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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 5

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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 13

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Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret 23

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Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it, or (ii) confer a commercial advantage on a competitor of the council, or (iii) reveal a trade secret 29

Schedule of Outstanding Resolutions

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 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.
-

Schedule of Outstanding Resolutions

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: Sewer connection expected to be completed by end of January.

18 APRIL 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

3. Houses on Road Reserve - Reserve Creek Road

R4660 Pt4

*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

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: Meeting with Main Street Co-ordinator early February.

Schedule of Outstanding Resolutions

3 OCTOBER 2001

ORDERS OF THE DAY

9. **Planting & Maintenance of Littoral Rainforest - Former Border Caravan Park and Other Locations**

Trees-Planting, Border Caravan Park, Notice of Motion

303

Cr Boyd

Cr Luff

RESOLVED that Council officers bring forward a report that considers the planting and maintenance of a stand of littoral rainforest along the Boundary Street side of the former Border Caravan Park and other selected locations within this unused open space, the work to be undertaken with the support of one or more of the following agencies – Tweed Landcare Inc, Greencorps, Green Reserve or Work for the Dole.

Current Status: To be finalised.

7 NOVEMBER 2001

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

31. **Crystal Creek Hall**

Rural Hall - Crystal Creek 3780.3240

397

Cr Beck

Cr Marshall

RESOLVED that Council:-

1. Indicates its willingness to become the trustee/owner of the Crystal Creek Hall located at Lot 1 DP 342902 Numinbah Road, Crystal Creek.
2. Takes all necessary steps to become trustee/owner and affixes the Common Seal of Council to all necessary documentation.
3. Establishes a local committee to manage the hall on Council's behalf.
4. Classifies the land as community land.

Current Status: To be finalised.

Schedule of Outstanding Resolutions

ORDERS OF THE DAY

10. Industry - Tweed Shire

Notice of Motion; Industrial Development - General

418

Cr Polglase

Cr Youngblutt

RESOLVED that a report be brought forward on what incentives Council could consider to support the relocation or establishment of industry in the Tweed Shire.

Current Status: Report to be prepared.

5 DECEMBER 2001

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

17. Proposed Tweed Natural High Campaign

Drug Related Matters

508

Cr Boyd

Cr Marshall

RESOLVED that Council:-

1. Endorses the proposed Tweed Natural High Campaign
2. a. Forms an Advisory Committee to formulate such a campaign.
b. Appoints Councillor Polglase to be on the Committee
c. Requests the nominated Councillor, relevant staff and a representative of the Queensland Alcohol and Drug Foundation to meet to bring back to Council a recommended Advisory Committee membership.

Current Status: Action to be commenced early 2002.

19 DECEMBER 2001

REPORTS FROM DIRECTOR CORPORATE SERVICES

18. Tweed and Coolangatta Tourism Inc (TACTIC) Deed of Agreement

TACTIC; Agreements

559

Cr Marshall

Cr Luff

RESOLVED that the General Manager formally requests an urgent meeting between Council and Tweed Coolangatta Tourism Inc (TACTIC) early in the new year regarding the agreement.

Current Status: Workshop scheduled for Wednesday 13 February 2002.

Schedule of Outstanding Resolutions

REPORTS FROM DIRECTOR ENGINEERING SERVICES

30. State Highway Handover - Status Report

R4031 Pt14

571

Cr Davidson

Cr Marshall

RESOLVED that:

1. This report be received and noted.
2. A workshop be held in the new year to discuss the handover.

Current Status: Workshop arranged for 27 February 2002.

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

33. Future Doon Doon Hall

Rural Hall - Doon Doon

579

Cr Youngblutt

Cr Davidson

RESOLVED that:

1. This item be deferred until the Bilambil Sports Fields purchase is finalised and Council is certain what it is going to cost to bring the whole area into good condition.
2. Council supports, in principle, the preservation of the Doon Doon Hall.

Current Status: Estimates are being prepared for the works to be carried out at the Bilambil Sportfields.

34. Murwillumbah Civic & Cultural Centre Refurbishment and Entrepreneurial Strategies for Operating the Venue

Civic Centre - M'bah

580

Cr Boyd

Cr Marshall

RESOLVED that Council:

1. Invites Lyndon and Liz Terrachini of NORPA to meet with Council in a workshop and detail how their achievements have been accomplished.
2. Considers an allocation for stage 2 refurbishment in the 2002/2003 budget.
3. Considers stage 3 refurbishment in the 2003/2004 budget.

Current Status: Workshop to be arranged.

Schedule of Outstanding Resolutions

REPORTS FROM SUB-COMMITTEES

1. **Minutes of the Community Cultural Development Committee Meeting held Thursday 1 November 2001**

File: Cultural Development Committee

2. **Murwillumbah Auditorium**

Cultural Development Committee

585

Cr Boyd

Cr Davidson

RESOLVED that Council staff compile a report detailing options for management and operations of the venue similar to the NORPA example. The report should also include a list of what still needs to be done to finalise the refurbishment, as per INARC Design Company's conceptual designs.

Current Status: Report to be completed after the Workshop.

5. **Policy – Low Light Reflective Building Materials**

Notice of Motion; Building – Code; Building - General

596

Cr Marshall

Cr Luff

RESOLVED that a suitable policy be developed to give effect to the matter of external roof and wall materials to ensure low light reflectivity characteristics and be in such colours as appropriate to compliment the area and amenity of the area and not be prominent against the background of the structure.

Current Status: Policy to be developed.

23 JANUARY 2002

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

5. **Forty-nine (49) Lot Rural Residential Subdivision, Lot 12 DP 1005206 and Lot A DP 327759 Terranora Road, Terranora - Deferred Items from Previous Meeting DA5440/680 Pt3**

611

Cr Beck

Cr Lawrie

RESOLVED that Council defers further consideration of Development Application K99/1229 for the subdivision of Lot 12 DP 1005206 and Lot 1 DP 327759 Terranora Road, Terranora for a Workshop to be held and that consultants, councillors staff and adjoining landowners be invited to attend.

Current Status: Workshop arranged for 27 February 2002.

Schedule of Outstanding Resolutions

4. **Exhibition of Draft Tweed Local Environmental Plan 2000, Amendment No 16 (Greenview Estate)**

GT1/LEP/2000/16 Pt1; LEP Greenview Est Pt2

610

Cr Brinsmead

Cr Marshall

RESOLVED that this item be deferred to allow a Workshop to be held and that the owner and his consultant be invited to attend.

Current Status: Workshop to be held 27 February 2002.

ORDERS OF THE DAY

1. **Council Property - Maintenance**

Notice of Motion; Museums; Rural Hall – General; Maintenance – Council Buildings

652

Cr Boyd

Cr Davidson

RESOLVED that:-

1. Council be supplied with a list of those buildings and other structures for which Council is responsible, eg country halls, museums etc, for which no funds are specifically earmarked in Council's budget;
2. A specific line item in our budget be included annually to ensure adequate funds are provided for asset management of these items.

Current Status: To be finalised.

Schedule of Outstanding Resolutions

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Mayoral Minute

Councillors,

1. Southern Cross University – Tweed Campus

Southern Cross University

18 January - Met with first intake of students, from 7 overseas countries, at Southern Cross University Tweed Campus and spoke with them about the opportunities within the Shire. Most of these students will be attending courses at the University for 12 months to 2 years.

2. SES

Disasters

20 January – Attended a function at Kingscliff to recognise and thank the SES for its activities and support to the Shire’s residents, particularly at Kingscliff, after the violent storm on 16 January.

3. Bilambil Sports Ground

Bilambil Sports Complex

22 January – With other Councillors and Council Staff attended a meeting with the users of Bilambil Sports Ground.

4. SES

Disasters

24 January – Met at the SES Coordination Room when orders were issued to allow major work to be undertaken in the Kingscliff and surrounding areas for clean up after 16 January storm. An order was also received to proceed with the upgrading of 3 additional Bays at the Banora Point Headquarters to house vehicles and equipment this order also included upgrading of toilet facilities.

5. Latitude 28 Project

DA4040/100 Pt 3

24 January – attended a briefing for Councillors on the Latitude 28 project

Mayoral Minute

6. Australia Day Celebrations

Australia Day

26 January – Attended Australia Day Celebrations at Tweed and Murwillumbah and presented Shire Awards and Citizenship Certificates to 39 new citizens at an official ceremony at Murwillumbah.

7. South Tweed Full Gospel Church

Councillors' Invitations

27 January – Attended Induction of Pastors William and Sandra Dumas at the South Tweed Full Gospel Church.

8. Aerial Survey Facility

Airport - General

31 January - Travelled to Ballina to attend a meeting with Aspect North to discuss establishment of an aerial survey facility at Ballina, Casino or Lismore airport.

INVITATIONS ACCEPTED:

- **5 February:** Guest Speaker at UDIA Breakfast Meeting Twin Towns
- **6 February:** Attending Shires Association "A" Division conference in Casino with Ian Carpenter

ABSENCES FROM SHIRE BY GENERAL MANAGER AND DIRECTORS

➤ General Manager (John Griffin)

Proposed:

22 February 2002 Lismore	Presentation of Tweed Shire Council Scholarships for Southern Cross University
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➤ Director Corporate Services (Ian Carpenter)

Proposed:

5 February 2002 Lismore City Council	LG Exec. Super Scheme Mtg
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6 February 2002 Casino	Shires Assoc. "A" Division Conference
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Mayoral Minute

7 February 2002 Official Opening of LG Super Office
Lismore

11 February 2002 Voluntary Structural Reform Group Meeting
Mullumbimby

14-17 February 2002 The Cutting Edge of Change: Shaping LG for 21st Century
Armidale

➤ **Director Development Services (David Broyd)**
Nil

➤ **Director Engineering Services (Mike Rayner)**
Proposed:

14 January 2002 to Annual Leave (Don McAllister Acting Director Engineering
1 February 2002 Services)
Annual Leave

➤ **Director Environment & Community Services (Don Buckley)**

31 January 2002 AIBS Special Meeting
Sydney

Mayoral Minute

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Items Deferred

ITEM DEFERRED FROM MEETING 19 DECEMBER 2001

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

1. *Draft Library Strategy Plan and Proposed Review and Amendment of Section 94 Contributions Plan No 11 - Library Facilities*

GT1/S94/11 Pt1

537

Cr Beck

Cr Marshall

RESOLVED that this item be deferred for the purpose of a workshop.

1. ORIGIN: Strategic Town Planning Unit

FILE REF: GT1/S94/11 Pt1

REPORT TITLE:

Draft Library Strategy Plan and Proposed Review and Amendment of Section 94 Contributions Plan No 11 - Library Facilities

SUMMARY OF REPORT:

The draft Strategic Plan for Libraries and draft amendment to the Section 94 Contribution Plan No 11 for Libraries have been the subject of a Workshop held on 31 January, 2001. Council subsequently noted the recommendations in the Strategy. Three significant changes since the presentation of the draft Strategy to the Council Workshop are:

- the completion of the Kingscliff Centres Study Final Report in September 2001, which formed the basis of the decision to locate the future coastal branch library at Kingscliff rather than at Kings Forest as was presented to the Workshop;
- the decision to make provision in the S94 Plan No 11 for the future extension of the Tweed Heads Library to accommodate the anticipated population of 14,000 from Cobaki. This proposal is more cost effective than constructing a new library at Cobaki; and
- 20 year Strategy and financial model.

The Strategic Plan for Libraries has been amended in line with the Kingscliff Centres Study Final Report; and the Section 94 Plan for Libraries has similarly been amended to accommodate the above changes. Both are presented to Council for authorisation for public exhibition.

RECOMMENDATION:

That Council:

Items Deferred

1. Endorses the public exhibition for 28 days of the draft Strategic Plan for Libraries and the draft amended Contributions Plan No 11 – Library Facilities in accordance with Clause 27 of the Environmental Planning & Assessment Act Regulations.
2. Notes that the exhibition of the draft Strategic Plan for Libraries and the draft amendment to Contributions Plan No 11 – Library Facilities will be in conjunction with the re-exhibition of the Kingscliff District Centres Study.
3. Considers in the Draft 2001/2002 Budget the increased costs associated with the Library Strategy Plan.

Items Deferred

REPORT:

BACKGROUND

The original Section 94 Contributions Plan No 11 - Library Facilities was adopted in December 1995, and represents Council's policy for the collection and administration of developer contributions for public library facilities, for all areas within Tweed Shire with the exception of the Cobaki Lakes Development, where a specific Contributions Plan applies.

The Council deferred adoption and endorsement of the draft Strategic Plan for Libraries and the preparation and public exhibition of the amended Section 94 Contribution Plan No 11 for Libraries be deferred for a Workshop. This Workshop was held on 31 January, 2001 and Council noted the recommendations in the draft Strategy. One significant change since the presentation of the draft Strategy to the Council Workshop is the completion of the Kingscliff Centres Study Final Report in September 2001. This formed the basis of the decision to locate the future coastal branch library at Kingscliff rather than at Kings Forest as was presented to the Workshop.

The need for a library strategy has been initiated by the following considerations:

- Need to address comprehensively the long term library needs of growth in the Shire;
- The Shire-wide Library Contribution Plan No 11 needs to be reviewed/updated;
- A concern with the ongoing costs relating to the operation of the libraries in the Shire;
- The recognition that it is more cost effective to construct three branch libraries rather than a number of smaller libraries that is proposed at present, while using the mobile library for more isolated areas; and
- The possible need to relocate some of the libraries at a later stage so they are more accessible to their target population.

This draft Strategic Plan for Libraries for Tweed Shire has been prepared with the assistance of Council's consultants GHD, as the basis for a major revision of Council's Section 94 Contributions Plan No. 11 for Library Facilities. The Strategy is for a 20 year time horizon.

Study Objectives and Methodology

The original objectives of the Library Strategy Plan were threefold:

1. Review the provision of libraries in the Shire, including the proposed establishment of libraries in the urban release areas of South Kingscliff and Cobaki;
2. Review the requirements for associated equipment and resources suitable for the proposed library facilities in the Shire and the financial implications for the ongoing operation of these facilities; and
3. Determine the most equitable and efficient method of funding the library facilities, equipment and resources through avenues such as Council funds, grants and developer contributions.

KEY FINDINGS

The Tweed is experiencing significant growth in population, and one of the features of that growth is the expectation and need for library facilities to match that growth. To ensure that Council is in the best position to meet that challenge, the draft Libraries Strategy examines these needs over a 20 year period.

Items Deferred

Analysis of library services has also identified a gap between the current levels of service provided by the three libraries at Tweed Heads, Murwillumbah and Kingscliff for the current population of the Shire and the desirable standards under State Library of NSW guidelines. Those guidelines provide for a greater level of facilities than are currently provided for in the Tweed. The major deficiencies relate to floor space, book stock and staffing levels.

Library Size and Location

Based on population growth rates in the Shire, a further residential expansion over the next 20 years is estimated to yield a population of 127,731 by the year 2022. This represents a growth rate of 2.63% per annum. Most of this growth will be absorbed by eleven coastal urban release areas as identified in the *Tweed Shire 2000+ Strategic Plan*. On this basis, all libraries will be under-scaled relative to SLNSW and TSC floor space standards (50m²/10,000 and 20m²/1,000 respectively). This yields total shortfalls of:

	2001		2012		2022	
	TSC (1)	SLNSW (2)	TSC (1)	SLNSW (2)	TSC (1)	SLNSW (2)
Tweed Heads	130	1027	469	1227	811	1555
Kingscliff	+149	309	65	554	246	907
Murwillumbah	16	542	95	518	157	639
Total	+3	1878	629	2299	1214	3101

(1) 20m²/1000

(2) 35m²/1000

Highest shortfalls are likely at the Tweed Heads and Kingscliff branches. Trends such as population ageing, increases in leisure time, tourist visitation rates, and demand for public access to technology will also have implications on library service delivery.

The draft Strategy recommends that SLNSW guidelines should be adopted to meet the needs of growth.

In terms of library location, all libraries are reasonably well located in respect to their surrounding service catchments. It is noted that there is high over-servicing at the border between the Tweed Heads and Coolangatta branches. This situation could be exacerbated by the provision of an additional branch at Cobaki Lakes which is currently included in CP 11. The potential catchment for this Library could extend to 18,000 when considering Bilambil Heights and cross border uses. The estimated cost to establish a new library at Cobaki is \$1.28M compared with a cost to extend the existing Tweed Heads Library of \$898,528. It is considered to be more cost effective to allow for further extensions to the Tweed Heads Library at a later date to provide for the additional population of 14,000 at Cobaki.

The location of Kingscliff library has been identified with a number of service related deficiencies that detract from the overall performance and suitability of the facility to meet growth. Growth areas on the southern coast are considered in the draft Strategy to be located outside the immediate service catchment of the current Kingscliff library. Population projections and distribution patterns suggest a need for a new branch library, to be located at the proposed Kingscliff district centre,

Items Deferred

large enough to accommodate the future coastal population. One consequence of this may be the need to find an alternative use for the existing Kingscliff Library.

The draft Strategy has also examined the needs of the mobile service. CP 11 includes provision for an extended service in the Shire. However, with the proposal for extended facilities at Tweed Heads and Kingscliff, it has been concluded that this is no longer warranted.

Library Services

1. Book Stocks

Book stocks are currently provided at a level of approximately 0.87 books per capita while the NSW State average for country libraries is approximately 2.48. The RTRLS have proposed a strategy to progressively build book stocks up to a level of 2 per capita. The draft Strategy recommends to bring book stocks up to 1 per capita for the current population and 2 per capita for the growth component. The liability of this Strategy based on current and future population projections is indicated below in Table 1.

Table 1
Book Stock Projections

	1999	2012	2022
Population	70,130	98,477	127,731
Current book stock @ 0.87 books/capita to be maintained	61,688	61,688	61,688
Additional book stock @ 1.0 books/capita existing population		70,130	70,130
Additional book stock @ 2.0 books/capita – growth		56,694	115,202
Total Book Stock	61,688	126,824	185,332

2. Staff Levels

The draft Strategy found that the current staff level of 1:7953 is significantly below the NSW average of 1:3219 and those of partner Councils: Ballina 1:5663, Byron 1:5562, Lismore 1:6858. RTRLS propose to progressively bring staff levels up to a ratio of 1:5600 over a 20 year period for growth only. This will equate to an increase from 9 full time equivalent staff to 15.9 full time equivalent staff. The average cost of each staff member is \$35,000.

To assist in accommodating extra demand generated by growth in the Tweed Heads Region, the RTRLS plan to extend opening hours for the Tweed Heads Library one evening per week and on Sunday afternoons at an estimated cost of \$22,500 per annum.

Funding and Council Liabilities

The current annual contribution of Tweed Shire Council to the Richmond Tweed Regional Library Service is \$1,035,964. The increase required to this contribution to bring book stock up to contemporary standards is \$296,725. Approximately \$4.05M would also be required to bring library floor space up to the scale required under State Library of NSW guidelines. In addition there is a requirement to address growth-generated demand in each of these areas. To provide services in accordance with State Library of NSW guidelines for the projected population for 2022

Items Deferred

would require further annual contributions of an additional salary provision of \$35,000 in 2002/03 rising to \$245,000 in 2021/22 and approximately \$1.18M for additional library floor space.

The Section 94 manual states that current deficiencies in library services, cannot be charged to the “new” population, and if proceeded with would need to be funded by Council. However, the funding of the growth component can be a charge to the “new” population, including the costs of servicing loans for this purpose.

Council has a limited capacity to provide additional funding for library services, consequently new and innovative approaches need to be explored to redress the current deficiency in services. This could include the consideration of options for a jointly operated library for Tweed Heads/Coolangatta. Other mechanisms include the increased use of kiosks, book drops and the Internet.

The draft Strategy includes an annual cost analysis of these items and identifies the following over the 20 year period of the Plan:

Costs attributable to Council	\$27,338,841
Costs attributable to growth	\$13,685,716 (includes 10% administration charge)
Total Costs	\$41,024,557

As a consequence of this, the draft strategy allows for the maintenance of library services at current levels of service while addressing a proportion of the growth-generated pressures for increased services. The anticipated increased cost for Council in 2001/02 is \$68,585.

RECOMMENDED STRATEGIES AND ACTIONS

Recommendations for ten (10) strategies and actions from the Strategy Report are presented to implement the Tweed Library Strategy, as follows:

That Council:

- Maintains current library services and facilities at present floor areas;
- Explores options for a jointly operated Coolangatta/Tweed Heads library facility;
- Maintains mobile library services to serve communities not easily served by established libraries;
- Discontinues the policy for provision of a new library service at Cobaki Lakes;
- Extends the Tweed Heads Library in the medium term to accommodate the additional population from Cobaki;
- Provides a new library in the proposed Kingscliff District Centre scaled in accordance with State Library of NSW guidelines and close the existing the Kingscliff library subject to cost effective reversion to an alternative use;
- Adjusts budget provision of libraries to redress current service deficiencies and to accommodate growth generated demand in the following areas:
 - Progressively build book stock holdings up to a level of 2 per capita;
 - Increase library staff levels to 1: 5600 for growth;

Items Deferred

- Provide a 2% per annum increase to the budget provision for computer services
- Explores innovative service delivery options such as book drops, kiosks and increased use of the Internet;
- Considers extending opening hours as a short-term strategy to accommodate growth generated demand;
- The floor areas for the proposed new Library at Kingscliff and the extension to the Tweed Heads Library be at the State Library of NSW standard.

CONTRIBUTIONS PLAN

The revised s94 contributions are summarised below. Major factors impacting on the increase in contributions from the previous plan include:

- The provision of a higher level of service;
- the provision for a new library at Kingscliff and expansion of existing facilities in Tweed Heads;
- increase of the per capita provision of book stock to 2 per capita for the growth component of the population;
- increased provision for computer services;
- ongoing contributions for Kingscliff library.

LIBRARY FACILITY CONTRIBUTIONS

FEE SUMMARY:

Subdivision

- Urban land subdivision
- Rural land subdivision

Building Development

- Type A (separate house)
- Type B (semi-detached, terrace, townhouse, flat)
- Type C (caravan, other)

PLAN AREA:

This Plan applies to all forms of residential development within the Tweed Shire Local Government Boundary.

Items Deferred

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Items Deferred

ITEM DEFERRED FROM MEETING 19 DECEMBER 2001

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

2. *Kingscliff Centres Study*

GT1/29/2 Pt2

538

Cr Marshall

Cr Lawrie

RESOLVED that this item be deferred for the purpose of a workshop.

2. **ORIGIN: Strategic Town Planning Unit**

FILE REF: GT1/29/2 Pt2

REPORT TITLE:

Kingscliff Centres Study

SUMMARY OF REPORT:

The Kingscliff Centres Study was publicly exhibited in October, 2001. The Study recommends that a District Centre be established at West Kingscliff. This has various implications for the planning of the area, including the location of district library facilities. A total of four submissions were received.

RECOMMENDATION:

That the Kingscliff Centres Study be re-exhibited with the draft Libraries Strategy and draft S94 Contributions Plans, and a Workshop be held with Councillors, authors of submissions, Kingscliff residents and ratepayers, Narui, Gales Holdings and Council's Consultants.

Items Deferred

REPORT:

BACKGROUND

The Kingscliff Centres Study was prepared for Council by Patrick Partners to facilitate the integrated planning of the Kingscliff district, with a particular emphasis on retail facilities.

The Kingscliff district includes the town of Kingscliff, West Kingscliff, Cudgen Village, the Casuarina locality (including the Casuarina Beach development) and the future development area of Kings Forest. The district has an existing population of approximately 6,000 people, which is expected to increase to approximately 26,000 people over the next 15 to 20 years.

The Kingscliff Centres Study has made recommendations concerning the preferred locations, sizes and design of a district level town centre and neighbourhood (local level) town centres. These recommendations are critical to the future planning and development of the whole district, as they will determine the location and scale of future retail, business and community facilities.

The Study was placed on public exhibition from 3 October, 2001 to 31 October, 2001.

DISTRICT CENTRE

One of the recommendations of the Study has been to recommend the establishment of a District Centre at West Kingscliff as opposed to Kings Forest, the latter having been identified under Tweed Shire Strategic Plan 2000+ (Policy & Action No 108) as the preferred location for a District Centre.

PUBLIC SUBMISSIONS

A total of four (4) submissions were received to the public exhibition of the Study. A number of issues were raised which will be reported to Council in conjunction with a report on the exhibition of Section 94 Plan No 11.

The issues raised in submissions included the following:

- A more centrally located district centre should be provided at Kings forest.
- Land close to the beach would be better used for residential purposes.
- Expansion of the existing shopping centre will add to traffic congestion in Marine parade and change the residential character of the area.
- Consideration must be given to the unique nature of Kingscliff when deciding on the location for a new shopping centre.
- Objection to the proposals contained in the Kingscliff Centres Study.
- Consideration should be given to the establishment of a centre south of Kingscliff, to better serve the identified trade area. Population growth along the Tweed Coast would appear to support the establishment of a new centre at Casuarina/Cabarita rather than Kingscliff.
- Kingscliff will lose its village character.
- The study has not been carried out in consultation with local community groups.
- Council has a responsibility to protect the economic interests of established commercial areas. The Study does not consider potential impacts on the South Tweed area. Existing negative impacts on businesses created by competitive centres at South Tweed and Tweed would be exacerbated by the proposal.

Items Deferred

- The argument that people should be able to access the centre on foot is not sustainable as in reality people will use their cars for major shopping trips.
- The Turnock Street area should be retained as a green corridor.
- The consultant's report indicates that further market research is needed before any decisions are made on their recommendations.

Submission from Jim Glazebrook and Associates on behalf of Gales Holdings P/L:

- Generally agree with a district centre being located at Kingscliff. The two options for a location within Kingscliff appear appropriate, but further objective comparison of these options should be considered.
- The Study pre-empts a detailed structure plan for Gales land at West Kingscliff.
- The Study pre-empts a detailed retail study for the Shire.
- It is not clear what the required nature and form of the district is.
- The recommendation to include Gales Holdings' land in DCP 43 Kingscliff is not supported. Any appropriate policies for the district centre should be included in DCP 9 – West Kingscliff.
- Any decision on the location, scale and form of a district centre at Kingscliff should be deferred pending additional retail studies, completion of a structure plan for Gales Holdings' land and detailed evaluation of alternative sites.
- A further detailed submission based on specialist retail advice will be made when the sought advice becomes available.

Some of these will require working through with stakeholders and the authors of submissions, and Council's Consultants before a final recommendation to Council can be made. It is intended to hold a workshop.

Libraries Strategy

In the meantime one of the immediate implications is that a district library facility will have to be planned for West Kingscliff rather than Kings Forest. Council's Section 94 Plan No 11 – Library Facilities is the subject of a report to Council in this Business Paper. In view of the Kingscliff Centres Study, a Section 94 Plan has been prepared to reflect this locational requirements for a district library. The Kingscliff Centres Study should be re-exhibited with the draft Libraries Strategy and S94 Contributions Plan.

Items Deferred

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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:** Director

FILE REF: Tweed Shire 2000+ - Strategic Plan; GT1/ILAP/4 Pt3

REPORT TITLE:

Review of Tweed Shire 2000+ Strategic Plan

SUMMARY OF REPORT:

At its meeting of 5 December 2001, Council resolved to conduct a major review of the Tweed Shire 2000+ Strategic Plan – a crucial project. This report sets out the most important factors effecting planning in Tweed Shire, key issues for the Strategic Plan and aspects of Program Management for Council's information and endorsement. The Review has to be realistically managed and will be done by incremental policy adoption.

RECOMMENDATION:

That Council endorses the Statement of Key Issues and the Program Management proposed in this Report.

Reports from Director Development Services

REPORT:

1. INTRODUCTION

- 1.1 At its meeting of 5 December 2001, Council resolved to conduct a major review of the Tweed Shire 2000+ Strategic Plan. This will enable Council to set major new directions for the future development and environmental management of Tweed Shire.
- 1.2 It will be highly opportune for Council to regain the quality of the planning which is warranted by the diversity of important issues confronting the Shire. Timing is opportune also in terms of aligning the planning process with the State Government's draft bill on "Plan First" (Reform of Plan – making in the Environmental Planning and Assessment Act).
- 1.3 Such a significant policy review will also assist the development assessment responsibilities of Council and the quality of service delivery – **the better the policy and research, the more effective and efficient is development assessment and decision-making.** A greater proportion of conflicts in planning processes can be addressed and resolved earlier. Process improvement review for development assessment is also being initiated. This Council already demonstrates strong performance in development assessment in an area of relatively high challenge.
- 1.4 The diversity and complexity of issues generates a major workload and it is critical that the program management be realistic and that the Strategic Plan Review is conducted incrementally to address key issues – based upon long-term vision and accounting for the interdependencies of issues.
- 1.5 In this Paper:
 - Section 2 identifies the context of most important trends and factors making this Review so critical;
 - Section 3 seeks to identify the range of key issues which the Strategic Plan should review and for which new policies/actions should be developed;
 - Section 4 proposes a structured process to undertake the review and subsequent evolution of the Strategic Plan;
 - Section 5 provides a commentary on some aspects of organisational management.

2. CONTEXT

- 2.1 There is a strong statement by Council to change rural planning provisions necessitating a revised Rural Planning Strategy. Changes need to be made to the Residential release strategy – particularly with Bilambil Heights now being a longer-term option and Area "E" Terranora resolved upon by Council for priority investigation for potential short-term release. The results of the Strategic Plan Review will therefore include a revised Rural Strategy and Residential Development Strategy which are legally necessary for enabling revised approaches to rural planning and the program of major residential releases in the Shire.
- 2.2 Sustainability will be a key foundation issue for the Strategic Plan Review – as it will be for all strategic planning in the State. This is essentially directed at balancing the social, economic and environmental policies that make up the Strategic Plan.

Reports from Director Development Services

- 2.3 The Chinderah-Billinudgel by-pass (open in late 2002) and the Tugun by-pass will lead to increased development and tourist demands on the Tweed Coast and adjacent recreational and environmental areas. The NSW Coastal Policy is being comprehensively upgraded with greater political backing by State Government. Tweed has the highest population increase in non-metropolitan NSW together with the second highest biological diversity on the Eastern Seaboard (second only to Daintree). Current trends indicate that about one-third of the Tweed's population could be over 65 by the year 2015. This would have major implication for housing mix and services. However, road improvements, increased commuting, communication changes (more work from home) and lifestyle preferences are likely to lead to moderation of this demographic trend.
- 2.4 Affordability of infrastructure – notably through Developer Contributions and Council budgeting – is an ongoing factor of critical importance. A refinement of the Tweed Development Program and Council's long-term Financial Planning related to growth are a major part of the Review.
- 2.5 The small town and village settlements need to have enhanced planning as an integral part of the Tweed's lifestyle attraction, heritage and tourist potential.

3. KEY ISSUES

3.1 These key issues are put forward to provide focus in the consultative and policy preparation processes on the most important planning matters before this Council. They are prioritised by the Executive Management Team and depend upon additional resources.

3.2 Key issues that the Strategic Plan Review should address are:

Stage One – priorities for progressive completion by September 2003.

1. Rural planning provisions in a rural strategy component and being based upon TEDC's Rural Viability Study outcomes – and need to incorporate relevant provisions from the North Coast Catchment Management Board recommendations.
2. North Coast Catchment Management Board provisions.
3. Policies and principles for bushfire management and other "hazards" including the Rural Fire Service Management Plan.
4. Open space strategy (nearing completion).
5. Resolving the priorities for residential development and related infrastructure planning for Area E Terranora, Bilambil Heights, Cobaki and other sectors of Terranora.
6. Establishing the adequate district planning framework for future developments in West Kingscliff, South Kingscliff and Kings Forest – notably the Centres Policy.
7. Reviewing flood liability policies (DCP 5 and planning for Chinderah).
8. Economic development policies and employment generating initiatives – particularly industrial land development.
9. Resolving the Tweed Heads redevelopment authority and policy issues – subject to State Government response.
10. Landscape/scenic protection policies.

Reports from Director Development Services

11. Urban Design principles.
12. Human services infrastructure planned for the Tweed Coast and the Shire generally.
13. Longer term population capacity of the Shire and related development and infrastructure programs and long term financial planning – addressing the ‘affordability of growth’.

Stage Two – to be concluded in major Review: November 2003 to June 2004.

14. Embodying the Ecology Strategy being prepared by National Parks and Wildlife Service – constraints and opportunities for enhancement.
15. Coastal management policies – results of the Coastal Management Plan and the NSW Comprehensive Coastal Assessment and NSW Coastal Policy Review.
16. Locality Plans for the Shire’s villages.

Other Important Issues that may be addressed.

17. Public transport strategy and light rail transport feasibility into Tweed Heads/South Tweed.
 18. Heritage Study completion.
- 3.3 There will be a range of other issues that will be addressed in Stage two – notably at the initiative of the newly elected Council.
- 3.4 An audit will also be conducted on the implementation of the policies and actions in Tweed Shire 2000+ Strategic Plan adopted in 1996 based upon criteria as follows:-
- Fully implemented
 - Partially implemented and/or ongoing implementation
 - Actions/implementation not an initiated
 - Outdated/superseded due to subsequent changes in legislation, policies and/or social economic and/or environmental circumstances.

4. PROGRAM MANAGEMENT AND STRATEGIC PLAN REVIEW PROCESS

- 4.1 The review process will be commenced in January 2002 enabling some input into Council’s Management Plan 2002/2003 and alignment with the 2003/2004 and 2004/2005 Management Plans.
- 4.2 The recommended process thereafter will be to conduct a major review between November 2003 and June 2004 – thereby enabling the newly elected Council to establish its Strategic Planning directions on development and environmental management in the Shire for the subsequent 4 years. It is recommended that a major Strategic Plan Review occur every 4 years coincident with the November-June period following the election of a new Council.
- 4.3 The above key issues demonstrate a depth of complexity and diversity that generate a major workload and therefore the Strategic Plan must address key ranges of discrete planning issues – in “blocks” that enable realistic progress while ensuring interdependencies of issues and policies are managed.
- 4.4 Each issue will have related responsibilities for a specific Council officer or team. The Manager of Strategic Planning will have overall responsibility for co-ordination and

Reports from Director Development Services

integration and ensuring that inter-dependencies of issues and policies are properly managed in making recommendations to the Director of Development Services and thereafter to workshops of Councillors and formal Council reports.

- 4.5 Many of the key issues have relevant documentation or working committees. Results of dealing with these key issues and therefore formulated policies will be achieved for as many as possible by late 2002 – others will have evolved policy positions over time.
- 4.6 More detailed Work Programs will relate to addressing each key issue and are the responsibility of the Director Development Services and Manager Strategic Planning to manage.

Community Consultations

- 4.7 Consultation is proposed to broadly include:
- A. A community survey;
 - B. Facilitated workshops in different locations in the Shire – which will incorporate a program of development of Village Strategies;
 - C. A facilitated summit workshop/conference of stakeholders, representatives of interest groups, community organisations and State agencies.
- 4.8 It is proposed that approximately \$10,000 of the Strategic Planning Unit budget carryover from 2000/2001 be used to conduct a professionally based random community survey of key issues and policy directions.
- 4.9 It is proposed to facilitate a sequence of workshops in different locations in the Shire. Each workshop will provide an opportunity for communities everywhere in the Shire to have adequate input. There may be demands for more workshops and eg. Tyalgum and Chillingham to be separate. At this stage the program, commencing 7 April 2002, is proposed to be:
- Tweed Heads
 - Murwillumbah
 - Kingscliff
 - Pottsville
 - Burringbar/Mooball; and
 - Tyalgum/Chillingham
- 4.10 There will be heavy reliance upon State Government agencies for input into planning and to also make implementation and service delivery meaningful by incorporating proposals into agency budgets, work programs, land acquisition programs and the like. In this regard the involvement of Jacqui Parry, Regional Coordinator from the Premiers Department will be highly valuable and significant – particularly insofar as human services and physical infrastructure planning are concerned.

5. ORGANISATIONAL MANAGEMENT

- 5.1 It is proposed that there be a (at minimum) quarterly workshop format session on the Strategic Plan progress with all Councillors.

Reports from Director Development Services

- 5.2 It is proposed that already established Strategic Planning Management Team (SPMT) continue to establish the Corporate recommendations for EMT – meeting on an as and when needed basis. The SPMT comprises:

Director Development Services (Chair)
Manager Strategic Planning
Manager Planning & Design
Manager Financial Services
Manager Environment & Health Services
Manager Recreation Services

Other key personnel will be invited to attend, as needs be – notably Manager Water, Dan Walton (Sustainability Officer) and the Corporate Research Officer.

Reports from Director Development Services

2. **ORIGIN:** Director
FILE REF: Development Conferences

REPORT TITLE:

The First Joint Congress: Royal Australian Planning Institute and the New Zealand Planning Institute - Wellington, 8 - 12 April 2002

SUMMARY OF REPORT:

The first joint Congress of the Royal Australian Planning Institute (to become the Planning Institute of Australia on 1 July 2002) and the New Zealand Planning Institute is to be take place between 8 and 12 April 2002 in Wellington, New Zealand. A copy of the registration brochure is Annexure 1. This is a major Congress that will be very interesting to Councillors.

RECOMMENDATION:

That Council nominates a Councillor/Councillors to attend the first joint Congress of the Royal Australian Planning Institute and the New Zealand Planning Institute to be held in Wellington, New Zealand between the 8 and 12 April 2002.

Reports from Director Development Services

REPORT:

As per Summary.

Reports from Director Corporate Services

3. ORIGIN: Financial & Information Services Unit
FILE REF: Budget

REPORT TITLE:

Quarterly Budget Review - 31 December 2001

SUMMARY OF REPORT:

This report is the half yearly budget review for this financial year and summarises the major expenditure and income changes to the 2001/2002 Budget. Based on current projections to 30 June 2002, Council will have a balanced budget in the General Fund whilst Water and Sewerage funds are in accordance with budget expectations.

RECOMMENDATION:

That :-

1. The Quarterly Budget Review Statement as at 31 December 2001 be adopted.
2. The expenditure and income as detailed below be voted and adjusted in accordance with the revised total expenditure and income for the year.

Item & Description		Negative (contribute to deficit) \$	Positive (contribute to surplus) \$
General Fund			
1.	Public Liability Insurance	25,000	
2.	Telephone charges	45,000	
3.	Maternity Leave Reserve Employees Leave Entitlements Reserve	40,000	40,000
4.	NSW Rural Fire Service Contribution	38,000	
5.	NSW Fire Brigade Contribution	15,000	
6.	Workers Compensation Insurance		125,000
7.	Village Strategy: Projects to be developed	82,500	
8.	Road reconstruction servicing garbage depot & quarry Waste Management Reserve Contribution Quarry Operations Reserve	400,000	240,000 160,000
9.	Chinderah Planning	50,000	
10.	Rate Certificate (Section 603) Income		30,000
11.	Investment Income	30,000	
12.	Postage		12,000
13.	Customer Service Facilities Equipment	4,000	
14.	Fringe Benefits Tax (FBT)		10,000

Reports from Director Corporate Services

Item & Description		Negative (contribute to deficit) \$	Positive (contribute to surplus) \$
15.	Building Fees/Income		150,000
16.	Donations	2,500	
17.	Superannuation Premium	35,000	
18.	Tweed Link		18,000
19.	Centenary of Murwillumbah Municipality	8,000	
20.	Council Annual Report	10,000	
	TOTAL	<u>\$785,000</u>	<u>\$785,000</u>
Water Fund			
1.	Water Sales		350,000
2.	Investment Income	10,000	
3.	Transfer to Reserve for future works	240,000	
4.	Dam Maintenance	90,000	
5.	Tyalgum Weir	10,000	
Sewerage Fund			
1.	Sewerage Charges		50,000
2.	Investment Income	15,000	
3.	Transfer to Reserve for future works	35,000	

Reports from Director Corporate Services

REPORT:

BUDGET REVIEW – 31 DECEMBER 2001 (QUARTERLY BUDGET REVIEW)

The following Financial Statement is submitted in accordance with the Local Government Act 1993 – Financial Management Regulations and shows details of Council's financial position for the period ending 31 December 2001 and estimated end of year financial position as at 30 June 2002.

This statutory Budget Review is prepared at the close of each quarter and shows the financial result between budgeted income and expenditure adopted by Council and the revised total expenditure and estimated total income on present trends for the year.

PROPOSED BUDGET CHANGES

Item & Description		Deficit	Surplus
General Fund			
1.	Public Liability Insurance Additional cost of insurance premium and excess – Council has already voted an additional \$70,000 in the Sept 01 Budget Review	25,000	
2.	Telephone Charges – revised estimate	45,000	
3.	Maternity Leave Reserve New Local Government award has provided for 9 weeks paid maternity leave – reserve established and amount transferred Employees Leave Entitlements Reserve	40,000	40,000
4.	NSW Rural Fire Service Increased annual contribution for NSW Rural Fire Fighting Fund	38,000	
5.	NSW Fire Brigade Increased annual contributions for operations of Tweed Heads, Kingscliff & Murwillumbah Fire Brigades	15,000	
6.	Workers Compensation Insurance Reduced premium (1/1/02 – 30/6/02) & excess		125,000
7.	Village Strategy: Projects to be developed	82,500	
8.	Road Reconstruction Waste Management Reserve Contribution Quarry Operations Reserve Roadworks serving garbage depot & quarry	400,000	240,000 160,000
9.	Chinderah Planning	50,000	
10.	Rate Certificate (Section 603) Additional revenue		30,000
11.	Investment Income Investment rates on investments have reduced to reflect latest RBA change in official interest rates	30,000	
12.	Postage - revised budget		12,000
13.	Customer Service Facilities Equipment purchase to support development process – Tweed Heads Office	4,000	
14.	Fringe Benefits Tax (FBT) FBT cost revised		10,000
15.	Building Fees Increase building fees received		150,000
16.	Donations Donation of redundant Council computers – Donation Policy increased allocation	2,500	
17.	Superannuation Increased premium cost for financial year	35,000	

Reports from Director Corporate Services

Item & Description		Deficit	Surplus
18.	Tweed Link Operational costs reduced by use of one colour & part-time staff		18,000
19.	Centenary of Murwillumbah Municipality Cost of celebration of 100 years of Municipality	8,000	
20.	Council Annual Report Increased graphic design costs and additional copies for Resident Kits & gift packs	10,000	
	TOTAL	\$785,000	\$785,000
Water Fund			
1.	Water Sales – Revised budget		350,000
2.	Investment Income – see comments General Fund	10,000	
3.	Transfer to Reserve for future works	240,000	
4.	Dam Maintenance	90,000	
5.	Tyalgum Weir	10,000	
Sewerage Fund			
1.	Sewerage Charges – Revised budget		50,000
2.	Investment Income – see comments General Fund	15,000	
3.	Transfer to Reserve for future works	35,000	

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 1993

SCHEDULE 1 - FORMS

FORM 1

Summary of Estimates of Income and Expenditure for the Year ended 30 June 2002

Revised as at 31 December 2001

Function	Original		Revised		Net Cost	
	Expenditure	Income	Expenditure	Income	Original	Revised
Administration	12,034	734	12,199	825	11,300	11,374
Public Order & Safety	1,259	820	1,329	820	439	509
Health	506	81	551	137	425	414
Community Services & Education	614	207	614	207	407	407
Housing & Community Amenities	10,706	11,041	10,756	11,066	(335)	(310)
Water Supplies	7,164	11,478	7,164	11,818	(4,314)	(4,654)
Sewerage Services	9,261	17,911	9,261	17,946	(8,650)	(8,685)
Recreation & Culture	5,714	4,186	5,710	4,179	1,528	1,531
Mining, Manufacturing & Construction	1,277	1,520	1,277	1,670	(243)	(393)
Transport & Communication	13,741	9,356	13,779	9,387	4,385	4,392
Economic Affairs	3,404	3,665	3,487	3,665	(261)	(179)
General Purpose Revenues		25,902	-	26,012	(25,902)	(26,012)
	65,680	86,901	66,127	87,732	(21,221)	(21,605)

Add Expenses not involving flow of funds

Depreciation

Increase in employees leave entitlements

Sub-total

Original	Revised	Original	Revised
(17,293)	(17,293)		
(17,293)	(17,293)	(38,514)	(38,898)

Add non-operating funds employed

Reports from Director Corporate Services

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 1993

SCHEDULE 1 - FORMS

FORM 1

Summary of Estimates of Income and Expenditure for the Year ended 30 June 2002

Revised as at 31 December 2001

	Original	Revised		Net Cost	
Carrying amount of assets sold		(760)	(760)		
Cost of real estate assets sold					
Loan funds used		(6,374)	(6,414)		
Other debt finance					
Repayments by deferred debtors					
Sub-total		(7,134)	(7,174)	(45,648)	(46,072)

Subtract funds deployed for non-operating purposes

Acquisition of assets
 Development of real estate
 Advances to deferred debtors
 Repayment of loans
 Repayment of other debts
Estimated Budget Result - Surplus

53,910	54,392		
	-		
	-		
3,839	3,839		
57,749	58,231	12,101	12,159

Reconciliation with Program Budget:

Add Transfers to Reserves	8,482	8,897
Add Transfers from Reserves	(23,728)	(24,201)
Subtract Interest on restricted funds not used in budget	3,145	3,145
Add/(Deduct) net increase/(decrease) in externally restricted assets (contributions)	-	-
Program Budget Deficit/(Surplus)	-	0

Comprising:

General Fund	-	-
Water Fund	-	-
Sewerage Fund	-	-
	-	-

Reports from Director Corporate Services

**STATUTORY STATEMENT - LOCAL GOVERNMENT FINANCIAL REGULATIONS
(SECTIONS 6 & 7) BY "RESPONSIBLE ACCOUNTING OFFICER"**

The responsible accounting officer of a council must:-

- (b) If any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of the council.*
- 9.(1)** *Not later than 2 months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure (including the sub-estimates) set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.*
 - (2) (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure; and*
 - (b) if that position is unsatisfactory, recommendations for remedial action.*

STATUTORY STATEMENT

I consider that the financial position of Council is satisfactory "having regard to the original estimate of income and expenditure".



R. R Norvill FCPA
"Responsible Accounting Officer"
Manager Financial & Information Services
Tweed Shire Council

Dated 12 January 2002

Reports from Director Corporate Services

- 4. ORIGIN:** Director
FILE REF: Councillors - Conferences; Risk Management; Occupational Health & Safety

REPORT TITLE:

Occupational Health & Safety Risk Management Workshop and Briefing Sessions

SUMMARY OF REPORT:

Local Government Shires Association (LGSA) Learning is presenting a one-day workshop in Ballina on 7 May, Armidale on 9 May and Coffs Harbour on 25 February 2002 and half-day briefing sessions in Coffs Harbour on 26 February, Ballina on 8 May and Armidale on 10 May 2002 on Occupational Health & Safety Risk Management.

A course outline for the workshops and the briefing sessions is detailed in this report.

RECOMMENDATION:

That:-

1. Council nominates and authorises a Councillor to attend the Occupational Health & Safety Risk Management Briefing Sessions at Ballina on 8 May 2002.
2. The Mayor's Secretary to arrange for the registration of the interested Councillor.

Reports from Director Corporate Services

REPORT:

Local Government Shires Association (LGSA) Learning is presenting a one-day workshop in Ballina on 7 May, Armidale on 9 May and Coffs Harbour on 25 February 2002 and half-day briefing sessions in Coffs Harbour on 26 February, Ballina on 8 May and Armidale on 10 May 2002 on Occupational Health & Safety Risk Management.

A course outline for the workshops and the briefing sessions appears below:

OCCUPATIONAL HEALTH & SAFETY RISK MANAGEMENT – WORKSHOP

TARGET GROUP

The workshop will be targeted at managers and supervisors who will be required to demonstrate leadership skills in the workplace. In particular it is intended to ensure that the frontline managers and supervisors have the tools available to ensure that they cannot only facilitate the process of hazard identification and risk assessment in their workplaces but can pass on the skills to a wider range of employees. Participants from the workshop will be able to carry the tools back to their councils.

BACKGROUND

The *Occupational Health and Safety (OHS) Act 2000* imposes on employers an obligation to ensure that risks to health and safety at a place of work are “ --- identified, assessed, and eliminated or controlled” - see Section (§) 3e. In particular the OHS Act 2000, see §7, makes it clear that the obligation extends to risks “--- arising out of the activities of persons at work includes risks attributable to: -

- the manner of the undertaking
- plant or substances used for the purpose of an undertaking
- the condition of premises(or any part of premises) used for the purpose of an undertaking.

Local government councils face particular challenges with regard to implementing the risk management approach mandated under the OHS Act 2000, and the *Occupational Health and Safety (Consolidated Regulation) 2001*, see Section 2. As a statutory authority local government councils are involved in a very wide range of service delivery covering such diverse areas as:

- provision and maintenance of physical infra-structure such as roads, bridges and buildings
- development and preservation of sporting and recreational infra-structure such as parks, ovals and reserves
- organisation of environmental protection services such as waste management, planning regulation and animal control
- delivery of community support services such as libraries, children, youth and senior citizen services
- corporate support services to maintain the organisational capacity of the council to develop and sustain the delivery of a multi-functional public sector body.

Reports from Director Corporate Services

It is important to appreciate that local government councils are required to deliver a very wide range of services within their area. It could be argued that there are no other organisations, of comparable size, which would be required to deliver the diverse range of services expected of local councils.

An additional consideration is the extent of mobility of the majority of local government employees. In general council staff are required to go to a worksite which can be anywhere in the council area. Also, unlike many employees there are required to undertake most of their work in a public area, which now requires them to ensure that other persons at their place at work are not exposed to hazards. It is against this background that the challenges faced by council employees to implement the OHS Act 2000 risk management approach will provide a challenge to most councils.

AIM OF WORKSHOP

The broad aim of the workshop is to provide practical assistance to council staff to assist them to understand and to adopt a risk management approach to occupational health and safety at the council workplace. Particular attention will be given to equipping the participants with tools to ensure compliance with the OHS Act 2000 and OHS Consolidated Regulation 2001. The emphasis of the workshop will be on the local government context and will focus on the specific challenges confronting local government councils.

COURSE OBJECTIVES

The workshop will go beyond a general introduction to risk management and focus on the specific issues covered in the OHS Consolidated Regulation 2001. At the conclusion of the workshop it is anticipated that participants will be able to:

- appreciate the statutory requirement to adopt a risk management approach at the workplace
- outline in general terms what constitutes for occupational health and safety a risk management approach
- define what is a hazard and how they may arise at the council workplace
- suggest who should be involved in identifying council workplace hazards
- provide examples of council workplace hazards
- suggest and list categories of workplace hazards
- explain what is a risk
- describe how to undertake a workplace risk assessment
- list different approaches to assessing risks at the council workplace
- demonstrate how to apply different workplace risk assessment models
- illustrate how to develop generic risk assessments for common workplace hazards
- specify when generic risk assessments may not be appropriate
- indicate what is the risk control hierarchy and how it can be applied at the workplace
- recognise the importance of documenting the risk assessment and risk management control methods adopted.

Reports from Director Corporate Services

2002 DATES AND LOCATIONS

- 13 February – Dubbo- Dubbo Civic Centre
- 15 February – Bathurst Memorial Entertainment Centre
- 25 February – Coffs Harbour- Country Comfort
- 27 February – Port Macquarie- Port Pacific Resort
- 4 March – Queanbeyan- Bicentennial Centre
- 8 March – Penrith- Penrith City Council
- 3 April – Sydney- LGSA
- 5 April – Maitland- Country Comfort Monte Pio
- 16 April – Albury- Country Comfort
- 17 April – Wagga Wagga- Bob Osborne Skills Centre
- 7 May – Ballina- Ballina Island Motor Inn
- 9 May – Armidale- University of New England

Cost: \$55 inclusive of GST for catering and venue costs.

Links – This program links to other LGSA workshops including:

- Major Changes to OH&S Legislation
- Conducting a Workplace safety Audit
- OHS for Managers
- OHS for Supervisors
- OHS Awareness

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 NOTE: Registrations are limited to a maximum of 2 participants per council  
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SURVIVING THE CHANGES TO OCCUPATIONAL HEALTH & SAFETY LEGISLATION – SENIOR MANAGEMENT BRIEFINGS

INTRODUCTION

The Occupational Health & Safety Act 2000 with its accompanying Occupational Health & Safety Regulation 2001 presents a significant organisational and professional challenge to General Managers, Directors and Senior Managers in Local Government. It is quite clear that under the new legal arrangements the probability of General managers, Directors or Senior Managers facing personal prosecutions for unsafe workplaces and/or unsafe systems of work is significantly increased.

General Managers, Directors and Senior Managers need to recognise their legal responsibilities ensuring a safe council workplace and in the event of an incident to demonstrate they have discharged their obligation under the law.

OVERVIEW

The briefing session will look at the key legal issues for General Managers, Directors and Senior Managers and identify practical approaches to ensure statutory obligations are being met. Also addressed will be the steps to be taken in the event of an adverse incident to manage appropriately the immediate post-incident response. The briefing session has been developed for the busy General Managers, Directors and Senior Managers and focus on the essentials you need to know to survive the changes to the law.

TARGET GROUP

General Managers, Directors and Senior Managers, Councillors, Mayors and Deputy Mayors.

Reports from Director Corporate Services

KEY CONTENT

- The major organisational obligations under the OHS Act 2000 and OHS Regulation 2001;
- Personal responsibilities as a General Manager, Director or Senior Manager;
- The limited defences available to General Managers, Directors and Senior Managers;
- Steps to take to reduce the likelihood of problems; and
- Managing post-incident response to promote a better outcome.

2002 DATES AND LOCATIONS

14 February, Dubbo- Dubbo Civic Centre
26 February, Coffs Harbour- Country Comfort
28 February, Port Macquarie- Port Pacific Resort
5 March, Queanbeyan- Bicentennial Centre
4 April, Sydney- York Conference and Function Centre
18 April, Wagga Wagga- Bob Osborne Skills Centre
8 May, Ballina- Ballina Island Motor Inn
10 May, Armidale- University of New England
Cost: \$55 inclusive of GST

Links – This program links to other LGSA workshops including:
OHS Risk Management

LGSA will deliver the Senior Management Briefings with WorkCover Assist funding.

Reports from Director Corporate Services

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Reports from Director Corporate Services

5. ORIGIN: Director

FILE REF: Aged Services; Govt Grants - Comm Options; HACC

REPORT TITLE:

Campaign to Prevent Cutbacks in Community Services

SUMMARY OF REPORT:

The Council of Social Service of New South Wales have written to the Mayor, Cr Polglase, seeking his assistance in a campaign to prevent essential community services in Local Government suffering funding cutbacks.

Their advice suggests that the Commonwealth Government may not be prepared to match the commitment from the New South Wales Government resulting in reductions in the level of community services within each local authority area.

RECOMMENDATION:

That Council participates in the Council of Social Service of New South Wales campaign by raising the issues in the Tweed Link and pursuing the matter with the Federal Member.

Reports from Director Corporate Services

REPORT:

The Mayor, Cr Warren Polglase, has received a letter outlining a campaign by the Council of Social Service of New South Wales to have the Federal Government increase its level of support to community service programs.

Their letter outlining the aims of the campaign appears below, together with campaign and strategy details as well as petitions for circulation throughout the community.



Council of Social Service of New South Wales

66 Albion Street,
Surry Hills NSW 2010
tel: (02) 9211 2599; fax: (02) 9281 1968
email: alan@ncoss.org.au web: www.ncoss.org.au

ABN 85 001 797 137

18 January 2002

25 JAN 2002

25 JAN 2002

Clr Warren Polglase
Tweed Shire Council
PO Box 816
Murwillumbah NSW 2484

Dear Clr Polglase

Help to Prevent Cutbacks in Community Services in Your LGA

I am writing to seek your support in preventing cutbacks in essential community services in your local government area.

On 16 November 2001 the NSW Industrial Relations Commission outlined a new Social and Community Services Award. This award affects employees of most non-government organisations delivering essential community services. Some of these organisations are funded through joint Commonwealth-State arrangements (eg the Supported Accommodation and Assistance Program, the Home and Community Care Program and the Commonwealth-State Disability Agreement); others are funded directly by the Commonwealth (eg the National Illicit Drugs Strategy); while others are solely State-funded (eg substitute care services).

The New South Wales Government has recently committed to increase grants in line with salary increases in relation to programs that are solely State-funded. It has also agreed to pay its share of salary increase in respect of Commonwealth-State programs. Unless the Commonwealth matches this commitment, non-government organisations will be forced to cut services for disadvantaged people in order to find the funds for salary increases.

Unless the Commonwealth Government provides additional funding to address salary increases, as it did when the last award was handed down in 1991, we are likely to see:

- widespread closures of women's refuges and youth refuges;
- a substantial reduction in services to older people, such as Home and Community Care (eg Meals on Wheels) and Community Aged Care Packages;
- cutbacks in services for people with disabilities and their families.

I am sure that your council would be gravely concerned by these potential consequences of a failure by the Federal Government to take swift action.

Reports from Director Corporate Services

I have enclosed some further information on these issues as well as a series of petitions. I encourage you to use this information raise awareness of these issues in your local community. I also encourage you to seek a meeting with your local Federal Member(s) of Parliament to urge them to take up the issue in Canberra. If you would like further information I would be happy to assist.

Yours sincerely



Alan Kirkland
Director

Reports from Director Corporate Services

Campaign for Federal Funding of the Social and Community Services Award

NO CUTS TO COMMUNITY SERVICES

The new award for community workers

The NSW Industrial Relations Commission has recently handed down a new Social and Community Services Award for community workers in New South Wales.

Poor salaries and conditions over many years have made it difficult for services to recruit and retain staff. The new award with fairer conditions and a wider range of job classifications, should go some way towards redressing staffing shortages in the community sector.

Community services will be cut unless the Federal Government provides funding

Most community organisations affected by the award are funded by State and/or Commonwealth governments to provide essential community services. Services are legally bound to pay salary increases immediately. Unless both levels of Government provide additional funding, community organisations will be forced to reduce services.

The State Government has agreed to provide additional funding for the services that it funds. Services that receive part or all of their funding from the Federal Government will be forced to put off staff, cut off some clients or reduce operating hours unless the Federal Government matches the State's commitment.

The types of services that will be affected

Organisations that need increased funding from the Federal Government fall into two categories:

- organisations that provide services that are jointly funded by Commonwealth and State Governments; and
- organisations that provide services that are wholly funded by the Federal Government.

The types of services that are funded under joint Commonwealth-State arrangements are:

- *refuges and support services for homeless people* – The Federal Government provides 55% of the funding for the Supported Accommodation and Assistance Program, which funds 438 services in New South Wales, including women's refuges and youth refuges. Most refuges already operate on skeleton staffing, so they may be forced to consider closing if more funding is not forthcoming.
- *home and community care services* - The Federal Government provides 60% of funding for the Home and Community Care program, which provides support for people living in the community who need some form of assistance with every day life. This includes services such as food services (eg Meals on Wheels), respite care, centre based day care, social support and some forms of community transport.
- *services for people with disabilities* – The Federal Government provides part of the funding for many types of disability services, such as residential services.
- *community housing organisations* – These are community organisations funded by government to manage the provision of affordable housing.



This campaign is supported by:

Anglicare NSW * Mercy Foundation * NSW Federation of Housing Associations * Macarthur Community Forum * Illawarra Forum * Inner South West Community Development Organisation * Wyong Neighbourhood Centre * Central Coast Emergency Accommodation Services * Kempsey Women's & Children's Service * South Parrish Youth & Neighbourhood Services * Volunteering Coffs Harbour * Foster Neighbourhood Centre * Stretch-A-Family * Liverpool District Neighbourhood Centre * Bellingen Shire Support Network * Picton/Burrigorang Meals on Wheels * Blackheath Area Neighbourhood Centre * B Miles Women's Housing * St Clair Community Project * Campbelltown No Interest Loan Scheme * Karabi Community Development Service * Wimallee Neighbourhood Centre * Challenge Armidale * Shellharbour Youth Activities Service * The Rail Neighbourhood Association * West Dapto Neighbourhood Centre * Hastings District Respite Care * Community Housing Mid North Coast * Challenge Tweed * Bellingen & Seaboard Youth Services * Mackay Youth Accommodation Service * Community Health for Adolescents in Need * Illawarra Legal Centre * Schone Neighbourhood Resource Centre * Coffs Harbour Youth Refuge * ARAFMI * Aunties & Uncles * Stepping Out Housing Program * Windgap Foundation * NSW Council of Social Service * Australian Services Union

Reports from Director Corporate Services

The types of services that are wholly funded by the Federal Government include:

- *alcohol and other drug services* – Projects funded under the National Illicit Drugs Strategy fall into this category.
- *services for migrants and refugees* – These services provide support for migrants and refugees to assist with the process of settlement in Australia.
- *services providing community aged care packages* – These services provide support for many older people who live in the community, rather than in residential aged care.
- *services for disadvantaged young people* – Programs such as 'Reconnect' (a youth homelessness early intervention program) provide vital support for marginalised young people.

All of these types of services will be cut across New South Wales unless the Federal Government increases its funding contribution in line with salary increases!

Demand for community services is rising

A recent survey by the Australian Council of Social Service found that there had been a 7% increase in the numbers of people requiring community services in the six months to June 2001 and a 4% increase in the numbers of people turned away by services.

Community services are already over-stretched. If they are forced to pass on salary increases without an increase in funding from the Federal Government, they will have no choice but to cut staff, reduce operating hours and remove services from some clients.

Given that 33.5% of Australian residents live in New South Wales, a failure to fund award increases will have massive national implications.

Time is running out

Unless the Federal Government makes a decision soon, community organisations will be forced to revise budgets, reduce hours, retrench staff and/or close down in the first half of 2002. The uncertainty facing community organisations must be urgently resolved to prevent this occurring.

How you can help us

It is vital that the Federal Government understands that communities in New South Wales will not stand for any cutbacks in essential services. To help to get this message through we ask you to:

- write to the Federal Ministers with responsibility for funding of community services to urge them to provide the funding that is necessary to maintain the current level of services:
 - Peter Costello, Treasurer
 - Kay Patterson, Minister for Health and Ageing
 - Amanda Vanstone, Minister for Family and Community Services
 - Phillip Ruddock, Minister for Immigration and Multicultural Affairs
 - Danna Vale, Minister for Veterans' Affairs
- contact or visit services in your local government area that are affected by this issue (eg Meals on Wheels, other Home and Community Care services, women's refuges, youth refuges);
- raise the issue in your local media to make residents aware of potential cutbacks;
- display the petitions enclosed with this package in council offices.

Contact information

For more information please contact:

- Alan Kirkland, Director, NCOSS – phone 9211 2599 / email alan@ncoss.org.au
- Kate Lee, ASU – phone 9310 4000 / email kate@asu.org.au

Reports from Director Corporate Services

SAVE DISABILITY SERVICES FROM CUTBACKS!

Community workers in New South Wales, who have long been underpaid, have recently been given a new award. This award affects many types of disability services.

Many disability services are jointly funded by Federal and State governments under the Commonwealth-State Disability Agreement. The NSW Government, which provides some of the funding for disability services, has committed to increase government grants to meet pay rises.

Unless the Federal Government agrees to increase funding to pay its share of salary increases, disability services will be cut or closed.

The petition of certain residents of the State of New South Wales draws to the attention of the House the drastic impact of a failure by the Federal Government to provide additional funding to disability services in New South Wales to meet award increases. Your petitioners therefore ask the House to support an increase in funding for the Commonwealth State Disability Agreement to meet the costs of salary increases.

NAME	SIGNATURE	ADDRESS
1.		
2.		

SAVE HOME AND COMMUNITY CARE!

Community workers in New South Wales, who have long been underpaid, have recently been given a new award. This award affects many services in the Home and Community Care Program.

The NSW Government, which provides around 40% of funding for HACC, has committed to increase government grants to meet pay rises.

Unless the Federal Government agrees to increase funding to pay its share (60%) of salary increases, HACC services will be cut or closed.

The petition of certain residents of the State of New South Wales draws to the attention of the House the drastic impact of a failure by the Federal Government to provide additional funding to Home and Community Care Services to meet award increases. Your petitioners therefore ask the House to support an increase in funding for the Home and Community Care program to meet the costs of salary increases.

NAME	SIGNATURE	ADDRESS
1.		
2.		

Reports from Director Corporate Services

SAVE SUPPORTED ACCOMMODATION!

Community workers in New South Wales, who have long been underpaid, have recently been given a new award. This award affects all services in the Supported Accommodation and Assistance Program.

The NSW Government, which provides around 45% of funding for SAAP, has committed to increase government grants to meet pay rises.

Unless the Federal Government agrees to increase funding to pay its share (55%) of salary increases, SAAP services will be cut or closed.

The petition of certain residents of the State of New South Wales draws to the attention of the House the drastic impact of a failure by the Federal Government to provide additional funding to Supported Accommodation and Assistance Program (SAAP) services to meet award increases. Your petitioners therefore ask the House to support an increase in funding for SAAP meet the costs of salary increases.

NAME	SIGNATURE	ADDRESS
1.		
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Council needs to determine whether it is going to assist the Council of Social Service of New South Wales in their campaign and to what level of assistance would be considered appropriate. The Council has suggested that can be provided by:

- Writing to the Federal Ministers with responsibility for funding of community services to urge them to provide the funding that is necessary to maintain the current level of services:
 - Peter Costello, Treasurer
 - Kay Patterson, Minister for Health and Ageing
 - Amanda Vanstone, Minister for Family and Community Services
 - Phillip Ruddock, Minister for Immigration and Multicultural Affairs
 - Danna Vale, Minister for Veterans' Affairs
- Contacting or visiting services in your local government area that are affected by this issue (eg Meals on Wheels, other Home and Community Care services, women's refuges, youth refuges);
- Raising the issue in your local media to make residents aware of potential cutbacks;
- Displaying the petitions in Council offices.

Reports from Director Corporate Services

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Reports from Director Corporate Services

6. ORIGIN: Director
FILE REF: Councillors - Conferences

REPORT TITLE:

Councillor Professional Development Program (CPDP) 2002

SUMMARY OF REPORT:

The Local Government and Shires Association of NSW have circulated information outlining the calendar of training workshops for elected members for 2002.

RECOMMENDATION:

That any Councillor(s) interested in participating in the Professional Development Program contact the Mayor's Secretary to register their interest for a further report to Council authorising attendance.

Reports from Director Corporate Services

REPORT:

The Local Government and Shires Association of NSW have provided details of the 2002 Councillor Professional Development Program (CPDP) to the General Manager.

Below is the Program, outlining a comprehensive range of professional development seminars and workshops that may be of relevance to elected members.

Reports from Director Corporate Services



Local Government and Shires
Associations of NSW

Councillor Professional Development Program 2002

LGSA Learning is delighted to present our 2002 Calendar. Among the 2002 modules there are a number of **new programs** including **Lobbying for Success, Connecting with the Community, Managing Change for Councillors** and **Strategic Management**. There will also be a series of **Councillor Weekends** ... a chance to experience and explore different councillor related topics over a weekend!

Who Should Attend?

mayors, councillors, general managers and senior staff

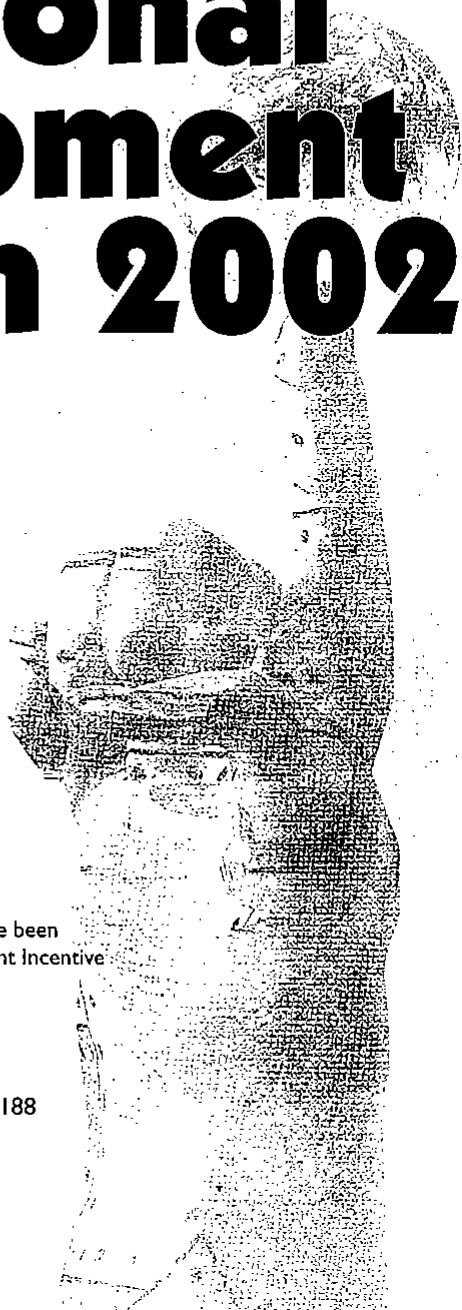
LGSA gratefully acknowledges that six of the new programs have been developed through a grant provided under the Local Government Incentive Programme, Department of Transport and Regional Services.

How to Register?

Please fax the registration form (back page) to (02) 9242 4188 to secure a place on the workshop(s) of your choice.

Coordinated by LGSA Learning

Visit our Web site www.lgsa.org.au/training



Reports from Director Corporate Services

COUNCILLOR PROFESSIONAL DEVELOPMENT WORKSHOPS

Connecting with the Community **NEW**

Community consultation is a major role of councillors and how to connect with your community requires communication skills and knowledge of a range of tools. Explore them in this module.

13 February - LGSA Sydney 21 February - Queanbeyan 18 June - Wollongong

Your Presenter - Greg Hawken from Greg Hawken Consulting

Cost - \$297 inclusive of GST

Development Approvals - The Heritage Perspective

The course is designed to "explain heritage principles and requirements and to give participants skills and experience at assessing heritage-related Development Applications."

8 May - Maitland 25 September - LGSA Sydney

Your Presenter - David Logan from Golden, Mackay, Logan

Cost - \$220 inclusive of GST

Effective and Fair Meeting Procedures

A practical workshop designed to better equip councillors to deal with business at their council meetings.

8 April - West Wyalong

Your Presenter - Gerry Holmes from Holmes and Reynolds

Cost - \$297 inclusive of GST

The Effective Chair in Local Government - half-day workshop

"The Effective Chair" workshop provides councillors with techniques to be skilled, confident and effective chairs who achieve the best possible outcomes for their council and constituents.

9 April - West Wyalong 9 September - LGSA Sydney 12 November - LGSA Sydney

Your Presenter - Gerry Holmes from Holmes and Reynolds

Cost - \$209 (inclusive of GST)

Effectively Getting Your Message Across - half day workshop **NEW**

The module covers communication roadblocks, communicating with difficult people, listening skills and communication challenges.

21 February - Dubbo 29 April - Penrith

Your Presenter - Narayan van de Graaff from Advanced HR Solutions

Cost - \$209 inclusive of GST

Executive Leadership and Team - two day workshop

Councillors have a strong community leadership role and this module introduces you to leadership techniques and skills to assist you in that role.

14-15 March - LGSA Sydney 18-19 April - Armidale

Your Presenter - Narayan van de Graaff from Advanced HR Solutions

Cost - \$572 inclusive of GST

Financial Issues in Local Government - half day workshop

This program introduces councillors to council finance responsibilities. Includes basic accounting procedures, reading quarterly reviews/balance sheets, and financial planning.

30 May - Parkes

Your Presenter - Dennis Banicevic from PricewaterhouseCoopers

Cost - \$297 inclusive of GST

Getting Win/Win Outcomes **NEW**

Using a win/win approach, participants will be able to resolve conflicts in an assertive, empathic and creative problem-solving manner.

25 March - Holroyd 17 April - Port Macquarie

Your Presenter - Narayan van de Graaff from Advanced HR Solutions

Cost - \$297 inclusive of GST

Reports from Director Corporate Services

Know Your Planning Legislation

The aim of the workshop is to identify the responsibilities of local government for regulating land use and the role of councillors in developing and implementing environmental planning instruments.

16 August - Ballina

Your Presenter/s - Gerry Holmes from Holmes and Reynolds, and Andrew Kelly (University of Wollongong)

Cost - \$297 inclusive of GST

Lobbying For Success **NEW**

How well you lobby state and federal government for funding, legislative changes etc can have a great impact on your community. Come and explore better ways of lobbying for successful outcomes.

26 February - LGSA Sydney 15 April - Armidale 29 July - Dubbo

22 October - LGSA Sydney 26 November - LGSA Sydney

Your Presenter - Greg Hawken from Greg Hawken Consulting

Cost - \$275 inclusive of GST

Managing Change for Councillors **NEW**

Globally or locally, we are all subject to an increasing pace in change. This program will assist you to manage yourself and others through those changes.

29 March - LGSA Sydney

Your Presenter - Darryl Rubiolo from LGSA Learning

Cost - \$297 inclusive of GST

Managing Time and Stress **NEW**

This module will assist you to balance your family, work and councillor duties with practical time and stress management techniques.

22 February - Dubbo 16 April - Port Macquarie

Your Presenter - Narayan van de Graaff from Advanced HR Solutions

Cost - \$297 inclusive of GST

Media Skills

This practical workshop will assist you to be more confident and proactive rather than reactive in managing the media.

9 April - LGSA Sydney 14 May - Forbes 2 July - Dubbo

22 October - Bega 19 November - Albury

Your Presenter - Kerry-Anne Walsh from K-A Communications

Cost - \$385 inclusive of GST

Strategic Management **NEW**

This module deals with the Management Plan and how to contribute to its design, development and implementation. The program looks at strategic planning issues and how to take an integrated planning approach in councils. Case studies from councils will be examined.

15 February - LGSA Sydney 1 March - Wagga Wagga 21 March - Dubbo

12 April - Ballina 12 September - LGSA Sydney 17 October - Goulburn

Your Presenter - Dr Randal Stewart from Timmins Stewart Consulting

Cost - \$297 inclusive of GST

Conflict of Interest - half-day workshop

This program aims to develop councillors' knowledge of Conflict of Interest issues to enhance their capacity to identify and resolve conflicts of interest.

4 September - LGSA Sydney 13 November - LGSA Sydney

Your Presenter - Gerry Holmes from Holmes and Reynolds

Cost - \$207 inclusive of GST

Councillors who are interested in attending specific workshops and programs are requested to bring their interest to the attention of the Mayor's Secretary.

A report seeking Council's authorisation will then be prepared to effect registration.

Reports from Director Corporate Services

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Reports from Director Corporate Services

7. **ORIGIN:** Director

FILE REF: Elections - General; LGSA - General

REPORT TITLE:

Amendments to Council Elections in 2003

SUMMARY OF REPORT:

The Local Government and Shires Association have brought to Council's attention changes in the Local Government elections in 2003. These details cover the areas of group voting and party registration.

It has been advised that the New South Wales State Electoral Office is likely to be conducting a number of small workshops to provide additional information.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Corporate Services

REPORT:

The attached advice has been received from the Local Government and Shires Association in respect to amendments to the Council elections in 2003:

WEEKLY CIRCULAR 04/02

25 JANUARY 2002

page 5

GENERAL INTEREST

Item 1 – AMENDMENTS TO COUNCIL ELECTIONS IN 2003
Contact: Warren Taylor – LGSA.

Requirements for group voting and party registration have been changed for Local Government elections in 2003.

The *Local Government Amendment Act 2000* contains a number of provisions effective from 1 June 2002.

1. Group Voting

- The amount of deposit required to be paid by a candidate included in a group of five or more candidates is five times the deposit for one candidate divided by the number of candidates in that group.
- The system of parties or other groups of candidates submitting a group voting ticket for Local Government elections will be abolished. Under the amendments, a voter who records a vote for a party or other group “above the line” on the ballot paper will be recording a vote for the candidates in that party or group in the order shown “below the line” on the ballot paper.
- The full list of candidates shown “below the line” will remain as an option for those voters who do not wish to vote for a party or other group but who wish to record their votes for individual candidates in whatever order of preference they wish.
- Voters who record a vote “above the line” for a party or other group will now be able to determine for themselves whether they wish to record preferences for other parties or groups and, if so, the order in which they wish to record their preferences (instead of the decision on whether preferences are to be given and the order in which they are given being determined by the party or other group in the group voting ticket submitted to the returning officer).
- Groups of candidates will **not** be able to have a voting square above the line unless the number of candidates in the group on the nomination day prescribed by the regulations for the election is at least half the number of candidates to be elected (in the case of an area not divided into wards) or unless there are at least as many candidates in the group on the nomination day for the election as there are candidates to be elected (in the case of an area divided into wards). This change will permit a voter to continue to record a formal vote “above the line” by giving a first preference vote only for one of the groups of candidates.

2. Party Registration

The main changes are:

- a Local Government party will be required to have at least 100 members to be eligible for registration and will no longer be eligible to be registered merely because it is represented on council by one of its members. However, there are significant transitional concessions for the 2003 elections. Parties registered before 1 June 2002, or parties whose applications have not been processed by 1 June, will not attract the new more restrictive rules until 1 June 2003, giving applicants much more time to revise membership details
- two or more parties will not be able to rely on the same party member to qualify or continue to qualify for registration. However, existing registered parties will be given an opportunity to change the members on whom they rely to avoid cancellation of their registration on that ground
- an application for registration of a party will be required to be accompanied by declarations of party membership signed by 100 members

Reports from Director Corporate Services

WEEKLY CIRCULAR 04/02

25 JANUARY 2002

page 6

- registered parties will be required to submit an annual return and any other information that the Electoral Commissioner requires to confirm their continued eligibility for registration
- parties will not have to pay a registration fee
- a party that becomes registered after the commencement of the proposed amendments will not be eligible, until 12 months after that first registration, to have its registered party name or abbreviation placed on ballot papers (under section 321) or to be treated as a registered party in connection with the nomination of its candidates (under the regulations).

None of these changed requirements apply to any by elections held before the general elections in September 2003.

The NSW State Electoral Office will write to all councils and councillors with details of the changed requirements and consider conducting a small number of workshops.

A schedule of the changes will be circulated to all councils in the next bulk mail or is available from Kathy Miletic on 9242 4121 or kmiletic@lgsa.org.au.

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Reports from Director Corporate Services

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Reports from Director Engineering Services

8. ORIGIN: Planning & Design Unit
FILE REF: Cycleway – Other; R4031 Pt14

REPORT TITLE:

Mooball to Burringbar Cycleway Walkway

SUMMARY OF REPORT:

Council has been approached by the Mooball and District Moovers regarding the construction of a concrete cycleway / walkway between Mooball and Burringbar.

A site inspection has been conducted between Council staff and community representatives to assess the viability of the project. The community has secured an offer from the Abigroup to assist possibly providing concrete or labour for the pathway or streetscaping works associated with the project. The Murwillumbah Lions Club has also offered support to the Mooball & District Moovers for labour and possible financial support subject to Council approval.

RECOMMENDATION:

That Council undertakes survey and design including property acquisition negotiations with affected landowners for the proposed cycleway / walkway along the western side of the Pacific Highway between Mooball and the existing cycleway at Burringbar in the current financial year.

Reports from Director Engineering Services

REPORT:

Council has been approached by the Mooball and District Moovers regarding the construction of a concrete cycleway / walkway between Mooball and Burringbar.

A site inspection has been conducted between Council staff and community representatives to assess the viability of the project. The community has secured an offer from the Abigroup to assist possibly providing concrete or labour for the pathway or streetscaping works associated with the project. The Murwillumbah Lions Club has also offered support to the Mooball & District Moovers for labour and possible financial support subject to Council approval. Copies of both of these letters are attached at the end of this report.

From the site inspection it was agreed that the project is feasible however to construct the cycleway / walkway on the western side of the existing highway involves some significant earthworks which results in the need for property acquisitions. It would appear that the property owners would facilitate necessary land acquisitions however the extent of the acquisitions cannot be determined until design work has been completed.

At this stage to assist in progressing the project Council would need to agree to undertake the survey and design work and pursue the formal acquisition of private property required to accommodate batters to enable the cycleway / walkway to be constructed. The community has requested that Council give this request urgent consideration and given the significant contributions from Abigroup towards this project and the long term benefit of the cycleway / walkway it is considered appropriate for Council to undertake the survey, design and acquisition so that the project can at least commence.

Reports from Director Engineering Services

MOOBALL & DISTRICT MOOVERS

c/o Moo Moo Cafe ~ Pacific Highway, ~ Mooball, 2483 ~ N.S.W.
Phone 02 66771095 ~ Email moomoo@byronit.com

Director of Engineering,
Bob Messingham,

Dear Bob,

Thankyou for taking the time to visit what is quite obviously a place screaming for attention. You will have noticed that Mooball is lacking even the most basic infrastructure and is essentially baron of all public utilities, which was a point of major concern to the Northern Rivers Division Of General Practice who held a recent community health forum in this area to discuss health and aged care.

The people of Mooball / Burringbar have found a common voice and are now asking why, after enduring the highway and its death toll for so long and putting up with massive dust storms due to poorly maintained truck stops, -why-is our district not sharing in the financial gains of the by-pass.

Attached are copies of two letters:


- 1] Abi Group Director, David Jurd and,
- 2] Murwillumbah Lions Club Secretary, PG Rowan, outlining their offers of support. For further consultation it is important that we receive written council approval for the two proposed multi purpose shelters and a recreational pathway that will start at the southern end of Mooball and link with the already existing Burringbar pathway.

By working together now and taking advantage of the generous offers of both Abi Group and Murwillumbah Lions Club before its too late, we will be ready to stand as a strong representation of the Tweed Villages and will lesson the burden on council resources in the future.

We hope that you will take the time to carefully read the attached correspondence relating to the multi purpose shelters and recreational pathway. Our children are our future and I'm sure you will agree that even one life lost is one too many. The urgency of this request should not be undermined. Too many children have died in accidents that could have been avoided if appropriate action had been taken sooner rather than later. PLEASE don't wait for a tragedy before moving on this issue, instead act NOW to avoid the tragedy.

Mooball can no longer be viewed as the forgotten link in the end of the chain. In fourteen months time the Tweed Villages will be by-passed, effectively making Mooball the "Gateway" to the Tweed Villages - the first impression of whats to come. We must act now to provide basic infrastructure and utilities and work to enhance its already visually pleasing backdrop by addressing the poorly maintained streetscape.

Sincerely, and on behalf of
Mooball and District Moovers



Cassie Smith

**Vision statement : To maintain Mooball as a peaceful rural village in
a valley of open spaces and friendly faces.**

Reports from Director Engineering Services



Ref: MOO-S-TW-0001

4th September 2001

Ms Cassie Smith
Mooball and District Moovers
C/O Moo Moo Café, Pacific Highway
MOOBALL NSW 2483

**State Highway No. 10
Design Construction and Ten Year Maintenance of Pacific Highway Upgrade
Yelgun to Chinderah
Contract No: 0010.438.RC.1378**

Community Programs

Thank you for your letter dated 27 July 2001, outlining your proposed community works program and seeking support from Abigroup for your endeavors.

Abigroup has provided in-kind and financial assistance to a range of sporting and youth organisations over the past year. We enjoy working with the local community and are happy to give further consideration to how we may be able to assist the Mooball and District Moovers with their community initiatives. Possible options include providing labour or concrete for hardstand areas in the bus shelters or for pathways, or donating mulch or suitable plants for streetscaping activities.

To help me identify where Abigroup may be able to provide assistance with your programs, it would be appreciated if you could keep me updated on the progress of your activities including your application to Council for approval of the proposed works.

I look forward to hearing from you further on this matter.

Yours faithfully
ABIGROUP CONTRACTORS PTY LIMITED

D V JURD
PROJECT DIRECTOR

Abigroup Contractors Pty Limited

ABN 40 000 201 516

25-29 Bridge Street Pymble NSW
PO Box 195 Pymble NSW 2073 Australia
3449-3344 Intl (612) Fax (02) 9488-7648
email: abimail@abigroup.com.au

**YOUNG AUSTRALIAN
OF THE YEAR AWARDS**

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Reports from Director Engineering Services

MURWILLUMBAH LIONS CLUB INC.

Murwillumbah, N.S.W. 2484 AUSTRALIA

26th June 2001

Cassie Smith
Mooball Movers
C/- Moo Moo Café
Pacific Highway
MOOBALL NSW 2483


Dear Cassie

At the Murwillumbah Lions Club board meeting on 11/6/01 your letter seeking support for the construction of two bus shelters at Mooball was read and discussed.

It was resolved to offer whatever manpower the Club could provide to assist you with this project. The board would also give consideration to financial support after you have received Council approval and had quotations prepared.

Please provide this information when it becomes available.

Yours faithfully
Murwillumbah Lions Club Inc



P G Rowan
Secretary

Reports from Director Engineering Services

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Reports from Director Engineering Services

- 9. ORIGIN:** Planning & Design Unit
FILE REF: PF3570/300; Easements

REPORT TITLE:

Relinquishment of Right of Footway Variable Width - Lot 12 in DP 576205 being 26 Moss Street, Kingscliff

SUMMARY OF REPORT:

Mr Barry Clough has contacted Council officers, both by telephone and written correspondence, seeking full relinquishment of a Right of Footway located between his family's property at 26 Moss Street, Kingscliff and Cudgen Creek.

The Right of Footway was granted to Council by his grandmother by Transfer of Easement dated 6 October, 1955.

Council's timber boardwalk on the bank of Cudgen Creek is located between the subject property and Cudgen Creek, but sits outside the Right of Footway

RECOMMENDATION:

That Council:-

1. Relinquishes the Right of Footway on Lot 12 in DP 576205, subject to the applicant meeting all survey, legal and conveyancing costs and providing a written undertaking that any objections, claims for compensation, or accommodation works in regard to the current boardwalk are withdrawn, and that no objection will be raised to the future removal of the gates currently obstructing free pedestrian access to the boardwalk.
2. Endorses and executes all necessary documents under the Common Seal of Council.

Reports from Director Engineering Services

REPORT:

A letter has been received from Mr Barry Clough seeking full relinquishment of the public Right of Footway located on his family's property at 26 Moss Street, Kingscliff, adjacent to Cudgen Creek.

Council's practice in such instances in the past has been to regard easements or rights-of-way as assets which, by definition, may be purchased or sold. However where applicants for extinguishment have been able to demonstrate that:-

- The tenancy is now un-necessary or redundant, and will remain so,
- The current owner or successor in estate title was the party who deeded the tenancy, and
- The title was granted to Council at no cost

It has been the practice to permit extinguishment of the encumbrance at the applicant's cost, if desired.

In this instance the Right of Footway was granted to Council by the owner's grandmother by Transfer of Easement dated 6 October, 1955 by the registration of a Transfer Granting Easement, dealing number G394974.

Transfer Granting Easement G39475 created a Right of Footway in the neighbouring property, 24 Moss Street, being Lot 11 in the same deposited plan.

A copy of DP 576205 follows showing the Right of Footway adjacent to each Lot.

Note that should Council be seeking to purchase this Right of Footway from the owners (rather than extinguish it) the purchase price would probably be well in excess of \$100,000.

Council has constructed a timber boardwalk along Cudgen Creek. The timber boardwalk lies totally outside the boundaries of the Right of Footway adjacent to Lot 12, as shown in the following plan, and does not utilise any area within the Right of Footway.

Mr Clough is of the view that as the boardwalk is outside the Right of Footway, it is no longer necessary for Council to retain the benefit of the Right of Footway.

There seems sufficient room to exclude retaining part or all of the Right of Footway adjacent to the boardwalk for maintenance purposes, or for possible expansion of the boardwalk in the future. Despite its public benefit, the boardwalk has a history of opposition from abutting landowners. If contemplating relinquishment, it would therefore seem prudent at this time to seek a written undertaking by the applicants that any objections, claims for compensation, or accommodation works in regard to the current boardwalk are withdrawn, and no objection will be raised to the future removal of the gates currently obstructing free pedestrian access to the boardwalk. Accordingly, the application meets Council's normal criteria.

Should Council relinquish any or all of the Right of Footway, it may provide a precedent whereby the proprietor/s of Lot 11 may also seek relinquishment. Similar criteria should be applied to any such application.

Copies of all correspondence entered into and received in this matter follows, together with a copy of a plan showing the location of the timber boardwalk in relation to the Right of Footway.

Reports from Director Engineering Services

MR Barry Clough
P.O. Box 260
Biggera Waters
QLD 4216
5 December 2001
phone 0418783925
fax 0755376505

EASEMENTS

To the general manager
Tweed Shire Council
Po Box 816
Murwillumbah
N.S.W. 2484

TWEED SHIRE COUNCIL	
FILE No.	PF 3570 300
DOCUMENT No.	243285
RECD	- 7 DEC 2001
BOX No.	
ASSIGNED TO	TURNBULL
HARD COPY	<input checked="" type="checkbox"/>
IMAGE	<input type="checkbox"/>

Dear Sir or Madam:

I am writing regarding our property at # 26 Moss St Kingscliff lot 12

D P 576205 .

I have briefed your Property Officer Mrs Nela Turnbull by phone on the 5/12/2001 of a situation, which has evolved over the past few years regarding the right of footway of variable width created by G 394974.

The particular right of footway, located at the front of our property is now functionally obsolete. This is due to the Sunrise Cove Development (28 Moss St) recently building a pool, amenities building and a fence adjacent the full extent of the southern end of the right of footway, effectively creating a dead end. Furthermore the sewage pump station located at the creek end of Clough Way adjacent # 24 Moss St was created in the early 1970's which was built in line with the R O Footway after the use of our land was afforded to Council by my late grandmother in 1955 for the purpose of the footway. Placing the logical path of the boardwalk where council has constructed it, to the east.

These two structures being, Sunrise Cove and the Pump station have now set the position of the physical footway being, the as built boardwalk which is east of the Right Of Footway making the easement over our property not only redundant but without direction. This Right of footway, if it were to be used would now actually be a diversion of the logical path and a redirection of the public to our residence which would not be desirable.

It is with these facts in mind and that our family historically promoted the boardwalk that I request that Council relinquish the now unnecessary right of footway over our small but cherished portion of kingscliff.
Thank you for considering this matter.

I would like to thank the Tweed Shire Council for naming the lane in Moss St Kingscliff after my mother the late Mrs Phyllis (Ruth) Clough.

Yours sincerely
Barry Clough



Reports from Director Engineering Services



Please Quote
Council Ref: PF 3570/300 DW643285

[eltr]

Your Ref No:

647450

For Enquiries
Please Contact: Mrs Nela Turnbull

Telephone Direct (02) 6670 2574
24 December 2001

L24F01

Mr Barry Clough
PO Box 260
BIGGERA WATERS QLD 4216

Dear Mr Clough

Right of Footway - Lot 12 in DP 576205

Thank you for your letter of 5 December, 2001.

The points raised by you regarding the use and location of the timber boardwalk are noted by Council.

In some circumstances Council has agreed to extinguish unused easements without seeking compensation from the servient tenement, particularly where it was granted at no cost by the current landowner.

Prior to Council considering any proposal for the relinquishment of the whole or any part of the Right of Footway the following would need to be addressed by you:-

1. A plan by a registered surveyor showing the location of the boardwalk in relation to the Right of Footway to ascertain the location of the boardwalk in relation to the Right of Footway;
2. Confirmation that the current registered proprietors are the heirs and successors of Phyllis Mary Humphries Stevens;
3. Confirmation that the current registered proprietors did not acquire the land on a commercial contractual basis;
4. That the Right of Footway was not created as a requirement of Development Consent, that is, when the land was subdivided to create Lots 11 and 12; and
5. That you are willing to bear all, including those incurred by Council, legal and survey costs in relation to any proposed relinquishment.

It should be noted that Council would seek to retain access to the boardwalk from the area within the Right of Footway for future maintenance, and it is unlikely Council would entertain relinquishing the Right of Footway entirely.

It is Council's intention for the boardwalk to remain for the benefit of the public, this would necessitate Council being able to maintain it both now and the future.

The removal of the public gate erected on the boardwalk would form part of any negotiations Council would be involved in with you should it resolve to relinquish any part of the Right of Footway.

Yours faithfully

Don McAllister
Manager
PLANNING & DESIGN

CIVIC AND CULTURAL CENTRE, MURWILLUMBAH
P.O. BOX 816, MURWILLUMBAH, N.S.W. 2484
TELEPHONE: (02) 6670 2400 FAX: (02) 6670 2429

PLEASE ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER
ABN 90 178 732 495
www.tweed.nsw.gov.au



Reports from Director Engineering Services

MR Barry Clough
P.O. Box 260
Biggera Waters
QLD 4216
15 January 2002
Phone 0418783925
Fax 0755376505

EASEMENTS

TWEED SHIRE COUNCIL	
FILE No.	PF3570/300
DOCUMENT No.	643285
RECD	16 JAN 2002
BOX No.	
ASSIGNED TO	TURNBULL N
HARD COPY	<input checked="" type="checkbox"/>
IMAGE	<input type="checkbox"/>

To the general manager
Tweed Shire Council
Po Box 816
Murwillumbah
N.S.W. 2484

Dear Sir or Madam:

I am writing regarding our property at # 26 Moss St Kingscliff lot 12 D P 576205 .

Thank you for your response to my letter on 24/12/01 your ref: PF3570/300 DW 643285 .

The contact in your office is Mrs Nela Turnbull. Your letter requests the issues one through five be addressed by myself and I respond seeking the matter to progress as follows.

Item 1. Please find a copy of the resent survey document I had commissioned by local surveyor Mr peter Chapman showing the information requested.

Item 2.and 3. I confirm that Mrs Phyllis Mary Humphries Stevens was my grandmother and that Mrs Phyllis Ruth Clough (formally Stevens) was her daughter and heir and successor and was left this property. Further more I confirm that the current proprietors my brother and I were left the property by our mother upon her passing on 29 /8/2000 .My grandparents and mothers remains are along side each other at the Murwillumbah lawn cemetery, I also have paid for and my plot along side them, should you need further confirmation your council records will disclose this.

Item 4 .I confirm that the transfer of the easement to council occurred on the 6 October 1955 without reference relating to the subdivision of lot 11 and 12 or any development consent.

Item 5. I confirm that we as proprietors of the land are prepared to bear all costs identified with the relinquishment of the unused easement, in consideration of

Reports from Director Engineering Services

council historically having not sought compensation in similar circumstances, and, essentially our particular situation, as formerly explained. Could council please identify and estimate approximately these expenses for our budgetary requirements. We may also have in our family archives some of the information or documents you may be seeking; we offer this with the view to reducing our costs and expediting the matter. It is my experience that it is normally cost efficient to progress with the same surveyor should you require further survey work to be commissioned as they have already ascertained all the bearings and datum's in the resent survey.

It is understood and accepted that council would retain boardwalk access for maintenance and for the benefit of the public now and in the future .The survey plan enclosed shows the board walk location completely outside the easement with considerable clearance .It is with this information that I request you consider the relinquishment of the entire right of footway over our property.

We will consent to the boardwalk gate being removed should the right of footway be relinquished.

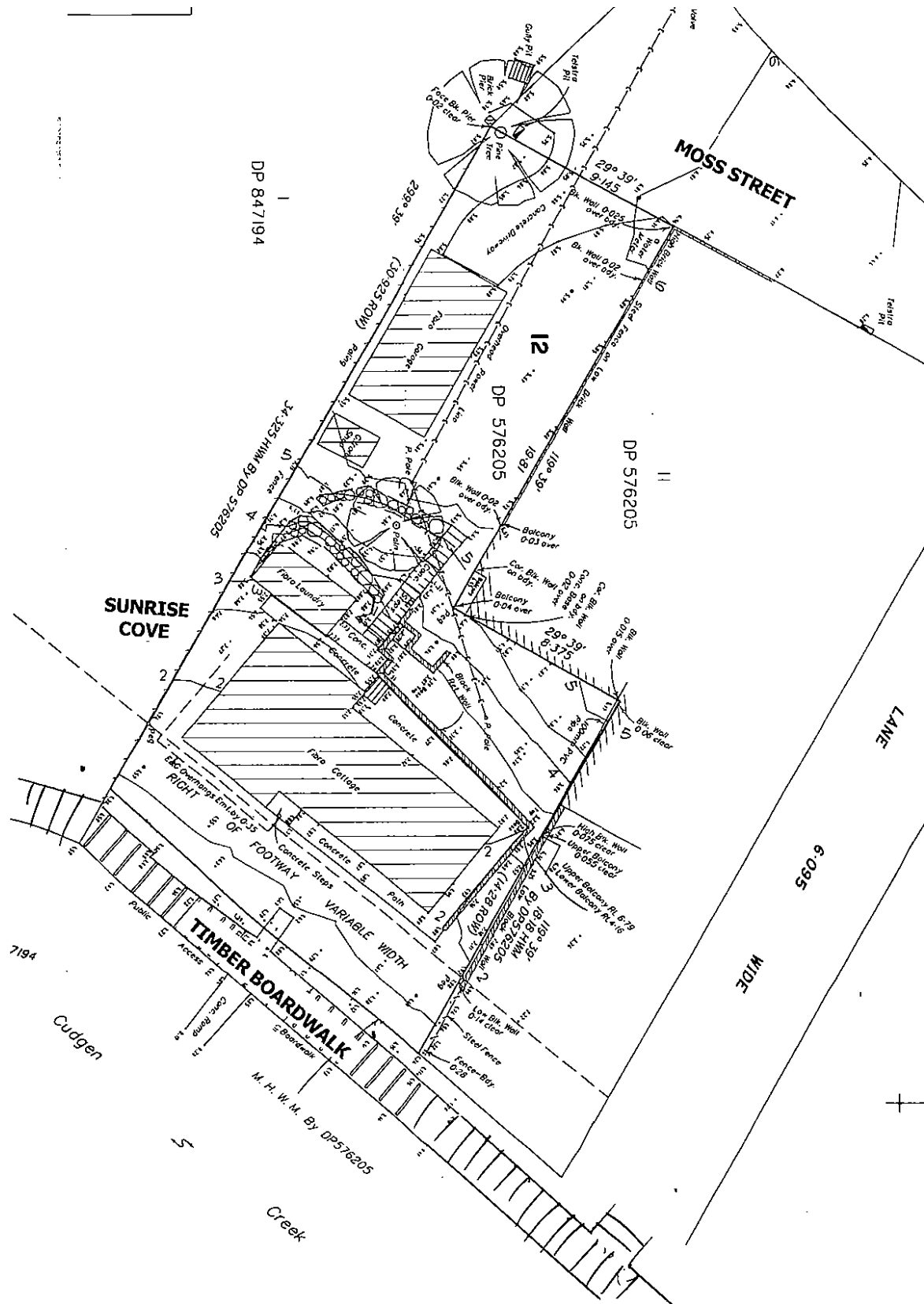
Yours sincerely

Barry Clough



Mlated
16.1.02
[Signature]

Reports from Director Engineering Services



Reports from Director Engineering Services

<p>PLAN OR SUBDIVISION OF LOTS A18 IN D.P. 438183</p> <p>Plan Form 1</p>		<p>D. P. 576205</p> <p>Registered: 22/06/6 - 1275 C.A. No 19/74 OF 6/12/1974 Title System: TORRENS Purpose: SUBDIVISION Ref. Map: TWEED SA 6 Last Plan: D.P. 438183 (D.P. 1105)</p>	
<p>PLANNING / CREATION OR PLAN WILL LEAD TO SUBDIVISION</p> <p>Plan or Subdivision of Lots A18 in D.P. 438183</p>		<p>Plan Form 1</p>	
<p>OWNER'S CERTIFICATE</p> <p>I, <u>LEONARD C. MANN</u> of <u>7, Sawyers, Box 164, Newcastle</u> do hereby certify that the survey represented in this plan was made by me or under my direct supervision and that the same is true and correct and that I am a duly qualified Professional Surveyor under the provisions of the Survey Act 1974.</p> <p>Signed: <u>[Signature]</u> Date: <u>5/2/02</u></p>		<p>LANDS DEPARTMENT CONSENT TO H.W.M. FURNISHED</p> <p><u>[Signatures]</u> P. B. ... P. M. ... J. E. ... P. B. ...</p>	
<p>COUNCIL CLIENT'S CERTIFICATE</p> <p>I, <u>[Name]</u> of <u>[Address]</u> do hereby certify that the plan is true and correct and that I am a duly qualified Professional Surveyor under the provisions of the Survey Act 1974.</p>		<p>CONSENT TO H.W.M. FURNISHED</p> <p><u>[Signatures]</u> P. B. ... P. M. ... J. E. ... P. B. ...</p>	
<p>REMARKS</p> <p>1. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p> <p>2. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p>		<p>REMARKS</p> <p>1. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p> <p>2. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p>	
<p>PLANNING / CREATION OR PLAN WILL LEAD TO SUBDIVISION</p> <p>Plan or Subdivision of Lots A18 in D.P. 438183</p>		<p>LANDS DEPARTMENT CONSENT TO H.W.M. FURNISHED</p> <p><u>[Signatures]</u> P. B. ... P. M. ... J. E. ... P. B. ...</p>	
<p>OWNER'S CERTIFICATE</p> <p>I, <u>LEONARD C. MANN</u> of <u>7, Sawyers, Box 164, Newcastle</u> do hereby certify that the survey represented in this plan was made by me or under my direct supervision and that the same is true and correct and that I am a duly qualified Professional Surveyor under the provisions of the Survey Act 1974.</p> <p>Signed: <u>[Signature]</u> Date: <u>5/2/02</u></p>		<p>LANDS DEPARTMENT CONSENT TO H.W.M. FURNISHED</p> <p><u>[Signatures]</u> P. B. ... P. M. ... J. E. ... P. B. ...</p>	
<p>COUNCIL CLIENT'S CERTIFICATE</p> <p>I, <u>[Name]</u> of <u>[Address]</u> do hereby certify that the plan is true and correct and that I am a duly qualified Professional Surveyor under the provisions of the Survey Act 1974 and the Land Use Act 1974.</p>		<p>CONSENT TO H.W.M. FURNISHED</p> <p><u>[Signatures]</u> P. B. ... P. M. ... J. E. ... P. B. ...</p>	
<p>REMARKS</p> <p>1. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p> <p>2. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p>		<p>REMARKS</p> <p>1. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p> <p>2. The plan is submitted to the Council for its consent to the subdivision of the land shown thereon in accordance with the provisions of the Survey Act 1974 and the Land Use Act 1974.</p>	

Reports from Director Engineering Services

10. ORIGIN: Water Unit

FILE REF: Dams - Clarrie Hall - General; Water Supply - General; Weirs - Bray Park

REPORT TITLE:

Tweed District Water Supply

SUMMARY OF REPORT:

As at Wednesday 30 January 2002 the Clarrie Hall Dam is at a level of 4.2 metres below the spillway, holding approximately 52% of its full supply capacity, or 8,300 Megalitres (ML). Water is being released continuously to maintain the Bray Park Weir level at 1.2 metres below its crest level and provide water for the Uki Water Filtration Plant. The only flow in the river is that provided by the release from the Dam.

Consumption is averaging approximately 30ML per day, well down from the peak day of 51ML on Saturday 12 January 2002. Algal counts in the Bray Park Weir are still very high but, to date, no toxins have been detected. By using Powdered Activated Carbon (PAC) in the water treatment process a high quality potable supply has been maintained.

RECOMMENDATION:

That consumption and water levels be continually monitored and a further report be brought forward to Council if the current situation deteriorates.

Reports from Director Engineering Services

REPORT:

As at Wednesday 30 January 2002 the Clarrie Hall Dam is at a level of 4.2 metres below the spillway, holding approximately 52% of its full supply capacity, or 8,300 Megalitres (ML). Water is being released continuously to maintain the Bray Park Weir level at 1.2 metres below its crest level and provide water for the Uki Water Filtration Plant. The only flow in the river is that provided by the release from the Dam.

Consumption is averaging approximately 30ML per day, well down from the peak day of 51ML on Saturday 12 January 2002. Algal counts in the Bray Park Weir are still very high but, to date, no toxins have been detected. By using Powdered Activated Carbon (PAC) in the water treatment process a high quality potable supply has been maintained.

At Tyalgum severe restrictions have been introduced, limiting the use of reticulated water to domestic purposes only. There is no flow in the Oxley River at Tyalgum and water is now being carted from Murwillumbah by water tankers to maintain the Village supply.

Under current conditions there is adequate water in the Clarrie Hall Dam to maintain the current level of supply without further restrictions on usage. Calls for voluntary conservation appear to have been heeded by most of the community.

Restrictions on water usage have not been needed for about 20 years since the filling of the Clarrie Hall Dam. There is therefore no history of the likely impact on consumption if Council was to introduce restrictions. The traditional first level of restrictions is the banning of fixed hoses and sprinklers that could be expected to significantly reduce water usage on lawns and gardens. Unfortunately such a ban would also prohibit the use of micro irrigation systems that have been actively promoted as a water conservation measure in recent years. There are a number of consumers drawing from the reticulated supply for commercial purposes including plant nurseries, promotional landscaping and hydroponic agricultural operations. Such operations could be interpreted as being prohibited under a fixed hoses and sprinklers ban.

In any consideration of the need for restrictions Council needs to resolve as to how such restrictions are to be enforced. Enforcement is considered essential if Council is to maintain credibility with the community. Council's powers to introduce bans are contained within Section 13 of the Local Government (Water Services) Regulation, 1999. Council's powers to enforce are by summons under the provisions of Chapter 16 – Offences under the Local Government Act.

If Council desires to introduce restrictions then it is felt that an initial ban on the watering of all lawns and grassed areas, with enforcement, should be considered as a first level. Grassed areas and lawns could be consuming significant quantities of water, in the current climate, if growth has been maintained.

Reports from Director Environment & Community Services

11. ORIGIN: Environment & Health Services Unit

FILE REF: Govt Grant - Comm Options

REPORT TITLE:

Community Options Project Additional Funding

SUMMARY OF REPORT:

Council is advised that the Department of Ageing, Disability and Home Care has offered to an amount of \$80,000 to Council's Community Options Project which will allow the expansion of the service by an additional 16 clients.

This funding will be on an ongoing basis and bring the total Community Options budget to \$4,000 non-recurrent and \$283,063 recurrent.

Community Options provides a service within the shire that enables many elderly and disabled persons to remain with their residence rather than possible institutional care.

Accordingly it is recommended that Council accepts this Officer

RECOMMENDATION:

That Council:-

1. Accepts the offer of \$84,000 from the Department of Ageing, Disability and Home Care for the additional Community Options Project Funding.
2. Votes the expenditure accordingly.
3. Completes all necessary documentation under the Common Seal of Council.

Reports from Director Environment & Community Services

REPORT:

As per summary of report.

Reports from Director Environment & Community Services

12. ORIGIN: Building Services Unit

FILE REF: DA1540/275 Pt1

REPORT TITLE:

Building Line Variation Application

SUMMARY OF REPORT:

Development application 1143/2001 has been received to construct a single carport in association with the existing residential flat buildings on the subject property. The proposal comprises a request to vary Council's six (6) metre building line and construct the single carport up to 3.8 metres from the Darlington Drive property boundary.

Council's current building line policy only refers to, and gives Council staff delegated authority to approve Building Line Variations on open carports, pergolas and other open ancillary buildings associated with dwellings or duplex buildings (Class 1a). The proposed works are associated with a residential flat building (class 2) and therefore Council approval is required to vary the building line in this situation.

RECOMMENDATION:

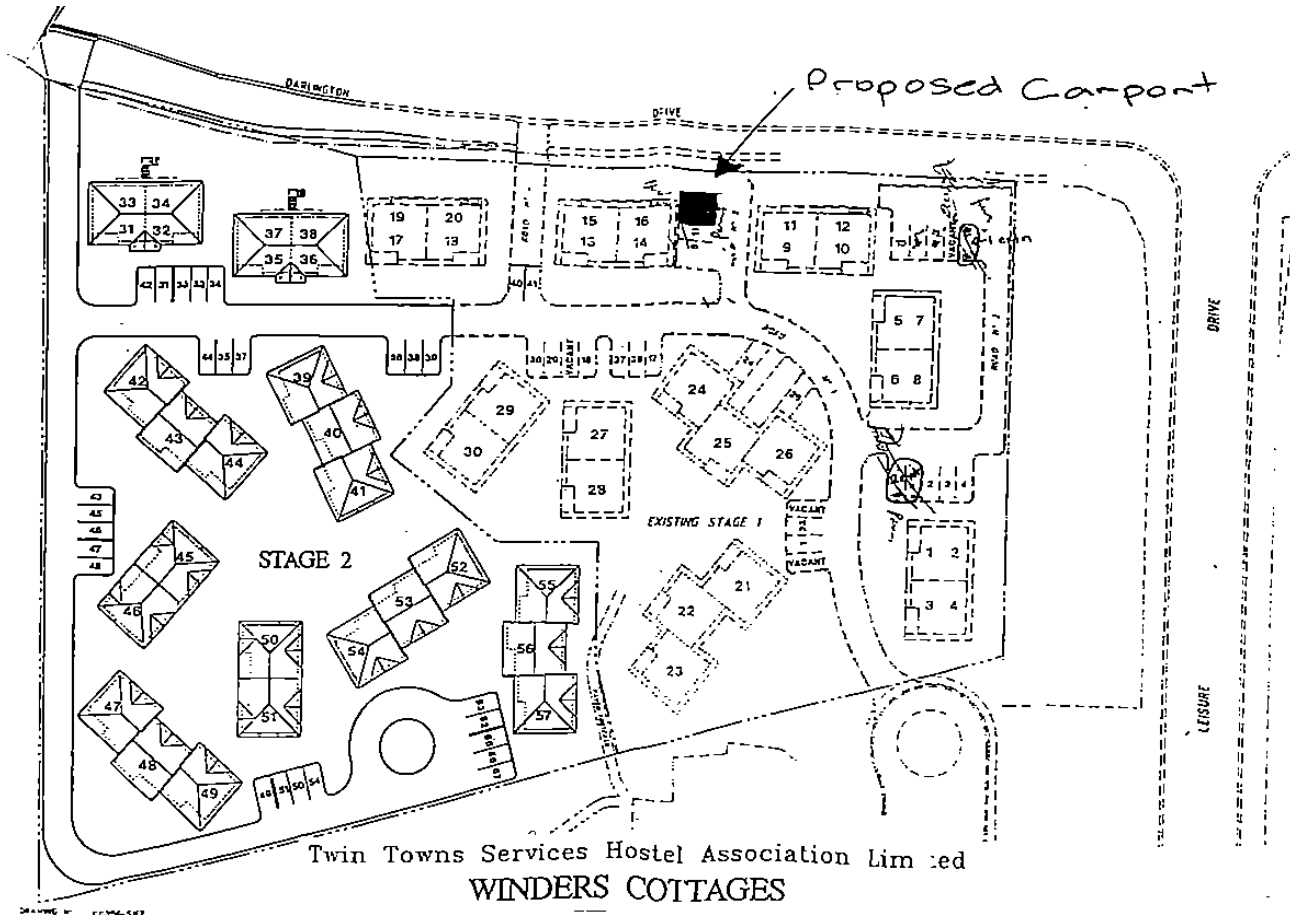
That the building line variation for the single carport at Lot 1 DP 787944 33-51 Darlington Drive, Banora Point be approved subject to standard conditions and the carport be set back at least 3.8 metres from the Darlington Drive boundary.

Reports from Director Environment & Community Services

REPORT:

A development application has been received for the construction of a single carport on the subject property. The property is located on the western side of Darlington Drive and is a retirement village complex comprising residential flat buildings and hostel accommodation. Figure 1 shows the location of the proposed carport.

Figure 1 (Site Plan)

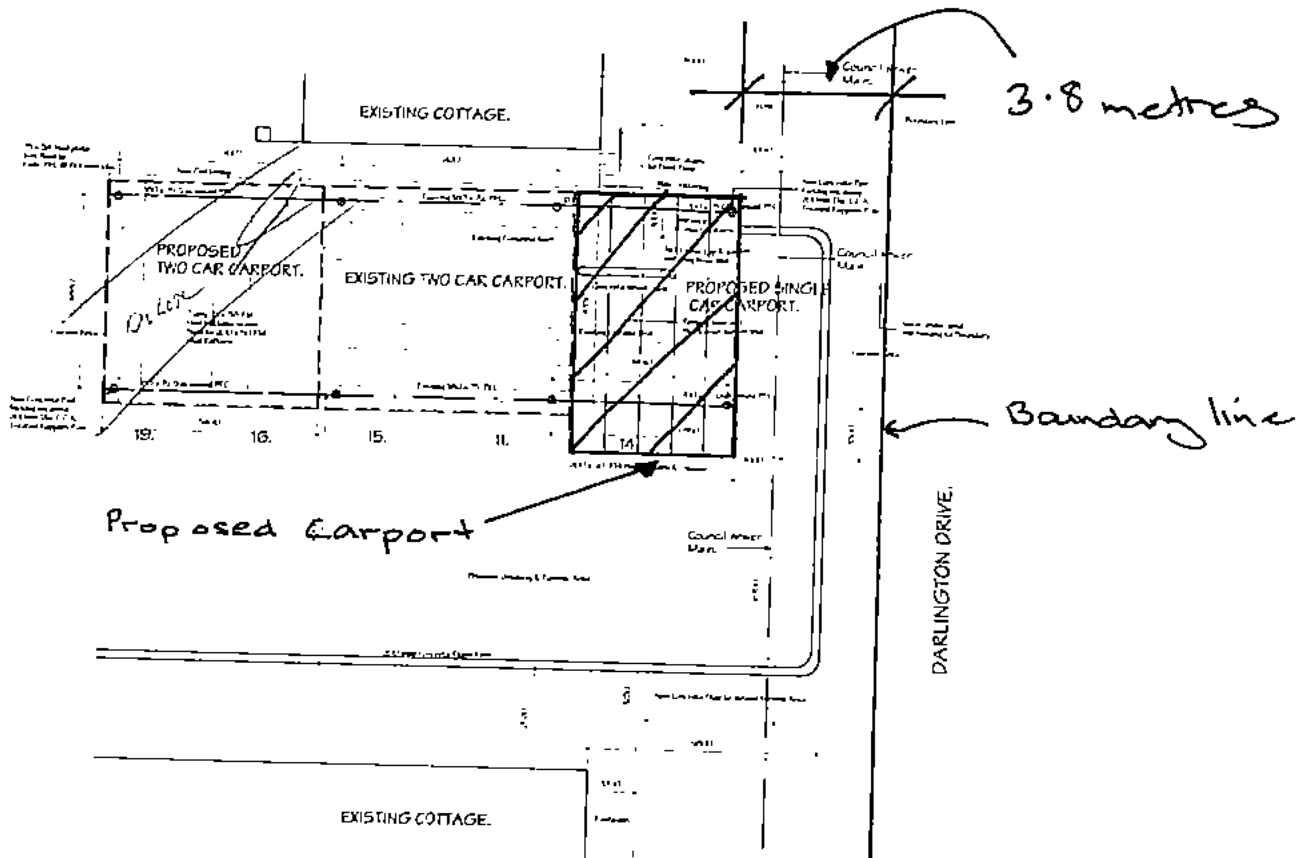


The proposed carport will be a timber-framed structure with colorbond metal roofing located 3.8 metres from the Darlington Drive property boundary. The carport complies with the design criteria outlined in Council’s building line policy for single dwellings and dual occupancies. The structure is open in design with a flat roof, similar in design to other existing carport within the complex, located over an existing car parking space.

The applicant originally proposed a double carport in this location. Council’s sewer main is located along the eastern boundary of the property and a 1 metre setback is required from Council’s sewer main. Therefore the applicant reduced the carport to a single carport to keep clear of Council’s sewer main.

Reports from Director Environment & Community Services

Figure 2 (Floor Plan)



The carport will have a minimal effect on the existing streetscape as it will be shielded from the street by an existing 3 metre high hedge. Vehicle access to the carport will be via existing internal access roads with no additional vehicle access proposed from Darlington Drive. Written consent to the proposed building line variation has been submitted from the Caltex Service Station located on the southern side of the subject property. A Council reserve is located on the northern side of the property. Consent from adjoining property owners is a requirement of Council's Building Policy for single dwellings and dual occupancies.

The deleted carports shown on the above plan have already been approved under Development Consent 509/2001DA. The applicant in DA509/2001 originally proposed the subject carport in the building line but deleted the carport off DA509/2001 to avoid any time delays that may occur in preparing a report to Council for a building line variation. DA1143/2001 which is the subject of this report was specifically submitted to deal with the building line variation for the carport.

Reports from Director Environment & Community Services



Dr J Griffin
General Manager

Reports from Committees/Working Groups

1. Minutes of the Sports Advisory Committee Meeting held Tuesday 15 January 2002

Sports Advisory Committee

VENUE:

Buchanan Training Room, Murwillumbah

TIME:

5.00 pm

PRESENT:

Committee Members: Crs Max Boyd, George Davidson, Warren Polglase, Phil Youngblutt, Mr Merve Edwards, Ms Leanne Sharp, Mr Peter Moschogianis, Mrs Glennys Kenny, Mrs Linda Threlfo, Mr Stewart Brawley

Informal: Mrs Blyth Short (Recorder)

APOLOGIES:

Ray Jarrett Jnr

CONFIRMATION OF MINUTES:

Moved: Cr M Boyd

Seconded: M Edwards

RESOLVED that the Minutes of Sports Advisory Meeting held Tuesday 18 September 2001 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

1. Sports Field Maintenance

Sports Fields

General discussion on the pressures and overlapping usage of sports fields throughout the shire.

G Kenny advised that the soccer season is extending to accommodate the increase in membership.

These pressures are placing a tremendous strain on sports fields maintenance programs and budgets.

Reports from Committees/Working Groups

Moved: M Edwards
Second: P Moschogianis

RECOMMENDATION:

That Council considers a significant increase in the sports fields maintenance budget in the 2002/03 budget deliberation.

CORRESPONDENCE:

2. Tweed District Cricket Club (TDCC)

Les Cave & John Rabjones Fields

TDCC expressed appreciation towards Council staff's time and effort into preparing the John Rabjones and Les Cave Ovals for the recent NSW Country Challenge Match, NSW Blues v TDCA.

3. Elizabeth St, Murwillumbah Sports Fields – Facilities Upgrades

Barry Smith, Les Cave, John Rabjones Fields

Requests received from a combined committee of users of the Elizabeth Street Sports Fields for facility upgrades to the sewer connections and shower facilities to accommodate for existing users. S Brawley advised that he will meet with the committee to discuss options available.

4. Tumbulgum Sports Club

Brian Breckenridge Field

Appreciation received thanking Council for their assistance with field refurbishment (lighting, sewage connection, removal of trees and fencing) in 2001.

5. Tweed Heads Tennis Club (THTC) - Paul Shacklock

Tennis Courts

Request received from Mr Paul Shacklock, resident tennis coach asking for assistance regarding the usage of the Tweed Heads Tennis Club. He has been coaching approx 50 students at the South Tweed Heads Courts for the last 15 years and advised the courts will be redeveloped shortly. Consequently, he has written the THTC explaining the situation requesting the hire of a court to continue his program. Mr Shacklock was denied access to courts in a letter dated 12/12/01 due to 'no room available for any more teams'.

S Brawley explained that Council has little to no involvement with the management of tennis courts on Council land.

Reports from Committees/Working Groups

L Sharp advised that she has observed the 12 courts at Tweed Heads regularly vacant throughout the week.

General discussion.

Moved: Cr P Youngblutt

Seconded: Cr G Davidson

RESOLVED that the committee write to Tweed District Tennis Club requesting considerations of Mr Shacklock's request in the spirit of sportmanship bearing in mind that the Tennis Courts are public facilities.

Motion carried unanimously.

6. Bilambil Terranora Rugby League Club

Bilambil Sports Fields

Expressed thanks to Council for the purchase of the Bilambil Sports Fields and enquired as to the lease arrangements for the fields in the future.

S Brawley advised that a meeting has been organised for 7.30pm, 22 January 2002 to clarify issues at the Bilambil Sports Field.

GENERAL BUSINESS:

7. Kingscliff Sports Fields

Merve Edwards, Walter Peate, Reg Dalton Fields

S Brawley advised that an on-site meeting was held with the users of the Kingscliff Sports Fields to develop long and short term planning to cope with the expanding requirements on these fields. The meeting produced positive outcomes which will contribute to future planning.

Sporting clubs who utilise these fields and the Kingscliff Sports Association have been invited to nominate 2 representatives each to form a 'planning group' to consider future development of these areas.

8. NSW Sport and Recreation Capital Assistance Grants

Sports Advisory Committee

S Brawley advised that he had received confirmation of the following Capital Assistance Grants from Department of Sport & Recreation for 2001/2002:

Uki Sport & Recreation Trust - \$3,200 (Safety netting & side fence)

Piggabeen Sports Complex - \$6,200 (Softball field upgrade)

Reports from Committees/Working Groups

Council commits each year to match grants from the Department from the Assets Reserves Trust Fund.

Moved: P Moschogianis
Second: Cr P Youngblutt

RECOMMENDATION:

That Council matches the Department of Sport & Recreation funding to:

1. Uki Sport & Recreation Trust - \$3,200
2. Piggabeen Sports Complex - \$6,200

from the Sports Fields Assets Reserves Trust Fund.

9. Funding Application - Tweed District Cricket Association (TDCA)

A funding application for wicket covers has been submitted from the TDCA to the amount of \$3,194.40.

S Brawley advised that the Sports Fields Management Plan states the sports field licence fees are to be deposited into a Capital works account for the construction of facilities on sportsgrounds.

General discussion. The committee felt that wicket covers are not capital works and therefore ineligible for funding through the capital works fund.

Moved: Cr M Boyd
Seconded: Cr G Davidson

RECOMMENDATION:

That Council informs the Tweed District Cricket Association that its application for funding for wicket covers through the Sports Fields Assets Reserves Trust Fund is unsuccessful.

10. Sports Field Car Parks

Sport Field - General

P Moschogianis advised that an issue with the car park at Piggabeen has arisen as a result of a stray ball causing damage to a windscreen. He advised that the claimant has written to Council. Consequently, Mr Ian Carpenter advised in writing that there is no claim against Council and to pursue the claim with Tweed District Softball Association. Tweed District Softball Association's insurance company have written advising that they do not cover this type of claim. P Moschogianis request clarification as to liability for damage in Council car parks.

He advised that overhang back-nets will be erected in the near future, however this will limit a small proportion of stray balls.

Reports from Committees/Working Groups

S Brawley advised that he will seek advice on the situation with damage to vehicles in Council car parks at sports fields.

11. Willward Park Synthetic Wicket

Willward Park

M Edwards advised that the synthetic wicket at Willward Park is in a poor state.

S Brawley will inspect and take appropriate action.

12. Piggabeen Sports Complex - Playground

Piggabeen Sports Complex

L Trelfo put forward a request on behalf of softball members requesting a playground to be installed into the park to occupy children whilst parents are participating in sport.

S Brawley advised that funds are not available in the current budget.

Committee members suggested L Threlfo approach community groups to embrace project.

NEXT MEETING:

The next meeting of the Sports Advisory Committee will be held 19 February 2002, 5pm at the Tweed Heads Civic Centre.

The meeting closed at 6.15 pm

Director's Comments:

That Council:-

- 1. Adopts the recommendation under Item 1;*
- 2. Writes to the Tweed District Tennis club as per Item 5;*
- 3. Adopts the recommendation under Item 8; and*
- 4. Advises the Tweed District Cricket Club as per Item 9*

DIRECTOR'S RECOMMENDATIONS:

1. Sports Field Maintenance

Sports Fields

Committee Recommendation:

That Council considers a significant increase in the sports fields maintenance budget in the 2002/03 budget deliberation.

Director's Recommendation: *As per Committee recommendation.*

Reports from Committees/Working Groups

8. NSW Sport and Recreation Capital Assistance Grants

Sports Advisory Committee

Committee Recommendation:

That Council matches the Department of Sport & Recreation funding to:

1. Uki Sport & Recreation Trust - \$3,200
2. Piggabeen Sports Complex - \$6,200

from the Sports Fields Assets Reserves Trust Fund.

Director's Recommendation: As per Committee recommendation.

9. Funding Application - Tweed District Cricket Association (TDCA)

Sports Advisory Committee

Committee Recommendation:

That Council informs the Tweed District Cricket Association that its application for funding for wicket covers through the Sports Fields Assets Reserves Trust Fund is unsuccessful.

Director's Recommendation: As per Committee recommendation.

Reports from Committees/Working Groups

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

2. **Minutes of the Companion Animal Committee Meeting held 12 November 2001**
 3. **Minutes of the Tweed Shire Occupational Health & Safety Committee Meeting held Wednesday 12 December 2001**
 4. **Minutes of the Communication Committee Meeting held Friday, 18 January 2002**
 5. **Minutes of the Clarrie Hall Dam Fishery Management Committee Meeting held Tuesday 29 January 2002**
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Reports from Committees/Working Groups

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Orders of the Day

1. Notice of Motion - Cr Luff

Tweed Shire - Water Conservation

Notice of Motion; Water Restrictions

That Councillors urge residents to note the suggestions in the Tweed Link for conserving water and Councillors ask residents to try and minimise their consumption of water because of the current drought.

2. Notice of Motion - Cr Marshall

Footpaths - Pearl & Angela Streets, Tweed Heads

Notice of Motion; Angela Street; Pearl Street; Footpaths - Construction

That Council considers the construction of footpaths in Pearl and Angela Street, Tweed Heads in the 2002/2003 works program.

Orders of the Day

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Workshops

Councillors,

Following are details of upcoming Workshops of Council:-

1. TEDC/TACTIC Workshop

Date: 13 February 2002

Time & Duration: 7.30-8.30pm

Organiser: Ian Carpenter

Resolved by Council: No

2. Tweed Coast Holiday Parks – Caravan Park Workshop

Date: 13 February 2002

Time & Duration: 8.30-9.30pm

Organiser: Richard Adams

Resolved by Council: No

Workshops

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