



AGENDA

ORDINARY COUNCIL MEETING

Tuesday 19 June 2007

Chairman: Mr Garry Payne AM

**Administrators: Mr Garry Payne AM
Mr Max Boyd AM
Mr Frank Willan**



COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

ITEMS FOR CONSIDERATION OF COUNCIL:

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ABORIGINAL STATEMENT

Administrator Payne acknowledged the Bundjalung Aboriginal Nation with the following statement:

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners and custodians of these lands."

CONFIRMATION OF MINUTES

Minutes of the Ordinary and Confidential Council Meeting held Tuesday 29 May 2007

UNDER SEPARATE COVER/FURTHER INFORMATION:

To view any "**non confidential**" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).

1. Minutes of the Ordinary Council Meeting held on Tuesday 29 May 2007 (DW 1610608).
 2. **Confidential Attachment** - Minutes of the Confidential Council Meeting held on Tuesday 29 May 2007 (DW 1610611).
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ADMINISTRATOR'S MINUTE

[AM] Signing of Documents

Submitted by Administrator Boyd

8 June 2007 Transfer - Land Acquisition - Minnows Road, Fernvale

8 June 2007 Funding Agreement - NSW Community Options Projects

RECOMMENDATION:

That the information regarding signing of documents by Administrators be received and noted.



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ORDINARY ITEMS FOR CONSIDERATION**REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES**

- 1 [TCS-CM] 2007/2010 Draft Management Plan incorporating Council's 7 Year Infrastructure and Services Plan; 2007/2008 Draft Budget and Fees & Charges**

ORIGIN:

Director Technology & Corporate Services

SUMMARY OF REPORT:

Council's 2007/2010 Draft Management Plan was placed on exhibition for public comment, from Thursday 10 May 2007 to Friday 8 June 2007, in accordance with Section 405 of the Local Government Act 1993. The Draft Management Plan includes the Strategic and Operating Objectives and Year 2 of the 7 Year Infrastructure and Services Plan, as well as the 2007/2008 Draft Budget, Draft Revenue Policy and Draft Fees and Charges.

The Minister for Local Government under Section 508A of the Local Government Act 1993, determined in 2006 that the percentage by which Tweed Shire Council may increase its General Purpose income for 2007/2008 is 8% above that for 2006/2007, which includes year two of Council's 7 Year Infrastructure and Services Plan.

The Draft Management Plan, which incorporates the 7 Year Infrastructure and Services Plan, contains a proposal under Section 508A of the Local Government Act 1993 to make application to the Minister for Local Government for a special variation to general income for years 2008/2009 to 2012/2013 of:

2008/2009	6%
2009/2010	6%
2010/2011	5%
2011/2012	4%
2012/2013	4%

respectively, in addition to 3.8% as the allowable annual Ministerial increase in general income for the purpose of funding expenditure for years 3-7 contained in Council's 7 Year Infrastructure and Services Plan 2006/2013.



Council invited submissions from the public on the Draft Management Plan and 7 Year Infrastructure and Services Plan through placing advertisements in the *Daily News* and *Tweed Link*. A special edition of the *Tweed Link* on the 7 Year Infrastructure and Services Plan was published on Wednesday 15 May 2007 and was distributed to 35,500 households in the Shire.

Council invited 15 organisations within the Shire that represent chambers of commerce, ratepayers, community groups or residents, to make a submission on the Draft Management Plan, incorporating the 7 Year Infrastructure and Services Plan.

The Draft Management Plan documents were also placed on public exhibition at the Murwillumbah and Tweed Heads Civic Centres, Libraries at Murwillumbah, Tweed Heads and Kingscliff. The documents were downloadable from the front page of Council's webpage.

During the exhibition period Council received 1 phone call and 18 written submissions, which are detailed in the body of the report. Senior staff provided an overview to one Residents Association, following a formal request.

RECOMMENDATION:

That:-

- 1. Council's 2007/2010 Draft Management Plan including years 2-7 of the 7 Year Infrastructure and Services Plan for the period 2007/2013, and incorporating the 2007/2008 Draft Budget based on an 8% increase in general income over 2006/2007, the 2007/2008 Draft Revenue Policy and the 2007/2008 Draft Fees and Charges be adopted.**
- 2. The Draft Revenue Policy and Fees and Charges for interest on unpaid rates and charges be amended to 10% per annum in accordance with the Minister for Local Government notice.**
- 3. The Environmental Enforcement Levy (Development Applications) of 0.1% of the Contract Price of development up to and including \$2M, which does not increase for development over \$2M and which was advertised with the Draft Management Plan, be included in the 2007/2008 Fees and Charges.**
- 4. An application be made under Section 508A of the Local Government Act 1993 to the Minister for Local Government for a special variation to General Income in 2007 for years 2008/2009 to 2012/2013 of:**

2008/2009	6%
2009/2010	6%
2010/2011	5%
2011/2012	4%
2012/2013	4%

respectively, in addition to 3.8% as the allowable annual Ministerial increase in general income, for the purpose of funding expenditure for years 3-7 contained in Council's 7 Year Infrastructure and Services Plan 2006/2013.

5. As part of the application for a special variation, Council reports to the Department of Local Government on the alterations from the original 7 Year Infrastructure and Services Plan as contained in the instrument under Section 508A(1) and 48(3) of the Local Government Act 1993 dated 10 July 2006.

REPORT:

MANAGEMENT PLAN

The Management Plan provides a three (3) year program aimed at meeting the expected needs of the community. The Plan clearly states Council's vision and mission, the core values and prioritised principal activities providing a clear indication of Council's intention for the coming 12 months and the following two (2) years.

The Management Plan is structured to outline what Council will be undertaking this year, its performance targets and how it will measure its level of performance. Statutory performance indicator requirements are supported by an additional range of management performance measures. These will form the basis of the General Manager's quarterly management performance reports and the annual report to the community. The three (3) year Plan is a complete document and therefore needs to be read in its totality to appreciate the strategic direction and priorities

Meeting community needs is a major challenge facing Council. This year's Draft Management Plan has a focus on delivering years 2 to 7 of Council's 7 Year Infrastructure and Services Plan as well as continuing to ensure that Council's essential services and assets are maintained at appropriate levels.

Council's 2007/2010 Draft Management Plan was placed on exhibition for public comment for 28 days from Thursday 10 May 2007 to Friday 8 June 2007. The Minister for Local Government under Section 508A of the Local Government Act 1993, determined in 2006 that the percentage by which Tweed Shire Council may increase its General Purpose income for 2007/2008 is 8% above that for 2006/2007, which includes year two of Council's 7 Year Infrastructure and Services Plan.

VARIATION TO GENERAL INCOME FOR 2008/2009 TO 2012/2013

The Draft Management Plan, which incorporates the 7 Year Infrastructure and Services Plan, contains a proposal to make application under Section 508A of the Local Government Act, to the Minister for Local Government for a special variation to General Income based on varying structured increases for the financial years 2008/2009 to 2012/2013 to fund expenditure on the projects contained in years 3 to 7 of Council's 7 Year Infrastructure and Services Plan for 2006/2013.

Council, at its meeting of 8 May 2007, adopted alterations to the 7 Year Infrastructure and Services Plan, which reduced the Plan to \$106 million.

The revised 7 Year Infrastructure and Services Plan for 2006/2013 follows:

Facilities supporting Community Life	\$21,879,000
Programs supporting Cultural Development	\$4,653,000
Programs supporting Social Development	\$1,190,000
Transport & Roads Programs	\$14,895,200
Parks & Recreation Programs	\$25,244,400
Community Safety & Protection Programs	\$3,354,100
Projects supporting Economic Development & Tourism	\$3,948,000
Projects protecting the Environment	\$17,687,472
Leadership & Governance	\$13,118,762
Planning for Sustainable Living	\$1,008,800
TOTAL	\$106,978,734

Council, as part of the special variation application, is required to report to the Department of Local Government on the alterations from the original 7 Year Infrastructure and Services Plan as contained in the instrument under Section 508A(1) and 48(3) of the Local Government Act 1993 dated 10 July 2006. The information to be provided to the Department will be based on the 7 Year Infrastructure and Services Plan report adopted by Council at its meeting of 8 May 2007.

PUBLIC CONSULTATION

In accordance with Section 405 of the Local Government Act 1993, the Draft Management Plan was placed on exhibition for public display from Thursday 10 May 2007 to Friday 8 June 2007.

The consultation process sought submissions from ratepayers and the community on the Plan. To facilitate this approach, Council placed copies of the Draft Management Plan and supplementary documents on public display at the Civic Centres, libraries and Council's internet site. Furthermore, the Draft Management Plan was advertised in the *Daily News* and *Tweed Link*.

A special edition of the *Tweed Link* on the 7 Year Infrastructure and Services Plan was distributed to ratepayers on Wednesday 15 May 2007.

The General Manager, Director Technology & Corporate Services and Manager Financial Services accepted an invitation to present the 7 Year Infrastructure and Services Plan, 2007-2010 Draft Management Plan and Rates Summary to the Banora Point Community Association on Monday, 4 June 2007. Members of the Association were provided with copies of the Draft Management Plan Report, the PowerPoint presentation and a Briefing Paper.

At the conclusion of the presentation, 17 questions were asked. A summary of the questions appears below:

1. With the introduction of 'Plan First', how much is lost in DA fees to the NSW Department of Planning?
2. If Councillors are elected, does it affect the 7 Year Infrastructure and Services Plan; can they choose not to proceed with the application for the increase? The Community Group was advised that it was at the discretion of the Councillors.
3. Dredging of Trutes Bay – advised that this was a State matter.



4. Cumulative impact of the rate increase.
5. When the Minister approves the variation, can he approve in part or in whole?
6. Dredging of Chinderah Bay – advised that this was a State matter.
7. How will the rate increase affect water and sewer rates over the same period? Members were advised that the water and sewer rates are not subject to the same increase.
8. How do Tweed Shire Council rates compare with councils in the same group category? A comparison was given to Lismore City and Clarence Valley councils.
9. Questioning whether a skateboard park would be built at Tweed Heads. The Association was advised that this was not funded from the 7 Year Plan, but a park was planned for a site adjacent to the indoor pool.
10. What effect will the 7 Year special rate variation increase have on land values in the Tweed?
11. Increased costs in the regional pool and car park project and how the construction industry boom would impact other projects.
12. Comment – Suggestion that the presentation should show how impact to senior citizens and pensioners, with respect to minimum rate and pensioner rebates.
13. The proportion of funds / projects in Banora Point. A proposed schedule of works was distributed for road infrastructure projects.
14. What's happening at Clarrie Hall Dam – how will the raising of the wall be funded? The Association was advised that it would be funded through the Water Fund, Government funding and developer contributions.
15. Tweed Heads Masterplan particularly the income conditional component of that project to which the Association was advised that Council would be seeking State or Federal Government funding.
16. Museums / Art Gallery – why do we have two museums, one at Murwillumbah and one at Tweed and why is the Art Gallery not open 7 days? The Association was advised of the success of the Gallery in respect to Economic Development of the region with over 65,000 visitors this year.
17. Particulars on proposed road infrastructure projects (distributed at the meeting) in Banora Point – to which Council has written back to the Association with an answer.

PUBLIC COMMENTS RECEIVED

Submissions

Council has received 7 submissions from chamber of commerce, ratepayer or residents associations and 12 from the public, during the period from Thursday 10 May 2007 to Friday 8 June 2007, when the 2007/2010 Draft Management Plan and 2007/2008 Budget documents were placed on public exhibition.

Summary of submissions received:**Chamber of Commerce, Ratepayer or Resident Associations**Pottsville Community Association

- Commendation for including funding the Pottsville Locality Plan and Youth Activities Program.
- Concern over the continuing escalation of rate charges over and above those already approved in the Ministerial Allowance, with a request for information on strategies implemented to improve efficiency and reduce costs to be included in future papers so the community will have a better understanding of the need for rate increases.
- Proposed excess water charge is not supported on the basis that we have a dam filled to near capacity and S94 charges on new development should be sufficient to cover additional infrastructure.
- Request further information on Pottsville north drainage outlet.
- Allocation for bus shelters is far too little to maintain and clean bus shelters that will encourage people to use public transport, suggest increasing the figure to \$ 60,000.

Friends of Terranora

- Commendation for producing the most reader friendly budget summary in years.
- Concern over the disproportionate expenditure on improving the amenity of Terranora with the following works requested:
 - 50% share of bonded rock retaining wall opposite the General Store, with Country Energy meeting the remaining 50% at a time when they are presently re-landscaping the sub station side of the boundary;
 - Footpath or mobility corridor along Terranora Road between Maher's Lane and the western park in 'Azure' estate;
 - Plantation of small groves of Wollemi Pines in the Shire's parks and reserves including central Terranora;
 - Better maintenance (mowing and rubbish removal) for road verges;
 - Lookout site opposite Azure access road (east of Nicholl's dam) with a suggestion that the land might be secured by a trade-off for a kiosk or restaurant at the same location and suggestion that the lookouts on Terranora Road opposite Fraser Drive and Bungalora outlook should be closed because there is no views from either lookout.

Fingal Head Community Association

- Concerns with level of increases to rates to support the 7 Year Plan and impact to fixed income households when combined with increases to water rates;
- Concern with perceived lack of equity for residents at Fingal Head and money being spent equitably throughout the Shire;
- Concern that the advancement of the \$15,000 Rural Village Development grant awarded some years ago to improve the park and facilities adjacent to the old boat harbour has not been received;
- Vegetation Management Plan as a proposed project with respect to prior correspondence seeking information of rezoning proposals;

- Continues its opposition to the 7 Year Plan because of the perceived lack of equity across the shire and the significant impact on increasing council rates paid by residents as well as expected construction cost increases for the Murwillumbah Regional Pool.

Banora Point and District Residents Association Inc

- Rejected Council's proposed rates increases above and beyond the Ministerial allowable increase.
- Rejected the proposed increases in fees and charges.
- Called on Council to defer any decisions on the 7 Year Plan until such time as the Shire is represented by an elected council.
- Expressed reservations about the community consultation process (there was some confusion as to the impact on how the 7 Year Plan would affect water, sewage and garbage charges).
- Rejected the proposed increases in water usage charges.
- Expressed concern about Council borrowing to fund aspects of the 7 Year Plan.
- Expressed concern over recent, and foreshadowed, increases in staff numbers. (Note: Positions are identified in the 7 Year Plan).
- Expressed concern about many of the 'big ticket' items included in the 7 Year Plan.
- Belief that the Banora area has been overlooked.
- The submission included nine facilities that were felt to be needed including:
 - Building of Kirkwood Road interchange;
 - Immediate implementation of the Lower Tweed Traffic Management Plan including upgrade of Fraser Drive and Terranora Road;
 - Develop a Local Traffic Management Plan;
 - Maintenance program for the canals;
 - Completion of the rock revetment at Oxley Cove;
 - Implementation of the Oxley Cove Community Land Plan of Management;
 - A program to clean up food debris in Oxley Cove;
 - Development of sporting facilities in the area known as Banora Green;
 - Improvement of storm water management including the dredging of Trute's Bay.
- The members of the Association call upon the Administrators to:
 1. Make no application for a rate increase above a 3.8% Rate capping figure;
 2. Defer any and all decisions on adoption of the 7 Year Plan recommendations until an elected council is in place.

Murwillumbah Ratepayers and Residents Association Inc

- Stated that there was little to disagree with in Council's proposals and commented principally on Waste Management. Suggestions for consideration include:
 - Putting money aside to purchase future landfill. (It should be noted that this is the purpose of the Landfill Management Charge);
 - Putting money aside for public education of sorting household waste before it goes into the bins;
 - Allocating money to hire an inspector for implementing a waste compliance system;
 - Explore the possibility of providing a mulching service at source.

Uki Village & District Residents Association Inc

- Concern with respect to funding west of Murwillumbah, specifically new works and services for rural villages.
- Seeking provision for infrastructure items identified in the Uki Locality Plan, approved by the Administrators in 2006, namely:
 - Avenue tree planting/landscaping in main St;
 - New pedestrian and cycle linkages between the public domain and open space areas of the village;
 - Upgrade of village streets;
 - Public toilet upgrade;
 - Undergrounding of power lines in main street precinct.

Tweed Landcare Inc

- Congratulated Council on establishing a new organisation structure – creation of the Community and Natural Resources Division.
- Concerned about jeopardising solutions to biodiversity by the reduction in funding for the Tweed Vegetation Management Strategy.
- Concerned about cuts to funding for Strategic Planning because of the need for Tweed to have an effective LEP to protect natural resources with consideration to the Biodiversity Program.
- Disappointment in the budget allocation to the Biodiversity Program.
- Seeks Council to reconsider an Environment levy as a secure, ongoing, equitable way to provide funds for the Biodiversity Program and to also review the funding under the Draft 2007-2008 Budget with a view to increase the allocation for the Biodiversity Program.

Public Submissions

- Expression of interest from a local company in using their local product, manufacturing and employment to support the 7 Year Plan.
- Hoping that the Mooball and Burringbar Sewerage Scheme will be considered by Council in the new budget.
- Advised that the results of the 2006 survey, positively concluded that the main concern of ratepayers was roads, only \$ 1.9 million is to be spent in 2007/2008 from the 7 Year Infrastructure and Services Plan out of a total allocation of \$ 21 million; administration should be listening to the ratepayers; opposed to special rate increase.
- Offering services to work with council in developing stone concepts for inclusion in parks, public gardens and cultural and community recreation spaces.
- Request for more of the budget to be directed to moderating traffic speeds in urban streets, consideration for the introduction of a bicycle lending program similar to Fairfield City Council and requesting Council to press for legislation to allow councils to have random speed cameras throughout residential streets.
- Requesting improvements for roads and footpaths giving access to Bilambil, including Kennedy Drive and town planning issues in South Tweed creating bottlenecks around shopping centres.

- Offering services and providing ideas to improve the acoustics in the Murwillumbah Civic Centre.
- Enclosing ideas for a revised Water Policy.
- Works questions from a resident at Chinderah regarding kerb and guttering, footpaths, drainage, sealing of Ocean Drive, park facility upgrade opposite Chinderah Tavern (and Turnock Park) and park on the corner of Kingscliff St and Womin Bay Rd (Walter Peate Sports Field), questioning whether Rain Water tank rebates would be included in the sustainable living part of the Plan and concern about the amount of money being spent in the Murwillumbah area and asking why the shopping complex did not receive approval for Chinderah industrial area.
- Request for the creation of an in-house Council employed Professional Lifeguard Strategy/ Service.
- Request for changes to policy for rural subdivision (with conditions) with the aim of improving housing affordability, particularly rental properties that will accommodate pets.
- A detailed submission outlining concerns that were previously raised prior to the adoption by Council in 2006 for the 7 Year Infrastructure and Services Plan as it was alleged the application was not made in accordance with any applicable guidelines issued by the Director General, Department of Local Government. Concerned that the rates for 2006/2007 and 2007/2008 have been illegally levied and suggest that Council cannot make any further application to the Minister for Local Government for a continuation of or change the 7 Year Infrastructure and Services Plan as there was no community support for the Plan.

CONSULTATION OVERVIEW

Chamber of Commerce, Ratepayer or Resident Association Submissions

Council invited 15 organisations within the Shire that represent chamber of commerces, ratepayers, community groups or residents, to make a submission on the Draft Management Plan, incorporating the 7 Year Infrastructure and Services Plan.

Of the 15 organisations invited, 7 responded with a written submission. Three of these organisations were opposed to the increases in rates and also requested additional works for the locality that they represented. Three groups made no comment on the proposed rate increase, but rather raised concerns in respect to particular aspects of the plan relating to perceived inequitable distribution of funds between localities. One group stated that there was little to disagree with in Council's proposals.

Submissions were not received from:

- Cabarita Beach/ Bogangar Residents Association;
- Casuarina Residents Association;
- Chinderah and District Residents Association;
- Cudgen Progress Association;
- Kingscliff Ratepayers and Progress Association;
- Tweed District Residents and Ratepayers Association;
- Murwillumbah Chamber of Commerce;
- Tweed Chamber of Commerce.

Public Submissions

Of the 12 public submissions received, 2 were seeking business opportunities, 2 offered ideas to improvement of Council policies, 1 requested Council to consider the Mooball and Burringbar Sewage Scheme, 5 were concerned with the level of funding and location for various projects - principally road works, 1 was concerned with surf lifesaving (addressed below) and 1 objected strongly to the initial Plan and the proposed further application for years 3 – 7 with allegations of false and misleading evidence of community support for the Plan.

Surf Life Saving

Despite strong public media calling for additional surf life saving services, only one written submission requesting the creation of an in-house Council employed Professional Lifeguard Strategy/ Service was received.

Media

In the local external media there were some 19 articles on the Draft Management Plan, two of which were lead stories in different daily newspapers. Both articles related to the increase in water charges (bulk and household). In total 8 of the articles related to increases in water charges. Six called on more money to be attributed to surf life saving from the budget. The remaining articles related generally to information on the rate increase.

There were no newspaper stories or editorials related specifically to the 7 Year Infrastructure and Services Plan.

In addition to the external media, a special edition of the *Tweed Link* on the 7 Year Infrastructure and Services Plan was published on Wednesday 15 May 2007 and was distributed to 35,500 households in the Shire. A lead story in *Tweed Link* on 8 May featured on the Draft Management Plan and Budget.

Summary

Council has received much less community, business, individual and media reaction than last year.

Conclusion

On balance this report recommends Council resolves to adopt the 2007/2010 Draft Management Plan and make application to the Minister for Local Government under Section 508A to proceed with years 3 – 7 of the 7 Year Infrastructure and Services Plan.

BUDGET / REVENUE POLICY

Council has the option at this meeting to amend the Draft Management Plan and Budget as well as vary the Fees and Charges.



COUNCIL'S FINANCIAL POSITION (2007/2008) - BUDGET

The Budget as presented is balanced. If any surplus funds become available from operations during the year, these should be applied to increase the level of accumulated funds so that Council has a sound financial platform on which it can build.

Program Budgeting used in the Plan provides both a financial and management analysis of the individual programs and services offered by Council and in conjunction with the various program objectives and performance measures allows an ongoing review of services related back to the individual program objective. Extensive use of activity based costing is used to support this process.

As part of the analysis of the purpose of the plan a number of objectives were identified in an attempt to determine if, on present trends, there is sufficient revenue to:

- Maintain or expand existing services;
- Replace infrastructure, both existing and future;
- Undertake new projects, in line with Council's strategic direction; and
- Ensure long-term financial sustainability.

The objectives of the 2007/2008 Budget are:-

- To maintain a balanced budget;
- To maximise income from all sources, subject to the stated policies of Council;
- To provide works and services at levels commensurate with budget allocation;
- To restrain expenditure, wherever possible;
- To achieve economy of operation; and
- To optimise the return on funds and investments.

DRAFT BUDGET FOR 2007/2008

General Fund	\$ 99.4 million
Water Fund	\$ 48.7 million
Sewerage Fund	\$ 34.7 million
Total	\$ 182.8 million

NEW FEES AND CHARGES FOR 2007/2008

The following new fees and charges were advertised in the Draft Management Plan and/or 2007-2008 Draft Revenue Policy, Fees and Charges.

- Landfill Management Charge under Section 501 of the Local Government Act;
 - Road Naming in New Subdivisions Fee;
 - Pontoon Licence Administration Fee;
 - Development Assessment Panel Fee.
- and it is proposed that they be adopted with the remainder of the fees and charges:

- Environmental Enforcement Levy (Development Applications) is subject to a separate recommendation within this report.

In the Draft Revenue Policy and Fees and Charges the rate of interest on unpaid rates and charges was advertised at 9%. During the exhibition period, the Minister for Local Government has advised that the maximum amount of interest that may be set by Council in respect of rates and charges that remain unpaid shall be 10% per annum.

It is recommended that the Draft Revenue Policy and Fees and Charges for interest on unpaid rates and charges be increased accordingly to 10% per annum.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

In accordance with Section 405 of the Local Government Act 1993, the Draft Management Plan was placed on exhibition for public display from Thursday 10 May 2007 to Friday 8 June 2007.

The Minister for Local Government under Section 508A of the Local Government Act 1993, determined in 2006 that the percentage by which Tweed Shire Council may increase its General Purpose income for 2007/2008 is 8% above that for 2006/2007, which includes year two of Council's 7 Year Infrastructure and Services Plan.

The Draft Management Plan contains a proposal under Section 508A of the Local Government Act 1993 to make application to the Minister for Local Government for a special variation to general income in 2007 for years 2008/2009 to 2012/2013 of:

2008/2009	6%
2009/2010	6%
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2011/2012	4%
2012/2013	4%

respectively, in addition to 3.8% as the allowable annual Ministerial increase in general income for the purpose of funding expenditure for years 3-7 contained in Council's 7 Year Infrastructure and Services Plan 2006/2013.

Council, as part of the special variation application, is required to report to the Department of Local Government on the alterations from the original 7 Year Infrastructure and Services Plan as contained in the instrument under Section 508A(1) and 48(3) of the Local Government Act 1993 dated 10 July 2006. The information to be provided to the Department will be based on the 7 Year Infrastructure and Services Plan report adopted by Council at its meeting of 8 May 2007.

POLICY IMPLICATIONS:

Nil.



COUNCIL MEETING DATE: TUESDAY 19 JUNE 2007

UNDER SEPARATE COVER/FURTHER INFORMATION:

To view any "non confidential" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).

1. Draft 2007/2010 Management Plan (DW1617479)
 2. Report on the 7 Year Infrastructure & Services Plan from the Operations Committee Meeting on 8 May 2007 (DW1591476)
 3. Draft 2007/2008 Budget (DW1591231)
 4. Draft 2007/2008 Fees and Charges (DW1591645)
 5. Draft Revenue Policy and Statement (DW1590928)
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REPORTS FROM SUB-COMMITTEES/WORKING GROUPS**2 [SUB-PTWG] Minutes of the Public Transport Working Group Committee Meeting held Friday, 20 April 2007**

VENUE:

South Sea Islander Room, Tweed Heads Civic Centre

TIME:

10:00am

PRESENT:

Committee Members:

Bill McKenniarey, Penny Baldwin, David Bishara, John Parsons, Len Greer, Don Stubbs, Robin Spragg.

Other Attendees:

Gary Corbett, Terry O'Toole, Doug Weatherley

APOLOGIES:

Linda Lomman, Rosemary Beard

MINUTES OF PREVIOUS MEETING:

Moved: Bill McKenniarey

Seconded: Penny Baldwin

RESOLVED that the Minutes of the Public Transport Working Group Committee meeting held Friday, 23 March 2007 be accepted as a true and accurate record of the proceedings of that meeting.

CORRESPONDENCE:

Inwards:

- Brian Reis, Banora Point (email) dated 15 March 2007.
- Maggie Groff, Access Committee Agenda/Annual Report dated 10 April 2007.
- Paul Morgan (email) dated 11 April 2007.

Outwards:

- Toni Letham, Kingscliff – Minjungbal Drive Petition.
 - Barbara Fitzgibbon, Secretary, Kingscliff Ratepayers Association – Moss Street buses.
 - Valerie Kirk, Kingscliff – Minibus.
 - Maggie Groff, Disability Access Committee – Comments on Minutes.
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OUTSTANDING MATTERS REPORT:

1. Studies, Inquiries and Promotions
All issues completed.



2. Barnby Street Subdivision

- (a) Matter deferred to next meeting.
- (b) Barnby Street subdivision in Murwillumbah was also discussed in this context. In discussion, it was agreed that Council processes are not sufficiently specific about public transport requirements for development, which should be identified in the pre-DA or early rezoning stage of development.

RECOMMENDATION:

That Council considers:

- 1. introducing a dedicated Public Transport Policy, making provision in the 2008/9 budget; and
 - 2. involving transport operators in pre-DA or subdivision design discussions at the concept stage.
-

3. Major Development Review

Comments on Integrated Land Use/Transport Planning Processes - Red McNamara reported further on the consideration of public transport issues in planning processes.

4. Role and Functioning of the Committee - Chairperson

Examine Committee's Terms of Reference and consider at May meeting.

5. Kings Forest Development

This development was classed as Designated Development, which required it to meet the Director General's planning requirements. A concept plan will be prepared in the next few months.

6. Major Development Review

Notes circulated. Completed.

7. Northern Rivers Transport Page in Telephone Book

Investigate whether this can be funded through CTPGS. Letter to be sent to transport operators for contributions.

8. Country Public Transport Infrastructure Scheme

Council submission to omit shelters and include 150/200 pole signs. To be discussed at May meeting at request of MoT.

9. Surfside Buslines Service Planning

Audit of infrastructure to be used in CPTIGS submission for pole signs which are recommended rather than shelters.

10. Eye Clinic in Murwillumbah

Options for cross-border medical transport include "home from hospital" free taxi service.

11. Report to Council on Public/Community Transport

Report to be circulated and discussed at May meeting.

12. Maintenance of Council Bus Shelters

The Committee is extremely concerned at the poor condition of Council bus shelters, and recommends that Council takes action to provide sufficient funds for maintenance in the current 2007/2008 budget. Investigate responsibilities for condition of bus shelters and options for arrangements with Work for the Dole.

RECOMMENDATION:

That Council takes action to provide sufficient funds for maintenance of the shire's bus shelters in the current 2007/2008 budget.

13. Healthy Ageing Transport Awareness Project

Stall has been booked for the Seniors Expo on 17 May 2007. Acquittal has been forwarded to MoT.

14. Petition re Tweed City Bus Stop on Minjungbal Drive

Email from Paul Morgan discussed. This matter is ongoing.

BUSINESS ARISING (AGENDA ITEMS):

2. Policy Document Review

Status Report on Public Transport and Community Transport Programs and Initiatives.

3. Studies, Inquiries and Promotions

(a) Cross Border Transport Taskforce – MoT Discussion Paper

A draft response has been prepared and circulated for comment by Committee members; comments to Rob Spragg (submission due 27 May 2007).

(b) Sustainable Transport and Travel by Council Staff

The amended draft report was tabled for discussion. It included reference to the MoT study on Tax Incentives for Public Transport Users, which highlighted the economic bias towards salary packaging of cars created by fringe benefits tax. After discussion, it was recommended that Council receives and notes the report.

RECOMMENDATION:

That Council receives and notes the report.

GENERAL BUSINESS:

1. Request for Administrative Assistance at Meetings for Minute-Taking

Pressure on the Unit's administration would not allow a minute-taker to attend, but the Unit would provide secretarial services to process and send out the minutes.

2. Pottsville Community Association Representation

Len Greer requested that he be replaced by Terry O'Toole as the representative for the PCA on the Public Transport Committee. Terry is a resident of Pottsville who has been consistently attending the PTWG meetings, but was previously excluded from membership by the limit of 10 members on the size of the Committee. The Committee agreed to recommend to Council that Terry O'Toole become the representative of the Pottsville Community Association on the Public Transport Committee.

RECOMMENDATION:

That Council appoints Terry O'Toole as the representative of the Pottsville Community Association on the Public Transport Committee.

3. Noble Park Estate - Bus Service

Route 608 timetable and route to be revised.

NEXT MEETING:

The next meeting of Public Transport Working Group Committee will be held on Friday, 25 May 2007 at 10:00am at the Coolamon Cultural Centre (Old Art Gallery), Tumbulgum Road, Murwillumbah.

The meeting closed at 11.58am.

DIRECTOR'S COMMENTS:

Nil

DIRECTOR'S RECOMMENDATIONS:

OM2 Barnby Street Subdivision

That the Committee's recommendation be endorsed being:

"That Council:

- 1. Considers a dedicated Public Transport Policy, making provision in the 2008/9 budget; and*
 - 2. involves transport operators in pre-DA or subdivision design discussions at the concept stage."*
-

OM12 Maintenance of Council Bus Shelters

That the Committee's recommendation be endorsed being:

"That Council notes the Public Transport Working Group Committee's recommendation in relation to maintenance of Council Bus Shelters."

BA3(b) Studies, Inquiries and Promotions - Sustainable Transport and Travel by Council Staff

That the Committee's recommendation be endorsed being:

That Council receives and notes the report (attached).

*Sustainable Transport and Travel by Council Staff
A Draft Report for PTWG Consideration*

Summary

This Report examines possible Council policies to encourage use of sustainable forms of travel by Council staff. It describes existing practice and incentives determining modes of travel, and identifies options for increasing sustainable commuting and work travel.

Recommendations

That Council considers options to encourage sustainable transport, in particular:

Reimburse bus fares for staff commuting,

Mandate as policy use of public transport for staff travel between specified major destinations,

Provide bicycle/motorbike parking and change facilities at civic centres and depots,

Provide parking only for cars regularly used for pooling.

REPORT

Background

The Public Transport Working Group is Council's advisory committee on public transport matters. Its remit is to promote awareness of public transport and the use of more sustainable forms of transport in the Shire. It liaises between the Council, Council's infrastructure providers, State Government agencies, community organisations, transport operators, transport users and the general public.

Almost all staff commuter travel is currently by private car. Some staff members have voluntarily formed car pools to share driving and costs. Cars used include privately owned cars, cars provided in Council salary packages and cars leased to staff by Council. For travel during work Council provides three pool cars, leased cars may be used, or private car costs may be reimbursed.

Current Travel Incentives - Commuting:

Council does not reimburse the cost of travel to work. It does however provide effective incentives to use cars for commuting by:

Including cars in some salary packages,

Leasing cars to staff members on favourable terms,

Providing free parking for staff at both civic centres.

The combination of these incentives ensures staff are virtually tied to using cars for all their travel needs. The value of the incentives paid for by ratepayers amounts to several hundred thousand dollars per year. The lease arrangements are not restricted to staff who work outside the office, but are available to office workers for commuting. It is not clear whether these subsidies for car use are Human Resources policies to attract/retain staff, or Operational/Business policies to assist staff mobility, but they do not appear to be essential to Council operations.

Current Travel Incentives – Travel while at work:

During the working day or evenings some staff travel to clients' homes, meetings, events, education, site inspections, in addition to travel to outdoor work sites (the latter using Works Unit vehicles). Council encourages use of pool or leased vehicles, but does provide reimbursement for both private car use and public transport fares where approved. There are additional incentives for car use however:

3 pool cars are maintained and fuelled for staff use,

Salary packaged cars are allowed free fuel,

Leased cars are available for general staff use with free fuel.

The value of the incentives for car use is very much higher than for public transport use, and includes the cost of fuel for a fleet of some 60 cars. It appears that the use of leased cars and salary package cars with free fuel during the working day assists justification of leasing essentially for commuting purposes.

The Need to Provide Incentives for Sustainable Travel:

Car travel is recognised as a convenient mode of travel but inefficient use of energy, and a major component of greenhouse gas production, global warming and air pollution, including carcinogens.

More sustainable transport is now a major objective of Government policy, including policy for Local Governments. These policies are not supported by current car use incentives. Some Councils have prepared Green Plans to facilitate staff travel by various modes.

Public transport, cycling and walking are modes of transport more consistent with current policies, and proactive Governments have set targets to increase the proportion of general public transport usage.

The proportion in Tweed is unknown, but believed to be around 2% for work travel, and somewhat higher for other purposes.

Efforts have been made recently to increase the attractiveness of public transport by increasing the number of routes and services, and their frequency and hours of operation in Tweed. This local investment in services needs to attract greater patronage in order to make a return; the Council staff of 640 is a significant component of potential patronage currently not available.

Options for Sustainable Travel Incentives:

A more balanced range of travel incentives could be devised, based on the following principles:

- 1. Mode-neutral subsidies - spend less on subsidising commuter travel and work travel by car:
Eliminate provision of staff parking, or charge an economic rate for staff parking?
Provide parking only for cars regularly used for pooling?
Ensure car lease charges are revenue neutral?
Do not allow salary package cars or leased cars free fuel?
Limit the number of salary packages that include cars?
Do not lease cars to staff unless they are essential to carry out the job?*
- 2. Implement mechanisms to encourage staff to choose public transport and other sustainable modes:
Reimburse bus fares for commuting as well as for travel during work?
Provide bicycle/motorbike parking and change facilities at civic centres and depots?
Charter buses to staff residential areas?
Provide information to staff about bus services?
Promote the benefits of public transport to staff – relaxation, safety, low cost?*

Mandate use of public transport for staff travel between major destinations, eg, Murwillumbah and South Tweed/Tweed Heads

Conclusions:

Many jobs within Council will continue to require use of either Council vehicles or private cars for efficient work practices.

There are opportunities, however, to alter the balance between lease/private car and sustainable transport modes in specific areas, particularly for commuting.

Some cars are used for commuting only, and occupy free parking space that could more efficiently be developed as office or productive work space for Council.

Some cars are leased to staff for commuting with no tangible benefit to Council's operations.

There has not been any consideration of the need to promote sustainable transport as part of Council's transport arrangements.

Council policies relating to staff transport need to remove the strong bias towards car use and replace it with a bias towards sustainable transport use, using some of the options listed above.

The most effective options to encourage sustainable transport are:

Reimburse bus fares for staff commuting,

Mandate as policy use of public transport for staff travel between specified major destinations,

Provide bicycle/motorbike parking and change facilities at civic centres and depots,

Provide parking only for cars regularly used for pooling.

GB2.Pottsville Community Association Representation

That the Committee's recommendation be endorsed being:

"That Council endorses Terry O'Toole as the representative of the Pottsville Community Association on the Public Transport Committee."

3 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 17 May 2007

VENUE:

Council Chambers

TIME:

Commencing at 9.00am

PRESENT:

Committee Members: Mr Paul Morgan (Chairman), Mr Mike Baldwin, Roads and Traffic Authority, Maree Morgan (Minutes Secretary)

Informal: Mr Ray Clark, Mr Paul Brouwer, Mr John Zawadzki, Mr Geoff Provest MP, Member for Tweed.

APOLOGIES:

Thomas George MP, Member for Lismore advised the Chairman that he would be unable to attend the meeting due to prior commitments.

Brett Mahaffy (NSW Police) was not present at the commencement of the meeting.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

[LTC] Minutes of the Local Traffic Committee Meeting Held 19 April 2007

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 19 April 2007 be adopted as a true and accurate record of proceedings of that meeting.

*FOR VOTE – Mike Baldwin, Paul Morgan, Geoff Provest MP
ABSENT. DID NOT VOTE - Thomas George, Brett Mahaffy*

SCHEDULE OF OUTSTANDING RESOLUTIONS

1. [LTC-SOR] Brett and Powell Streets, Tweed Heads

From Meeting held 15 February 2007

DW1536728; Parking Zones; Brett Street; Powell Street; SN: 167; 1062

"Request received for restricted 1 or 2 hour parking signage at the corner of Brett and Powell Streets, Tweed Heads in the access area near the entrance to the garage to the Albert Gardens building due to people parking in this area all day.



The Committee noted that Council is currently undertaking a car parking study for the precinct and the study will make recommendations to Council as to how parking should be managed in that precinct. It is expected that the report will be considered by Council in late April.

For Council's information."

Current Status: To be brought forward to the LTC for meeting in May 2007.

From Meeting Held 17 May 2007:

To be brought forward to the LTC for meeting in June 2007.

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

A1 [LTC] Wharf Street, Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: DW 1567909; Parks - Chris Cunningham; Street March; Aboriginal matters; Police; Wharf Street

SUMMARY OF REPORT:

Request received to hold a street march on Friday 6 July 2007 commencing at 10:00am at the Civic Centre, Tweed Heads, proceeding north through to the Chris Cunningham Park, Wharf Street, Tweed Heads for NAIDOC Week.

This activity has been ongoing for many years and will also incorporate an event at Chris Cunningham Park where local indigenous performers and indigenous performers from outside the Tweed Byron area will be dancing.

RECOMMENDATION TO COMMITTEE:

That approval be given, subject to Police approval, for a street march on Friday 6 July 2007 to travel from the Tweed Heads Civic Centre north through to the Chris Cunningham Park along Wharf Street, Tweed Heads to commence at 10:00am.

RECOMMENDATION TO COUNCIL:

That Council endorses, subject to Police approval, a street march for NAIDOC Week on Friday 6 July 2007 to travel from the Tweed Heads Civic Centre north through to the Chris Cunningham Park along Wharf Street, Tweed Heads to commence at 10:00am to be concluded by 11.00am.

*FOR VOTE – Mike Baldwin, Paul Morgan, Geoff Provest MP
ABSENT. DID NOT VOTE - Brett Mahaffy*

A2 [LTC] Wintersun Festival - Traffic Plan

ORIGIN:

Planning & Infrastructure

FILE NO: DW1593559; 1593558; Traffic - Committee; Bay Street; Wharf Street; Stuart Street; Festivals; Temporary Road Closure

SUMMARY OF REPORT:

Advice received in relation to the Wintersun Festival Traffic Plan arrangements for consideration by the Local Traffic Committee.

Meetings have been held with the organising committee for Wintersun Festival. Council's Festival & Events Co-ordinator has also been liaising with Wintersun organising committee. An impact of the road closures will be that buses will be required to use Bay Street as an alternative route.

The Committee discussed the proposed road closures and traffic management plan submitted. There was concern expressed with regard to identification of specified parking areas for cars and vehicles and how vehicles are directed to these areas.

RECOMMENDATION TO COMMITTEE:

That the Committee approves the associated Traffic Control Plan as shown on Drawing No. 010507 subject to the following.

1. Provision of details of the location of all variable message signs for the event.
2. Provision of details of all proposed car parking areas.
3. Stuart Street remaining open to traffic at Bay Street intersection.
4. Wharf Street is to remain as two way traffic flow to Boundary Street, Tweed Heads.
5. All signage and barriers must comply with relevant standards for night time visibility.

RECOMMENDATION TO COUNCIL:

That Council endorses the associated Traffic Control Plan as shown on Drawing No. 010507 for the Wintersun Festival subject to the satisfactory resolution of the following:

1. Provision of details of the location of all variable message signs for the event.
2. Provision of details of all proposed car parking areas.
3. Stuart Street remaining open to traffic at Bay Street intersection.
4. Wharf Street is to remain as two way traffic flow to Boundary Street, Tweed Heads.
5. All signage and barriers must comply with relevant standards for night time visibility.

*FOR VOTE – Mike Baldwin, Paul Morgan, Geoff Provest MP
ABSENT. DID NOT VOTE - Bret Mahaffey*

DELEGATIONS FOR REGULATORY DEVICES

A3 [LTC] Philip Street, Pottsville

ORIGIN:
Planning & Infrastructure

FILE NO: DW 1575114; Traffic - Parking Zones; Handicapped / Disabled Matters;
Philip Street; Pottsville Oval

SUMMARY OF REPORT:

Request received for the provision of disabled parking in Pottsville.

The Committee discussed the number of existing disabled car parking spaces in Pottsville. It was noted that the spaces in Philip Street are existing spaces marked as 'disabled' but do not include the regulatory signage which allows enforcement.

RECOMMENDATION TO COMMITTEE:

That:-

1. A disabled parking space be provided in the off road car park adjacent to Pottsville Oval and
2. The two existing disabled parking spaces on Philip Street adjacent to the shops be endorsed for regulatory signage.

RECOMMENDATION TO COUNCIL:

That:-

1. A disabled parking space be provided in the off road car park adjacent to Pottsville Oval and
2. The two existing disabled parking spaces on Philip Street adjacent to the shops be endorsed for regulatory signage.

*FOR VOTE – Mike Baldwin, Paul Morgan, Geoff Provest MP
ABSENT. DID NOT VOTE - Thomas George, Bret Mahaffey*

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

Nil.

SEPP 11 SCHEDULE 2 ITEMS

B1 [LTC] Development Application DA07/0077 - Roadside Fruit & Vegetable Stall at Lot 1 DP 714950, No. 89 Phillip Street, Chinderah

ORIGIN:

Development Services

FILE NO: DA07/0077; Traffic - Committee; Phillip Street; Development Applications - General; Pty: 21332

SUMMARY OF REPORT:

Request received for Local Traffic Committee advice regarding receipt of a development application for a roadside fruit and vegetable stall at Lot 1 DP 714950, No. 89 Phillip Street, Chinderah.

The Committee discussed the application and identified access as a concern.

The access driveway at No 89 Phillip Street, Chinderah needs to be upgraded to reflect Council's current standards and a Section 138 application under the Roads Act should be a condition of any consent issued.

For Council's information.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held Thursday 14 June 2007 in the Council Chambers commencing at 9.00am.

There being no further business the Meeting terminated at 10.20am.



DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

A. FORMAL ITEMS SECTION

A1 [LTC] Wharf Street, Tweed Heads

As per the Committee's recommendation being:

"That Council endorses, subject to Police approval, a street march for NAIDOC Week on Friday 6 July 2007 to travel from the Tweed Heads Civic Centre north through to the Chris Cunningham Park along Wharf Street, Tweed Heads to commence at 10:00am to be concluded by 11.00am."

A2 [LTC] Wintersun Festival - Traffic Plan

As per the Committee's recommendation being:

"That Council endorses the associated Traffic Control Plan as shown on Drawing No. 010507 for the Wintersun Festival subject to the satisfactory resolution of the following:

- 1. Provision of details of the location of all variable message signs for the event.*
- 2. Provision of details of all proposed car parking areas.*
- 3. Stuart Street remaining open to traffic at Bay Street intersection.*
- 4. Wharf Street is to remain as two way traffic flow to Boundary Street, Tweed Heads.*
- 5. All signage and barriers must comply with relevant standards for night time visibility."*

DELEGATIONS FOR REGULATORY DEVICES

A3 [LTC] Philip Street, Pottsville

As per the Committee's recommendation being:

"That:-

1. *A disabled parking space be provided in the off road car park adjacent to Pottsville Oval and*
 2. *The two existing disabled parking spaces on Philip Street adjacent to the shops be endorsed for regulatory signage."*
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ORDERS OF THE DAY

4 [NOR] Notice of Rescission - [EO-OC] EC2007-007 Tenders for the Supply of Contract Truck Haulage

NOTICE OF RESCISSION:

Administrators **M R Boyd** and **F Willan** move that Minute No O 131 of the Operations Committee Meeting held 29 May 2007, endorsed by Minute No 86 of the Council Meeting held 29 May 2007 being:

O7 [EO-OC] EC2007-007 Tenders for the Supply of Contract Truck Haulage

O 131 COMMITTEE DECISION:

***Administrator Willan
Administrator Boyd***

RECOMMENDED that contracts for Contract Truck Haulage for the period 1 July 2007 until 30 June 2009 be offered to the following tenderers ;-

11.5 – 15 Tonne A Rate

Ranking	Name	Truck Capacity	Truck A Rate
1	CM & SM Fraser Pty Ltd	13.5	\$55.00
1	Carool Water	13	\$55.00
1	Carool Water	13	\$55.00
1	Carool Water	13	\$55.00
1	Carool Water	13	\$55.00
1	Brett Backhouse	12	\$55.00
2	O'Keeffe Quarries	12.5	\$59.00
3	Bernard Wayne Leveridge	11.5	\$60.00
3	CM & SM Fraser Pty Ltd	13.5	\$60.00
4	Cam Earthworx	12	\$61.50
5	Steven John Currant	13.5	\$62.00
6	Craig James Ryan	12.5	\$62.50
6	Craig James Ryan	13.75	\$62.50
7	Brian Jeffery Booth	12.3	\$64.00
8	Darrell Keith Porter	12	\$64.50
8	Christopher Glen Wilson	13	\$64.50
9	Jake Sydney Stanborough	14	\$64.90
9	Cam Earthworx	12.5	\$64.90
9	Col Moore and Sons	14	\$64.90



9	<i>Col Moore and Sons</i>	14	\$64.90
10	<i>Mathew James Milsom</i>	13	\$65.00
10	<i>Gary David Marshall</i>	13.21	\$65.00
11	<i>Brim's Coaches Pty Ltd</i>	12.7	\$65.50
12	<i>Mark O'Keeffe Tipper Hire</i>	12.5	\$66.00
12	<i>Dennis Davies</i>	12	\$66.00
12	<i>Robert Barry Turner & Leone Joy Turner</i>	14	\$66.00
13	<i>Beacon Trust Tipper Hire</i>	13	\$68.00
13	<i>Beacon Trust Tipper Hire</i>	12	\$68.00
14	<i>Sutton Excavations</i>	12	\$68.20
14	<i>Sutton Excavations</i>	12	\$68.20
15	<i>Warren Richard Ambrose</i>	13.5	\$70.00
15	<i>Peter Lawler</i>	13	\$70.00
15	<i>Peter Lawler</i>	13	\$70.00
15	<i>Christopher Leon Reeve</i>	12	\$70.00
15	<i>Mark Andrew Piper and Jennifer Jane Piper</i>	13	\$70.00
15	<i>Mark Andrew Piper and Jennifer Jane Piper</i>	13	\$70.00
16	<i>Brim's Coaches Pty Ltd</i>	12.7	\$71.50
16	<i>David & Karen Colleton</i>	13	\$71.50
17	<i>Christopher Leon Reeve</i>	12	\$73.00
17	<i>Christopher Leon Reeve</i>	13	\$73.00
18	<i>Robert William Clapham</i>	12	\$74.80
19	<i>Keith Dunn Earthmoving</i>	12	\$75.90
20	<i>Ian Tagget Earthmoving</i>	13	\$76.00
20	<i>Ian Tagget Earthmoving</i>	13	\$76.00
20	<i>Ian Tagget Earthmoving</i>	13	\$76.00
20	<i>Ian Tagget Earthmoving</i>	13	\$76.00
20	<i>Ian Tagget Earthmoving</i>	13	\$76.00
21	<i>Col Moore and Sons</i>	13	\$77.00
21	<i>Col Moore and Sons</i>	13	\$77.00
21	<i>Col Moore and Sons</i>	12	\$77.00
21	<i>Col Moore and Sons</i>	13	\$77.00
21	<i>Col Moore and Sons</i>	12	\$77.00
21	<i>Col Moore and Sons</i>	12	\$77.00
22	<i>Brim's Earthmoving Pty Ltd</i>	12	\$82.50
23	<i>Byrnesys A1 Excavations</i>	12	\$85.00
24	<i>Hardy's Excavations Pty Ltd</i>	12.5	\$88.00
24	<i>Stacka Enterprises</i>	13.5	\$88.00
24	<i>Geoffrey Neil Barnard</i>	14	\$88.00
24	<i>Shackell Haulage</i>	12	\$88.00
24	<i>V & S Flemming Pty Ltd</i>	11.8	\$88.00
25	<i>Francis John Karam</i>	13	\$93.50

Truck and Dog A Rate

Ranking	Name	Truck & Dog Capacity	Truck & Dog A Rate
1	CM & SM Fraser Pty Ltd	33.5	\$85.00
1	Carool Water	28.5	\$85.00
1	Carool Water	28.5	\$85.00
1	Carool Water	28.5	\$85.00
1	Carool Water	28.5	\$85.00
2	O'Keeffe Quarries	30	\$90.00
3	Cam Earthworx	28	\$92.00
4	CM & SM Fraser Pty Ltd	33.5	\$95.00
5	Brim's Coaches Pty Ltd	32.7	\$96.80
6	Cam Earthworx	30	\$98.45
7	Mark O'Keeffe Tipper Hire	32.5	\$99.00
7	Brian Jeffery Booth	26	\$99.00
7	Sutton Excavations	25.5	\$99.00
8	Steven John Carrant	29	\$99.50
9	Christopher Leon Reeve	26	\$100.00
9	Peter Lawler	28	\$100.00
9	Peter Lawler	32.5	\$100.00
9	Mark Andrew Piper and Jennifer Jane Piper	28	\$100.00
9	Mark Andrew Piper and Jennifer Jane Piper	28.5	\$100.00
10	Mathew James Milsom	T.B.A.	\$101.00
11	Brim's Coaches Pty Ltd	32.7	\$104.50
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Ian Tagget Earthmoving	25	\$105.00
12	Christopher Leon Reeve	26	\$105.00
12	Christopher Leon Reeve	27.5	\$105.00
13	Christopher Glen Wilson	28	\$110.00
13	Col Moore and Sons	33	\$110.00
13	Col Moore and Sons	33	\$110.00
14	Sutton Excavations	31	\$115.00
15	Stacka Enterprises	31	\$115.50
16	Byrnesys A1 Excavations	24	\$120.00
17	David & Karen Colleton	33	\$123.20
18	Col Moore and Sons	33	\$130.00
18	Col Moore and Sons	33	\$130.00
18	Col Moore and Sons	33	\$130.00
18	Col Moore and Sons	33	\$130.00
19	Shackell Haulage	31.5	\$132.00
20	Gary David Marshall	T.B.A.	\$135.00
21	Brim's Earthmoving Pty Ltd	32	\$137.50



Truck with 500mm Rock Rate

Ranking	Name	Truck Capacity	Truck w/500mm dia Rock Rate
1	CM & SM Fraser Pty Ltd	13.5	\$65.00
1	CM & SM Fraser Pty Ltd	13.5	\$65.00
2	Bernard Wayne Leveridge	11.5	\$70.00
3	Keith Dunn Earthmoving	12	\$75.90
4	Col Moore and Sons	14	\$77.00
4	Col Moore and Sons	14	\$77.00
5	Cam Earthworx	12	\$84.70
6	Christopher Leon Reeve	12	\$85.00
7	Dennis Davies	12	\$88.00
8	Warren Richard Ambrose	13.5	\$90.00
8	Christopher Leon Reeve	12	\$90.00
8	Christopher Leon Reeve	13	\$90.00
9	Vos Flemming Pty Ltd	11.8	\$94.00
10	Darrell Keith Porter	12	\$95.00
11	Robert William Clapham	12	\$99.00
12	Carool Water	13	\$100.00
12	Carool Water	13	\$100.00
12	Carool Water	13	\$100.00
12	Carool Water	13	\$100.00
12	Steven John Currant	13.5	\$100.00
13	Stacka Enterprises	13.5	\$105.60
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
14	Ian Tagget Earthmoving	13	\$106.00
15	Hardy's Excavations Pty Ltd	12.5	\$110.00
15	O'Keeffe Quarries	12.5	\$110.00
15	Christopher Glen Wilson	13	\$110.00
15	Gary David Marshall	13.21	\$110.00
15	Geoffrey Neil Barnard	14	\$110.00
16	Mathew James Milsom	13	\$115.00
17	Beacon Trust Tipper Hire	13	\$120.00
17	Shackell Haulage	12	\$120.00
18	Mark O'Keeffe Tipper Hire	12.5	\$130.00
19	Byrnesys A1 Excavations	12	\$140.00
20	Brian Jeffery Booth	12.3	\$200.00
20	Peter Lawler	13	\$200.00
20	Peter Lawler	13	\$200.00
20	Mark Andrew Piper and Jennifer Jane Piper	13	\$200.00
20	Mark Andrew Piper and Jennifer Jane Piper	13	\$200.00

Semi Tipper A Rate

Ranking	Name	Semi-Tipper Capacity	Semi-Tipper A Rate
1	<i>CM & SM Fraser Pty Ltd</i>	<i>na</i>	<i>\$99.00</i>
2	<i>Ian Tagget Earthmoving</i>	<i>22</i>	<i>\$105.00</i>
2	<i>Ian Tagget Earthmoving</i>	<i>22</i>	<i>\$105.00</i>
2	<i>Ian Tagget Earthmoving</i>	<i>22</i>	<i>\$105.00</i>
2	<i>Ian Tagget Earthmoving</i>	<i>22</i>	<i>\$105.00</i>
2	<i>Ian Tagget Earthmoving</i>	<i>22</i>	<i>\$105.00</i>
3	<i>Byrnesys A1 Excavations</i>	<i>25</i>	<i>\$120.00</i>
3	<i>Peter Lawler</i>	<i>28.5</i>	<i>\$120.00</i>
4	<i>Carool Water</i>	<i>28.5</i>	<i>\$150.00</i>
4	<i>Carool Water</i>	<i>28.5</i>	<i>\$150.00</i>
4	<i>Carool Water</i>	<i>28.5</i>	<i>\$150.00</i>
4	<i>Carool Water</i>	<i>28.5</i>	<i>\$150.00</i>
4	<i>Peter Lawler</i>	<i>28</i>	<i>\$150.00</i>
4	<i>Mark Andrew Piper and Jennifer Jane Piper</i>	<i>28</i>	<i>\$150.00</i>
4	<i>Mark Andrew Piper and Jennifer Jane Piper</i>	<i>24</i>	<i>\$150.00</i>

86 COUNCIL DECISION:

Administrator Boyd
Administrator Willan

RESOLVED that the recommendations of the Operations Committee held Tuesday 29 May 2007 be adopted.

be rescinded.



Administrator M R Boyd



Administrator F Willan



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5 [NOM] EC2007-007 Tenders for the Supply of Contract Truck Haulage

NOTICE OF MOTION:

Administrators M R Boyd and F Willan move that:

- 1. The Information Report under the Heading "Supporting Information" herein, regarding EC2007-007 Tenders for the Supply of contract Truck Haulage, be received and noted.**
- 2. Contracts for Contract EC2007-007 Truck Haulage for the period 1 July 2007 until 30 June 2009 be offered to the following tenderers :-**

Small Truck

Ranking	Name	Truck CC
1	Harding's Earthmoving	7.5
2	Road Tech and Environmental Services	7.5
3	Karen Joy Porter	8
4	Hardy's Excavations Pty Ltd	11

11.5 – 15 Tonne A Rate

Ranking	Name	Truck CC
1	CM & SM Fraser Pty Ltd	13.5
1	Carool Water	13
1	Carool Water	13
1	Carool Water	13
1	Carool Water	13
1	Brett Backhouse	12
2	O'Keeffe Quarries	12.5
3	Bernard Wayne Leveridge	11.5
3	CM & SM Fraser Pty Ltd	13.5
3	John Kenneth Leeman	12.5
4	Steven John Currant	13.5
4	Hardings	12
4	Hardings	12
4	Hardings	12
5	Craig James Ryan	12.5
5	Craig James Ryan	13.75
5	Gary William Mortimer	12.4
6	Brian Jeffery Booth	12.3
7	Darrell Keith Porter	12
7	Christopher Glen Wilson	13
8	Jake Sydney Stanborough	14
8	Cam Earthworx	12.5
8	Col Moore and Sons	14
8	Col Moore and Sons	14
9	Mathew James Milsom	13
9	Gary David Marshall	13.21
10	Brims' Coaches Pty Ltd	12.7



11	Mark O'Keeffe Tipper Hire	12.5
11	Dennis Davies	12
11	Robert Barry Turner & Leone Joy Turner	14
11	Robert Barry Turner & Leone Joy Turner	14
12	Beacon Trust Tipper Hire	13
12	Beacon Trust Tipper Hire	12
13	Sutton Excavations	12
13	Sutton Excavations	12
14	Warren Richard Ambrose	13.5
14	Peter Lawler	13
14	Christopher Leon Reeve	12
14	Mark Andrew Piper and Jennifer Jane Piper	13
14	Hardings Earthmoving	13.4
14	Hardings Earthmoving	13.4
14	Hardings Earthmoving	13.4
15	Brims' Coaches Pty Ltd	12.7
15	David & Karen Colleton	13
15	Stephen John Pont	12.38
16	Christopher Leon Reeve	12
16	Christopher Leon Reeve	13
17	Keith Dunn Earthmoving	12
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
18	Ian Tagget Earthmoving	13
19	Col Moore and Sons	13
19	Col Moore and Sons	13
19	Col Moore and Sons	12
19	Col Moore and Sons	13
19	Col Moore and Sons	12
19	Col Moore and Sons	12
20	Byrnesys A1 Excavations	12
21	Hardy's Excavations Pty Ltd	12.5
21	Stacka Enterprises	13.5
21	Geoffrey Neil Barnard	14
21	Shackell Haulage	12
21	Vos Flemming Pty Ltd	11.8
22	Francis John Karam	13

Truck and Dog A Rate

Ranking	Name	Truck & Dog CC
1	CM & SM Fraser Pty Ltd	33.5
1	Carool Water	28.5
2	Hardings Earthmoving	25.5
3	O'Keeffe Quarries	30
4	CM & SM Fraser Pty Ltd	33.5
5	Brims' Coaches Pty Ltd	32.7
6	Cam Earthworx	30
7	Mark O'Keeffe Tipper Hire	32.5
7	Sutton Excavations	25.5
8	Steven John Currant	29
9	Christopher Leon Reeve	26
9	Peter Lawler	32.5
9	Mark Andrew Piper and Jennifer Jane Piper	28
9	Hardings Earthmoving	32.4
9	Hardings Earthmoving	32.4
9	Hardings Earthmoving	32.4
10	Brims' Coaches Pty Ltd	32.7
11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Ian Tagget Earthmoving	25
11	Christopher Leon Reeve	26
11	Christopher Leon Reeve	27.5
12	Col Moore and Sons	33
12	Col Moore and Sons	33
13	Sutton Excavations	31
14	Stacka Enterprises	31
15	David & Karen Colleton	33
16	Col Moore and Sons	33
16	Col Moore and Sons	33
16	Col Moore and Sons	33
16	Col Moore and Sons	33
17	Shackell Haulage	31.5

Truck with 500mm Rock Rate

Ranking	Name	Truck CC
1	CM & SM Fraser Pty Ltd	13.5
1	CM & SM Fraser Pty Ltd	13.5
2	Bernard Wayne Leveridge	11.5
3	Keith Dunn Earthmoving	12
4	Col Moore and Sons	14
4	Col Moore and Sons	14
5	Gary William Mortimer	12.4
6	Christopher Leon Reeve	12
7	Dennis Davies	12
8	Warren Richard Ambrose	13.5
8	Christopher Leon Reeve	12
8	Christopher Leon Reeve	13
9	Vos Flemming Pty Ltd	11.8
10	Darrell Keith Porter	12
11	Robert Barry Turner & Leone Joy Turner	14
11	Stephen John Pont	12.38
12	Carool Water	13
12	Carool Water	13



12	Carool Water	13
12	Carool Water	13
12	Steven John Currant	13.5
13	Stacka Enterprises	13.5
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
14	Ian Tagget Earthmoving	13
15	Hardy's Excavations Pty Ltd	12.5
15	O'Keeffe Quarries	12.5
15	Gary David Marshall	13.21
15	Geoffrey Neil Barnard	14
15	Hardings Earthmoving	13
16	Mathew James Milsom	13
17	Beacon Trust Tipper Hire	13
17	Shackell Haulage	12
18	Mark O'Keeffe Tipper Hire	12.5
19	Byrnesys A1 Excavations	25
20	Brian Jeffery Booth	12.3
20	Peter Lawler	13
20	Mark Andrew Piper and Jennifer Jane Piper	13
20	John Kenneth Leeman	12.5

Semi Tipper A Rate

Ranking	Name	Semi-Tipper CC
1	Carool Water	29
2	Hardings Earthmoving	24
3	CM & SM Fraser Pty Ltd	N/A
4	Col Moore and Sons	26.3
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
5	Ian Tagget Earthmoving	22
6	Byrnesys A1 Excavations	25

3. The Attachment, to this report, be treated as Confidential in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

SUPPORTING INFORMATION

Tenders for the Supply of Contract Truck Haulage closed on 28 March 2007. The contract is for a two (2) year period commencing 1 July 2007 until 30 June 2009. A report and recommendations for this tender was considered and approved by Council at the meeting of 29 May 2007.

In preparation of post tender documentation it was discovered that invalid tenders had been included on the list for consideration. There were twenty-six (26) units that were either not owned or registered by the tenderer and therefore were not available for Council use under the terms of the tender.

In addition it was discovered that seven (7) valid tenders had been omitted from the priority listing due to incorrect categorisation following the tender opening and are now included for consideration.

This report remedies these errors.

To ensure the above issues do not recur the documentation and tender evaluation process will be reviewed, including the requirement for the preparation of a Tender Assessment Plan, prior to the next calling of tenders for this item.

Tenderers were required to submit hourly rates for the following types of haulage:

- A Rate - Truck Hourly Rate (11.5 – 15 Tonne capacity)
- A Rate - Truck with .500mm Dia Rock Hourly Rate
- A Rate – Truck & Dog Hourly Rate
- A Rate - Semi Tipper

REPORT:

Tenders for the Supply of Contract Truck Haulage closed on 28 March 2007. The contract is for a two (2) year period commencing 1 July 2007 until 30 June 2009.

In view of the inclusion of invalid tenders in the priority listing considered by Council on 29 May 2007, in addition to several valid tenders being excluded from the list, the evaluation of Contract Truck Haulage has been reviewed as follows.

Tenderers were required to submit hourly rates for the following types of haulage:

- A Rate - Truck Hourly Rate (11.5 – 15 Tonne capacity)
- A Rate - Truck with .500mm Dia Rock Hourly Rate
- A Rate – Truck & Dog Hourly Rate
- A Rate - Semi Tipper

At the close of tenders forty six (46) submissions had been received.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.



POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

To view any "non confidential" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).

1. **Confidential Attachment** - Supplementary Information (DW 1617332).
-

6 [NOR] Notice of Rescission - [EO-OC] EC2007-008 Contract Plant Hire**NOTICE OF RESCISSION:**

Administrators M Boyd and F Willan move that Minute No O 132 of the Operations Committee Meeting held 29 May 2007, endorsed by Minute No 86 of the Council Meeting held 29 May 2007 being:

O8 [EO-OC] EC2007-008 Contract Plant Hire**O 2 COMMITTEE DECISION:**

Administrator Boyd
Administrator Willan

RECOMMENDED that the following tenderers be offered contracts for the hire of contract plant for the period 10 July 2007 until 30 June 2009:-

FRONT END LOADERS / BACKHOE

Rank	Tenderer	A Rate/ per Hr
1	Cabarita Backhoe Hire	\$65.89
2	Hamers Hoe Hire	\$70.00
3	Shaun Hugh O'Keefe	\$85.00
4	Hardy's Excavations Pty Ltd	\$88.00
4	Hardy's Excavations Pty Ltd	\$88.00
5	Hardy's Excavations Pty Ltd	\$93.00
Front End Loaders		
1	Robert Barry & Leone Joy Turner	\$88.00
2	Kevin John & Karen Joy Porter	\$72.00

SKID STEER LOADER & ATTACHMENTS

Rank	Tenderer	A Rate/ per Hr
1	Cam Earthworks	\$53.45
2	G.S.M. Bobcat Hire	\$53.90
3	Road Tech Environmental Services	\$54.00
4	Cam Earthworks	\$54.50
5	Darren Perandis	\$55.00
5	Brett Backhouse	\$55.00
6	Total Hire	\$60.00
7	Peter Lawler	\$62.00
8	CM & SM Fraser	\$65.00
9	All Action Earthmoving	\$72.00
10	Maccas Crane Hire	\$73.36
11	Dean Rayner	\$73.40
12	Victor Bianchetti	\$75.00
13	Hardy's Excavations	\$77.00
14	Greg Reeve	\$80.00



15	Clough Bros – No Broom	\$80.00
16	Clough Bros – No Broom	\$80.00
17	Byrnesy's Excavation – No Broom	\$82.00
18	Clough Bros – No Broom	\$84.00
19	Alphabets Bobcat & Tipper Hire	\$88.00
20	All Action Earth Moving	\$95.00

EXCAVATORS

Mini 1- 3 Tonne

Rank	Tenderers	A Rate / Per Hr
1	Macca's Crane	\$68.64
2	Hardy's Excavations	\$77.00

3 Tonne

Rank	Tenderers	A Rate / Per Hr
1	Kevin John and Karen Joy Porter	\$60.00
2	Gary David Marshall	\$63.50
3	G & K Neilson	\$68.00
4	Cam Earthworx	\$53.00 (No Att)
5	Clough Bros	\$115.50
6	Tyco Water	\$100.00

5 Tonne

Rank	Tenderer	A Rate / Per Hr
1	Road Tech and Environmental Services	\$50.00
2	L.J & S.J Hall	\$53.50
3	Road Tech and Environmental Services	\$56.00
4	All Action Earthmoving	\$59.90 Min 4 Hrs
5	Banora Excavations	\$60.00 - Nth Area Only
6	Murnane Earthmoving Pty Ltd	\$62.00
7	Murnane Earthmoving Pty Ltd	\$67.00
8	Hardings Earthmoving	\$68.00
9	Darren Rochford	\$75.00
9	V & S Flemming Py Ltd	\$75.00
10	Keith Dunn Earthmoving	\$77.00
11	Sutton Excavation	\$78.00
12	Maca's Cane and Border Hire Pty. Ltd.	\$80.08

12 Tonne

Rank	Tenderer	A Rate / Per Hr
1	Robert Barry & Leone Joy Turner	\$66.00
2	Brett Backhouse	\$77.00
3	O'Keefe earthmoving	\$80.00
4	Darrell Porter	\$86.00
5	V&S Flemming Py Ltd	\$88.00
6	Ian Tagget Earthmoving	\$90.00

20 Tonne

Rank	Tenderer	A Rate / Per Hr
1	Murnane Earthmoving Pty Ltd	\$82.00
2	O'Keefe earthmoving	\$88.00
2	Robert Barry & Leone Joy Turner	\$88.00
3	CM & SM Fraser Pty Ltd	\$89.90
3	Doug Quinn	\$90.00
4	V&S Flemming Py Ltd	\$92.00
5	Keith Dunn Earthmoving	\$93.50
6	Hardings Earthmoving	\$99.00
7	Ian Tagget Earthmoving	\$100.00
8	Ian Tagget Earthmoving	\$110.00
8	Byrnesy's A1 Excavations Pty Ltd	\$110.00

30 Tonne

Rank	Tenderer	A Rate / Per Hr
1	O'Keefe Quarries Pty Ltd	\$110.00
2	Clough Bros	\$125.50
2	Ian Tagget Earthmoving	\$125.00
3	On-Trax Crushing & Screening	\$126.50
4	Byrnesy's A1 Excavations Pty Ltd	\$132.00
5	CM & SM Fraser Pty Ltd	\$135.00

ROLLERS

2 - 4 Tonne Twin Drum Vib (CC10)

Rank	Tenderer	A Rate Per Day + Transport
1	Coates Hire Operations Pty Ltd	\$121.51
2	Hakka Hire	\$150.00
3	Robert Barry & Leone Joy Turner	\$154.00
4	Remo Plain	\$145.00
5	Twin City Hire	\$132.00
6	Conplant Ammann Australia	\$165.00

Vib Flat Drum 10-20 Te

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$242.00
2	Dymar Plant Hire Pty Ltd	\$286.00
3	Remoplains Pty Ltd	\$308.00
4	Coates Hire Operations Pty Ltd	\$375.37

Double Drum 10 - 20 Te

Rank	Tenderer	A Rate Per Day + Transport
1	Coates Hire Operations Pty Ltd	\$195.05
2	Robert Barry & Leone Joy Turner	\$242.00
3	Remoplains Pty Ltd	\$260.00
4	National Hire	\$290.00
5	Dymar Plant Hire Pty Ltd	\$297.00
6	Conplant Ammann Australia	\$308.00



8 - 26 Te Padfoot

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$264.00
2	Coates Hire Operations Pty Ltd	\$285.43
3	National Hire	\$290.00
4	Remoplains Pty Ltd	\$308.00
5	Dymar Plant Hire Pty Ltd	\$330.00
6	Hardings Earthmoving	\$90.00
7	Robert Barry & Leone Joy Turner	\$242.00

10 - 27 Te Multi Tyred

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$231.00
2	Remoplains Pty Ltd	\$245.00
3	Dymar Plant Hire Pty Ltd	\$275.00
4	National Hire	\$340.00
5	Coates Hire Operations Pty Ltd	\$390.60

17 - 21 Te 3Pt Roller

Rank	Tenderer	A Rate Per Day + Transport
1	Conplant Ammann Australia	\$198.00
1	Dymar Plant Hire Pty Ltd	\$198.00
2	Robert Barry & Leone Joy Turner	\$200.00
3	Coats Hire Operations	\$230.00

Compactor 17 - 30 Te

Rank	Tenderer	A Rate Per Day + Transport
1	Coates Hire Operations Pty Ltd	\$270.55
2	Dymar Plant Hire Pty Ltd	\$605.00
3	Remoplains Pty Ltd	\$682.00
4	Conplant Ammann Australia	\$704.00

CRANES

Rank	Tenderer	A Rate / Per Hr
1	Maca's Crane Hire Pty. Ltd. - 2.5 Te	\$120.00
	Franna	\$104.66
2	Gold Coast Cranes Franna	\$120.00
	All Terrain 40 Te	\$155
3	Victor Bianchetti 8 Te	\$98.00

Crane Truck

Rank	Tenderer	A Rate / Per Hr
1	Gary Arnold 1.6 Te	\$82.50
2	Maca's Crane Hire 1.6 Te	\$99.00
3	Gregory Reeve 1.0 Te	\$66.00

Tilt Tray Trucks

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / Per Hr</i>
1	<i>Murnane Earthmoving Pty Ltd</i>	<i>\$66.00</i>
2	<i>Murwillumbah Truck Centre</i>	<i>\$79.20</i>
3	<i>Maca's Crane hire</i>	<i>\$80.08</i>

CONCRETE PUMPS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / Per Hr</i>
1	<i>Coastcrete Concrete Pumping</i>	<i>Unit rates</i>

RUBBER TYRED TRACTORS & ATTACHMENTS

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate</i>
1	<i>Craig King</i>	<i>\$45.00</i>
2	<i>Graeme Farrell – 110 HP</i>	<i>\$50.00</i>
3	<i>Graeme Farrell - 80 HP</i>	<i>\$50.00</i>
4	<i>David and Karen Colleton</i>	<i>\$56.10</i>
5	<i>Murnane Earthmoving Pty Ltd</i>	<i>\$58.00</i>
6	<i>Murnane Earthmoving Pty Ltd</i>	<i>\$58.00</i>
7	<i>David and Karen Colleton</i>	<i>\$58.30</i>

LOW LOADERS

Low Loaders

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate /Per Hr</i>
1	<i>Hardings Earthmoving</i>	<i>\$120.00</i>
2	<i>Ian Tagget Earthmoving</i>	<i>\$120.00</i>
3	<i>Byrnesy's A1 Excavations Pty Ltd</i>	<i>\$132.00</i>

WATER TRUCKS

Single Axle

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate/ Per Hr</i>
1	<i>J.L. Wise Water Carrying</i>	<i>\$46.00</i>
2	<i>MA & JJ Piper</i>	<i>\$52.00</i>
3	<i>Tweed Valley Water Supplies x 2</i>	<i>\$55.00</i>
3	<i>Tweed Valley Water Supplies</i>	<i>\$55.00</i>

Dual Axle

<i>Rank</i>	<i>Tenderer</i>	<i>A Rate / per Hr</i>
1	<i>Brims Coaches Pty Ltd</i>	<i>\$50.60</i>
2	<i>Gary Arnold</i>	<i>\$50.60</i>
3	<i>C&S Fraser</i>	<i>\$51.50</i>
3	<i>Carool Water</i>	<i>\$54.00</i>
3	<i>Carool Water</i>	<i>\$55.00</i>
3	<i>Carool Water</i>	<i>\$57.00</i>
4	<i>MA & JJ Piper</i>	<i>\$56.00</i>
5	<i>Tweed Valley Water Supplies x 2</i>	<i>\$58.00</i>
6	<i>C&P Reeve</i>	<i>\$60.00</i>
7	<i>C&P Reeve</i>	<i>\$65.00</i>
8	<i>B&L Turner</i>	<i>\$66.0</i>
9	<i>Hardinga</i>	<i>\$66.00</i>



UTES

Rank	Tenderer	A Rate /Per Day
1	Network Rentals	\$39.00
2	Murwillumbah Truck Centre	\$51.48
3	Budget	\$58.08

PIPE CLEANING EQUIPMENT & CAMERAS

Rank	Tenderer	A Rate
1	Trans Pacific Industrial Solutions	Unit Rates
2	Barry Bros	Unit Rates
3	Pipe Vision Australia	Unit Rates

BOOM TYPE FLAIL MOWERS & SAWS

Rank	Tenderer	A Rate
1	Eastcoast Slope Mowers and Slashers	\$70.00

TREE MULCHING MACHINERY & GANG

Rank	Tenderer	A Rate/ per Hr
1	Victor Bianchetti – Truck, Chipper & C ‘saw Op	\$155
2	Road Tech Environmental Services	Unit Rates
3	Tallow Tree Services	Unit Rates

MILLING & PROFILER MACHINE & ATTACHMENTS

Rank	Tenderer	A Rate/ per Hr
1	W.D Enterprises P/L – 1000 mm Wide	\$374.00
	W.D Enterprises P/L – 1300 mm Wide	\$412.00

SMALL PLANT ITEMS

Rank	Tenderer	A Rate
1	Twin City Hire	Unit Rates
2	Coates Hire	Unit Rates
3	Hakka Hire	Unit Rates

VARIABLE MESSAGE BOARD & PORTABLE TRAFFIC SIGNALS

Rank	Tenderer	Rate Per Day VMB	Rate Per Traffic Signals
1	Ezi - Light	\$77.78	\$110.20
2	National Hire	\$112.53	\$157.90
3	Coates Hire	\$150.00	\$160.00

1 COUNCIL DECISION:
Administrator Boyd
Administrator Willan

RESOLVED that the recommendations of the Operations Committee held Tuesday 29 May 2007 be adopted.

be rescinded.



Administrator M R Boyd



Administrator F Willan



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7 [NOM] [EO-CM] EC2007-008 Contract Plant Hire**NOTICE OF MOTION:**

Administrators M R Boyd and F Willan move that:

1. The Information Report under the Heading "Supporting Information" herein, regarding [EO-OC] EC2007-008 Contract Plant Hire be received and noted.
2. Contracts for EC2007-008 Contract Plant Hire for the period 1 July 2007 until 30 June 2009 be offered to the following tenderers:-

Plant Hire**FRONT END LOADERS / BACKHOE**

Rank	Tenderer
1	Cabarita Backhoe Hire
2	Hamers Hoe Hire
3	Shaun Hugh O'Keefe
4	Hardy's Excavations Pty Ltd
4	Hardy's Excavations Pty Ltd
5	Hardy's Excavations Pty Ltd
Front End Loaders	
1	Robert Barry & Leone Joy Turner
2	Kevin John & Karen Joy Porter
SKID STEER LOADER & ATTACHMENTS	
1	Cam Earthworks
2	G.S.M. Bobcat Hire
3	Road Tech Environmental Services
4	Cam Earthworks
5	Darren Perandis
5	Brett Backhouse
6	Total Hire
7	Peter Lawler
8	CM & SM Fraser
9	All Action Earthmoving
10	Maccas Crane Hire
11	Dean Rayner
12	Victor Bianchetti
13	Hardy's Excavations
14	Greg Reeve

15	Clough Bros – No Broom
16	Clough Bros – No Broom
17	Byrnesy's Excavation – No Broom
18	Clough Bros – No Broom
19	Alphabets Bobcat & Tipper Hire
20	All Action Earthmoving
EXCAVATORS	
Mini 1-3 Tonne	
1	Macca's Crane
2	Hardy's Excavations
3 Tonne	
1	Kevin John and Karen Joy Porter
2	Gary David Marshall
3	Cam Earthworx
4	Clough Bros
5	Tyco Water
5 Tonne	
1	Road Tech and Environmental Services
2	L.J & S.J Hall
3	Road Tech and Environmental Services
4	All Action Earthmoving
5	Banora Excavations
6	Murnane Earthmoving Pty Ltd
7	Murnane Earthmoving Pty Ltd
8	Hardings Earthmoving
9	Darren Rochford
9	V & S Flemming Pty Ltd
10	Keith Dunn Earthmoving
11	Sutton Excavation
12	Maca's Crane and Borer Hire Pty Ltd
12 Tonne	
1	Robert Barry & Leone Joy Turner
2	Brett Backhouse
3	O'Keefe Earthmoving
4	Darrell Porter
5	V&S Flemming Pty Ltd
6	Ian Tagget Earthmoving

20 Tonne	
1	Murnane Earthmoving Pty Ltd
2	O'Keefe Earthmoving
2	Robert Barry & Leone Joy Turner
3	CM & SM Fraser Pty Ltd
3	Doug Quinn
4	V&S Flemming Pty Ltd
5	Keith Dunn Earthmoving
6	Hardings Earthmoving
7	Ian Tagget Earthmoving
8	Ian Tagget Earthmoving
8	Byrnesy's A1 Excavations Pty Ltd
30 Tonne	
1	O'Keefe Quarries Pty Ltd
2	Clough Bros
2	Ian Tagget Earthmoving
3	On-Trax Crushing & Screening
4	Byrnesy's A1 Excavations Pty Ltd
5	CM & SM Fraser Pty Ltd
ROLLERS	
2 – 4 Tonne Twin Drum Vib (CC10)	
1	Coates Hire Operations Pty LTd
2	Hakka Hire
3	Robert Barry & Leone Joy Turner
3	Robert Barry & Leone Joy Turner
3	Robert Barry & Leone Joy Turner
4	Remo Plain
5	Twin City Hire
6	Conplant Ammann Australia
Vib Flat Drum 10-20 Tonne	
1	Conplant Ammann Australia
1	Robert Barry & Leone Joy Turner
2	Dymar Plant Hire Pty Ltd
3	Remo Plain
4	Coates Hire Operations Pty Ltd
Double Drum 10 – 20 Tonne	
1	Coates Hire Operations Pty Ltd
2	Remoplains Pty Ltd
3	National Hire
4	Dymar Plant Hire Pty Ltd
5	Conplant Ammann Australia
8 – 26 Tonne Padfoot A Rate	
1	Robert Barry & Leone Joy Turner
2	Hardings Earthmoving

8 – 26 Tonne Padfoot C Rate	
1	Robert Barry & Leone Joy Turner
2	Conplant Ammann Australia
3	Coates Hire Operations Pty Ltd
4	National Hire
5	Remo Plains
6	Dymar Plant Hire Pty Ltd
10 – 27 Tonne Multi Tyred	
1	Conplant Ammann Australia
2	Remoplains
3	Dymar Plant Hire Pty Ltd
4	National Hire
5	Coates Hire Operations Pty Ltd
17 – 21 Tonne 3Pt Roller	
1	Conplant Ammann Australia
1	Dymar Plant Hire Pty Ltd
2	Robert Barry & Leone Joy Turner
3	Coats Hire Operations
Compactor 17-30 Tonne	
1	Coates Hire Operations Pty Ltd
2	Dymar Plant Hire Pty Ltd
3	Remoplains
4	Conplant Ammann Australia
CRANES	
1	Macca's Crane Hire Pty Ltd –2.5 Te
	Franna
2	Gold Coast Cranes Franna
	All Terrain 40 Te
3	Victor Bianchetti 8 Te
Crane Truck	
1	Gary Arnold 1.6 Te
2	Maca's Crane Hire 1.6 Te
3	Gregory Reeve 1.0 Te
Tilt Tray Trucks	
1	Murnane Earthmoving Pty Ltd
2	Murwillumbah Truck Centre
3	Maca's Crane Hire
CONCRETE PUMPS	
1	Coastcrete Concrete Pumping

Rubber Tyred Tractors & Attachments	
1	Craig King
2	Graeme Farrell – 110 HP
3	Graeme Farrell – 80 HP
4	David and Karen Colleton
5	Murnane Earthmoving Pty Ltd
6	Murnane Earthmoving Pty Ltd
7	David and Karen Colleton
LOW LOADERS	
1	Hardings Earthmoving
2	Ian Tagget Earthmoving
3	Byrnesy's A1 Excavations Pty Ltd
WATER TRUCKS	
Single Axle	
1	J.L. Wise Water Carrying
2	Tweed Valley Water Supplies x 2
2	Tweed Valley Water Supplies
Dual Axle	
1	Brims Coaches Pty Ltd
2	Gary Arnold
3	C&S Fraser
3	Carool Water
3	Carool Water
3	Carool Water
4	MA & JJ Piper
5	Tweed Valley Water Supplies x 2
6	C&P Reeve
7	C&P Reeve
8	B&L Turner
9	Hardings
UTES	
1	Network Rentals
2	Murwillumbah Truck Centre
3	Budget
PIPE CLEANING EQUIPMENT & CAMERAS	
1	Trans Pacific Industrial Solutions
2	Barry Bros
3	Pipe Vision Australia
BOOM TYPE FLAIL MOWERS & SAWS	
1	Eastcoast Slope Mowers and Slashers



Tree Mulching Machinery & Gang	
1	Victor Bianchetti, Truck, Chipper & C'saw Op
2	Road Tech Environmental Services
3	Tallow Tree Services
MILLING & PROFILER MACHINE & ATTACHMENTS	
1	W.D Enterprises P/L – 1000 mm Wide
	W.D Enterprises P/L – 1300 mm Wide
VARIABLE MESSAGE BOARD & PORTABLE TRAFFIC SIGNALS	
1	Ezi – Light
2	National Hire
3	Coates Hire
Concrete Cutters	
1	A Grade Concrete Cutting
SMALL PLANT ITEMS	
1	Twin City Hire
2	Coates Hire
3	Hakka Hire

3. The Attachment, to this report, be treated as Confidential in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

SUPPORTING INFORMATION:

Tenders for the Supply of Contract Plant Hire closed on 28 March 2007. The contract is for a two (2) year period commencing 1 July 2007 until 30 June 2009. A report and recommendations for the tender was considered and approved by Council at the meeting of 29 May 2007.

In preparation of post tender documentation it was discovered that an invalid tender had been included within the Water Trucks classification. This item was not owned or registered by the tenderer and therefore was not available for Council use under the terms of the tender.

A further tendered item within the 3 Tonne Excavator classification had previously been considered but upon review, was received outside the tender period, and is invalid in terms of Section 177 of the Local government (General) Regulation 2005, even though there were extenuating personal circumstances involved in this tender.

This Notice of Motion remedies these errors.

To ensure the above issues do not recur the documentation and tender evaluation process will be reviewed, including the requirement for the preparation of a Tender Assessment Plan, prior to the next calling of tenders for this item.

REPORT:

Tenders for the Supply of Contract Plant Hire closed on 28 March 2007. The contract is for a two (2) year period commencing 1 July 2007 until 30 June 2009.

In view of the inclusion of invalid tenders in the priority listing considered by Council on 29 May 2007, the evaluation of Contract Plant Hire has been reviewed as follows.

Tenderers were required to submit hourly rates for the following types of Plant Hire.

- Front End Loader / Backhoe – Quick Hitch attachments required
- Skid Loader and attachments
- Excavators, Mini to 30 Tonne
- Rollers – Multi Tyred, 3 Point , Vib Twin Drum (CC10), Vib Smooth Drum
- Cranes
- Rubber tyred tractors and attachments including slashers, spray units etc
- Small Plant Items (Pumps, generators, concrete cutters etc)
- Concrete Pumps
- Low Loaders
- Water Trucks
- 1 Tonne Utes
- Pipe Cleaning equipment and Cameras
- Tilt tray Trucks suitable for container transport
- Skid –steer mounted Milling Profiler and associated attachments
- Boom type Flail Mowers and saws
- Tree Mulching Machinery and gang

At the close of tenders seventy nine (79) submissions had been received.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.



COUNCIL MEETING DATE: TUESDAY 19 JUNE 2007

UNDER SEPARATE COVER/FURTHER INFORMATION:

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

1. Confidential Attachment - Supplementary Information (DW1617881)
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REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS

1 [EO-CM] Kingscliff Sewage Treatment Plant

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (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



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