bilambil Sports Field be spent on the existing sporting grounds within the Shire to improve and upgrade the fields to a safe standard.

Director's Recommendation: That the committee recommendation be endorsed.

Reports from Committees/Working Groups

2. Minutes of the Tweed Shire Occupational Health & Safety Committee Meeting held 12 September 2001

GP15/3 Pt4 401

VENUE:

Buchanan Room

TIME:

7.30am

PRESENT:

Ivan Dusi (Chairperson), Tracey Dawson (Secretary), Rod Harper, Bob Jones, Reg Norvill, Brian Donaghy (ADCS), Brian Alexander, Bob Missingham, Norm Hunt, Cr Wendy Marshall, Peter Boyd, Garry Smith.

Note: Garry Smith attended the meeting at approximately 8.00 am and left the meeting at approximately 8.10 am.

APOLOGIES:

Geoff Hussey, Stewart Brawley

MINUTES OF PREVIOUS MEETING:

Moved: I Dusi

Seconded: B Missingham

RESOLVED that the Minutes of the Occupational Health and Safety Committee Meeting held 15 August 2001 be accepted as a true and accurate record of the proceedings of the meeting.

BUSINESS ARISING:

1. Lift Safety – Murwillumbah Office

Discussion took place regarding incidents of employees being trapped in lift. Bob Missingham advised that Council's Electricians were to be trained in the operation of the lift. Human Resources Unit to coordinate this training.

REPORTS ON INJURIES:

87/01 - Paul Greenup – skin irritation while pruning shrubs. Bob Jones to investigate alternative high collared shirts at Store.

90/01 – Gary Dixon – lime burn to right forearm while spreading lime. Bob Missingham to follow up PPE provisions in project plans.

Reports from Committees/Working Groups

94/01 – Michael Cosgrove – strain lower back while lifting wooden sign post. Bob Missingham advised cranes for back of trucks being investigated.

96/01 – Jon Myers – strain shoulder/upper arm while lifting guidepost donger from truck. Discussion regarding inadequate application of Hazpak. Bob Missingham assured supervisor has had appropriate training.

99/01 – Mark Newman – ongoing problem – elbow pain. Bob Missingham advised Functional Assessment to be carried out by Council’s Health Assessor. Tracey Dawson to arrange appointment.

2. 4WD Recommendation

Safety Committee

RECOMMENDATION:

That the Rural Fire Service be engaged for 4WD training and that Trevor Jackson carry out training during normal working hours/RDOs. Geoff Hussey to obtain costs from Rural Fire Service for 4WD training.

3. Murwillumbah Physiotherapy Request

Letter sent to Alex Zaid, Physiotherapist, 5 September. Tracey Dawson to follow up request.

4. WSMS Training Status

Garry Smith advised that some staff have had appropriate Work Activity Training and that the balance of Development Assessment staff will be trained within one month. No new SWPs or WMSs have resulted from their review of appropriate documents.

Peter Boyd advised that there were some “grey” areas in some of the SWPs/WMSs he was presenting for training eg Working Alone and Communication. General discussion resulted in advice that operational areas should identify and rectify these “grey” areas.

Reports from Committees/Working Groups

5. Sick Office Syndrome

Safety Committee

RECOMMENDATION:

That:-

1. Geoff Edwards investigates the possibility of disinfectants in the air conditioning system.
2. Geoff Hussey investigates the purchase of medi-prep wipes for use by staff on phones/desks etc.
3. Reg Norvill includes costings in budget for employee flu injections.

6. OHS Act 2000 Summary and OHS Regulation 2001 Summary

Tracey Dawson to circulate WorkCover Seminar information to Managers/Directors.

Safety Committee to comment further on Act and Regulation at future meetings.

GENERAL BUSINESS:

7. Council Safety Net

Bob Missingham provided information about Council Safety Net. Council Safety Net is a network of Safety Officers and the like that communicate via email regarding safety issues. Bob Missingham has joined the email group and will refer the details of the group to Geoff Hussey and Peter Boyd for inclusion on the email group.

8. Straying Stock Safety Issue

Safety Committee

Memos from Terry Lintern were tabled. Bob Missingham advised that the issues were predominantly traffic control in these circumstances and the safety of Council staff.

RECOMMENDATION:

That:

1. Geoff Edwards refers the issue to the Emergency Management Committee asking questions about who is responsible for traffic control on state highways and local roads.
2. Item be included in next HR Bulletin regarding unsafe working conditions for staff.

Reports from Committees/Working Groups

3. Geoff Edwards immediately instructs his staff to not take action during an emergency until personal safety assured.

9. Reports from Safety Representatives

Norm Hunt – would like to know why PPE was provided after the incident of Gary Dixon incident no. 90/01. Bob Missingham to follow up PPE provisions in project plans.

The next meeting of the Occupational Health & Safety Committee will be held on Wednesday, 10 October 2001.

The meeting closed at 8.30am.

Director's Comments: Nil

DIRECTOR'S RECOMMENDATIONS:

2. 4WD Recommendation

Safety Committee

Committee Recommendation:

That the Rural Fire Service be engaged for 4WD training and that Trevor Jackson carry out training during normal working hours/RDOs. Geoff Hussey to obtain costs from Rural Fire Service for 4WD training.

Director's Recommendation: That the Committee's recommendation be endorsed.

5. Sick Office Syndrome

Safety Committee

Committee Recommendation:

That:-

1. Geoff Edwards investigates the possibility of disinfectants in the air conditioning system.
2. Geoff Hussey investigates the purchase of medi-prep wipes for use by staff on phones/desks etc.
3. Reg Norvill includes costings in budget for employee flu injections.

Director's Recommendation: That the Committee's recommendation be endorsed.

Reports from Committees/Working Groups

8. Straying Stock Safety Issue

Safety Committee

Committee Recommendation:

That:

1. Geoff Edwards refers the issue to the Emergency Management Committee asking questions about who is responsible for traffic control on state highways and local roads.
2. Item be included in next HR Bulletin regarding unsafe working conditions for staff.
3. Geoff Edwards immediately instructs his staff to not take action during an emergency until personal safety assured.

Director's Recommendation:

That the committee's recommendation be endorsed.

Reports from Committees/Working Groups

MINUTES CIRCULATED TO COUNCILLORS WITH THIS AGENDA NOT REQUIRING A COUNCIL DECISION

3. **Minutes of the Murwillumbah Airfield Management Committee Meeting held Tuesday 14 August 2001**
 4. **Minutes of the Tweed Shire Council Consultative Committee Meeting held Thursday 16 August 2001**
 5. **Minutes of the Joint Meeting Between Redlands Shire Council Logan City Council, Tweed Shire Council and gold Coast City Council to Discuss Mosquito and Biting Midge Control held on 23 August 2001**
 6. **Minutes of the Public Transport Working Group Committee Meeting held Thursday 23 August 2001**
 7. **Minutes of the companion Animal Committee Meeting held 3 September 2001**
 8. **Minutes of the Tweed River Regional Art Gallery Advisory Committee Meeting held 6 September**
 9. **Minutes of the Communication Committee Meeting held Thursday 6 September 2001**
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Reports from Committees/Working Groups

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Items of Information and Interest

1. Councillors as Candidates at a Federal Election

Elections – General

The Local Government and Shires Association of NSW Weekly Circular 34/01 advises the following in relation to Councillors as candidates at a Federal election:

“Councillors do not have to resign to contest a Federal election.

With a Federal election due before the end of 2001, the question of whether a sitting councillor who wishes to stand as a candidate for election to Federal Parliament has arisen again.

At the time of the 1993 Federal election, the Associations obtained legal advice as to the interpretation of Section 44 of the Australian Constitution and, in particular, whether a councillor held an “office of profit under the Crown” for the purposes of the section.

In summary, the advice was that councils are not the Crown, but are specifically incorporated statutory corporations established for the specific purpose of “Local Government”, and that although councillors hold an “office of profit” because they receive fees for meeting attendance, the office they hold is not held “under the Crown”. It follows that a councillor who wishes to stand at the forthcoming Federal election is not obliged to resign from his or her position as a councillor before nominating for election.

A copy of the advice can be obtained by contacting Kathy Miletic at LGSA on 9242 4121, by fax to 9242 4111 or email kmiletic@lgsa.org.au.

It should be noted that the advice refers to the Local Government Act 1919. Despite that, it is still considered to be valid, because the Local Government Act 1993 does not fundamentally change either the basis on which councils are established or the position held by councillors in relation to their councils.”

Items of Information and Interest

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Orders of the Day

1. Notice of Motion - Cr Lawrie

Section 94 - Parking Contributions

Notice of Motion; GT1/S94/23

That Eligible Business Enterprises be excluded from the need to make parking contributions at the time of approval of development applications. Eligible Business Enterprises are defined as retail, commercial and light industrial, change of use, activities to be established in rented premises with a gross floor area of less than 1000m². Professional chambers are included in the definition. Final determination of the eligibility of a business into this category will be at the discretion of the Director Development Services.

1a. Notice of Motion - Cr Lawrie

CSR Quarry, Terranora

Notice of Motion; PF5430/1443 Pt3

That the Minutes of the Meeting of 5 September 2001 at the above item in Question Time be amended to refer in line 1 to "Council Meeting 19 April 2000" in lieu of "Council Meeting 19 April 2001".

Orders of the Day

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Workshops

Councillors,

Following are details of upcoming Workshops of Council:-

1. Presentation – Coastal Development Proposal (Brian Ray)

Date: 10 October 2001

Time & Duration: 1 hour

Organiser: John Griffin

Workshops

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