



AGENDA

OPERATIONS COMMITTEE MEETING Tuesday 17 April 2007

Chairman: Mr Frank Willan

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

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ITEMS FOR CONSIDERATION OF THE COMMITTEE:

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REPORTS THROUGH THE GENERAL MANAGER

01 [TCS-OC] Far North Coast County Council Financial Agreement

ORIGIN:

Risk & Human Resources

SUMMARY OF REPORT:

A request has been received from Far North Coast County Council for Council to adopt a revised financial agreement relating to annual contribution units payable.

A copy of the request is contained in this report. It is worth noting that all other constituent councils have adopted the revised agreement, with only Tweed Shire Council to adopt and sign.

RECOMMENDATION:

That the Agreement between the Councils constituting Far North Coast County Council be adopted and the agreement be duly executed under the Common Seal of Council.

REPORT:

The following request has been received from Far North Coast County Council for Council to adopt a revised financial agreement relating to annual contribution units payable:

Far North Coast County Council T/A

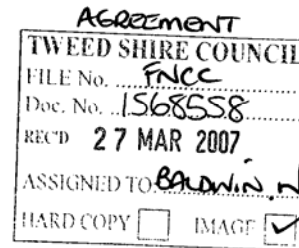
Far North Coast Weeds

218-232 Molesworth Street (PO Box 230) Lismore 2480 ♦ ABN 26 499 482 176
Phone: (02) 6623 3833 ♦ Fax: (02) 6622 1181 ♦ Email: fncw@fncw.nsw.gov.au ♦ Web: www.fncw.nsw.gov.au

Our Ref: PTM/VS: 1244/04 (34976)

26th March 2007

General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484



Dear Sir,

RE: FINANCIAL AGREEMENT

I refer to our previous discussions/correspondence concerning the level of constituent contributions and advise that at Council's recent meeting it was resolved "*that Council accept the Agreement as presented and forward to constituent Councils for concurrence and completion*". A copy of Council's report is attached for information.

Also attached is the Financial Agreement for your Council's execution and return to our office at your earliest convenience. Should you have any questions please feel free to contact me.

Yours faithfully

Paul T Muldoon
General Manager

Attachments

Item 4. ii). Financial Agreement

SUBJECT: FINANCIAL AGREEMENT
REPORT BY: GENERAL MANAGER
REASON: COUNCIL RESOLUTION
OBJECTIVE: ADOPTION BY COUNCIL

COPY

(File 1244/04)

BACKGROUND:

Las year (27/4/05) when considering a request to review the level of constituent contribution increases, Council resolved, among other things, "to request the completion of a revised financial agreement to reflect these changes".

INFORMATION:

A draft Agreement has been prepared from the base of the previous 1981 Agreement. However, this has not been reviewed by Council's legal representatives. A copy is attached for information.

As the Local Government Act provides for the raising of revenue by contributions and essentially the County is a body formed at our constituents wishes, formal legal review may not be necessary. Essentially the Agreement addresses the issues raised by constituents and resolved by FNCW in 2005.

SUMMARY:

The Agreement provides a formal base for constituents to concur with the proposed method of raising funds for County Councils.

RECOMMENDATION that Council accept the Agreement as presented and forward to constituent Councils for concurrence and completion.



Paul T Muldoon
General Manager

14th February 2006.

Attachment

FNCW Council Meeting 22nd February 2006

**AGREEMENT BETWEEN THE COUNCILS CONSTITUTING
FAR NORTH COAST COUNTY COUNCIL**

THIS DEED made between the COUNCILS OF BALLINA, BYRON, KYOGLE, LISMORE, RICHMOND VALLEY AND TWEED, hereinafter referred to as the "constituent Councils"-

WHEREAS the constituent areas have been duly constituted as the FAR NORTH COAST COUNTY DISTRICT by proclamation of His Excellency the Governor of the State of New South Wales in Government Gazette No. 139 of 4th December, 1959 (altering the name from the RICHMOND RIVER COUNTY DISTRICT, formerly the RICHMOND RIVER WATER HYACINTH BOARD as validated by Section 569 of the Local Government Act, 1919, as amended by subsequent Acts), the Areas constituting and the names of the constituent Councils being as altered by subsequent Government Gazettes (No. 37 of 21st March, 1969, No. 119 of 11th September, 1970, No. 155 of 28th November, 1975, No. 138 of 22nd October, 1976, and No. 99 of 25th July, 1980);

AND WHEREAS it has been agreed by and between the parties hereto that the eradication of certain aquatic pests and noxious plants, as declared noxious from time to time within the County District by proclamation in the Government Gazette for the State of New South Wales, should be undertaken by the FAR NORTH COAST COUNTY COUNCIL for and on behalf of the constituent Councils;

AND WHEREAS it is provided by Section 394 of the Local Government Act, 1993, that the County Council may, by resolution under seal, delegate to the councils concerned in a county district the power to exercise or perform for the benefit of the county district any power or duty which was given by proclamation.

AND WHEREAS by Section 399 of the said Act it is provided that the councils concerned may enter into a joint agreement respecting the whole or any part of the powers delegated to the county council and particularly in respect of any matter for which the county council is not authorised to rate, prescribing the manner in which the expenses of the county council are to be met by the constituent Councils.

COPY

NOW THIS DEED WITNESSETH THAT –

1. IT IS AGREED AND DECLARED that for the purposes of Section 399 of the said Act the parties hereto agree that all contributions to be made by the constituent Councils to the Council of the Far North Coast County Council towards the total expenditure of the County Council incurred (after deduction of all Government Grants and other miscellaneous income, if any) shall be contributed by the constituent Councils in proportion to a “contribution unit” calculated as detailed below.

2. THE “CONTRIBUTION UNIT” shall in each financial year be calculated by expressing the numerical total of the area plus length of roads plus number of rural holdings plus population of each constituent Council expressed as a percentage of the total County District, 50 per centum of such percentage forming the first part of the “contribution unit”; the “contribution unit” in each financial year shall be added to by aggregating the direct expenditure within each constituent Council’s area plus the numerical total of the number of inspections carried out during the three (3) most recent financial years for which the County Council’s accounts have been audited, expressed as a percentage of the total of those direct costs for all the constituent Councils, 50 per centum of such percentage forming the second part of the “contribution unit”.

3. THE CONTRIBUTIONS to be made by the constituent Councils pursuant to clauses one and two shall be:
 - i). assessed for the financial year commencing on the first day of July, 2006 and subsequent years until amended or repealed by a further agreement made and approved in accordance with the said Act.
 - ii). Pegged to increases in total equivalent to the increase approved for rate-pegging purposes.
 - iii). Subject to special increases beyond the pegged amount only with the unanimous support of constituent Councils after special application along similar lines to that required under rate-pegging legislation.



4. NOTICE OF ASSESSMENT shall be served by the County Council on the constituent Councils during the month of July in the year to which the assessment relates, and such assessments shall be due and payable by the constituent Councils on or before 31st August of the financial year to which it relates; PROVIDED THAT a constituent Council may elect to pay its assessment in four equal instalments, each instalment being due and payable on or before the last day of August, November, February and May of the financial year to which it relates; PROVIDED THAT the provisions of Section 566 of the said Act shall apply, mutatis mutandis, to overdue assessments.

5. PREVIOUS AGREEMENTS are repealed in accordance with Section 399, of the said Act, but any liability previously incurred by any one or more of the constituent Councils of the Far North Coast County Council shall not be thereby discharged or limited.

IN WITNESS WHEREOF THE SAID PARTIES have by authority of respective resolutions passed, affixed their common seals:-

THE COMMON SEAL of the COUNCIL of FAR NORTH COAST COUNTY COUNCIL t/a FAR NORTH COAST WEEDS was hereto affixed this day of, 2006 pursuant to a resolution of the Council passed at a duly convened meeting held on the day of, 2006.))))))))))))	Chairman General Manager
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THE COMMON SEAL of the COUNCIL of the SHIRE OF BALLINA was hereto affixed this day of, 2006 pursuant to a resolution of the Council passed at a duly convened meeting held on the day of, 2006.))))))))))))	Mayor General Manager
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THE COMMON SEAL of the COUNCIL of the SHIRE OF BYRON was hereto affixed this day of, 2006 pursuant to a resolution of the Council passed at a duly convened meeting held on the day of, 2006.))))))))))))	Mayor General Manager
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THE COMMON SEAL of the)
COUNCIL of the SHIRE OF KYOGLE)
was hereto affixed this day of)
....., 2006 pursuant to a resolution of)
the Council passed at a duly convened)
meeting held on the day)
of, 2006.)

Mayor

General Manager

THE COMMON SEAL of the)
COUNCIL of the MUNICIPALITY OF)
LISMORE was hereto affixed this)
..... day of, 2006 pursuant)
to a resolution of the Council passed at a)
duly convened meeting held on the)
..... day of, 2006.)

Mayor

General Manager

THE COMMON SEAL of the)
COUNCIL of the SHIRE OF)
RICHMOND VALLEY was hereto)
affixed this day of,)
2006 pursuant to a resolution of the)
Council passed at a duly convened)
meeting held on the day)
of, 2006.)

Mayor

General Manager

THE COMMON SEAL of the)
COUNCIL of the SHIRE OF TWEED)
was hereto affixed this day of)
....., 2006 pursuant to a resolution of)
the Council passed at a duly convened)
meeting held on the day)
of, 2006.)

Mayor

General Manager

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The constituent council contribution paid in 2006/2007 was \$126,900 with the proposed amount for 2007/2008 being \$126,400.

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).

Nil.

**O2 [TCS-OC] Second Round applications for Financial Assistance
2006/2007 - Festivals Policy**

ORIGIN:

Corporate Compliance

SUMMARY OF REPORT:

Tweed Shire Council recognises a need to assist non-profit community groups, organisations and individuals who are interested in and are working towards the enhancement and the well being of its residents and the Shire.

Council advertises and invites applications for financial assistance from eligible organisations in accordance with its Festivals Policy twice a year under Section 356 of the Local Government Act, 1993. Applications for financial assistance close at the end of July for the first round and end of February for the second round.

Second round applications for financial assistance under Council's Festivals Policy closed 28 February 2007. The applications have been assessed by members of the Cultural Advisory Committee and their suggestions are contained in the recommendation.

RECOMMENDATION:

That Council allocates the second round donations for 2006/2007 under the Festivals Policy, as follows:-

Applicant	Amount Approved
Emergency Services in the Park	\$1,000
Tyalgum Festival Committee	\$5,000
NAIDOC Committee	\$2,000
Murwillumbah Festival of Performing Arts Inc.	\$3,000
Caldera Environment Centre Inc.	\$1,600
Tweed Shire Family Day Care	\$750
Cabarita Beach SLSC Inc.	\$1,500
TOTAL	\$14,850

REPORT:

Tweed Shire Council recognises a need to assist non-profit community groups, organisations and individuals who are interested in and working towards the enhancement and the well being of its residents and the Shire.

Council advertises and invites applications for financial assistance from eligible organisations in accordance with its Festivals Policy twice a year under Section 356 of the Local Government Act, 1993. Applications for financial assistance close at the end of July for the first round and end of February for the second round.

The 2006/2007 Festivals Budget was prepared on the following basis:

\$36,750 General
 \$10,000 Wintersun
 \$10,000 Special allocation - non specific

An amount of \$14,850.00 is available for allocation in the second round.

The following requests for financial assistance were received:

Applicant	Proposed Event	Amount requested
Emergency Services in the Park	Emergency Services Day in the Park	\$2,000
Tyalgum Festival Committee	Tyalgum Festival of Classical Music	\$5,000
NAIDOC Committee	NAIDOC Celebrations	\$2,000
Murwillumbah Evening Branch of CWA	CWA Craft Expo	\$4,000
Preterm Infants Parents Association (PIPA)	Poleabout Kids Charity Challenge	\$2,000- \$5,000
Murwillumbah Festival of Performing Arts Inc.	Murwillumbah Festival of Performing Arts	\$3,000
Caldera Environment Centre Inc.	World Environment Day Festival	\$2,300
Tweed Shire Family Day Care	NAIDOC Week - Celebrations in the Park	\$900
Cabarita Beach SLSC Inc.	Tweed Coast Raft Race & Family Picnic Day	\$2,000
The Casimir Foundation	Sandscripts: Tales on the Tweed	\$6,000
Kingscliff Lions Club Inc.	Lions District Convention	\$8,000
	TOTAL	\$37,200 - \$40,200

The following amounts were distributed under Council's Festivals Policy for the first round of 2006/2007:

Applicant	Amount Approved
Senior Citizen's Week Committee 2006	\$5,500
Lions Club of Cabarita Beach-Pottsville Beach	\$2,000
Wollumbin Dreaming	\$5,000
Speed on Tweed	\$5,500
Tweed Training & Enterprise Co (t/a Youth Enterprise Service)	\$2,000
Whole Woman	\$4,000
Murwillumbah Community Centre (Harmony Day)	\$1,900
Tweed Valley Banana Festival & Harvest Week	\$8,500
TOTAL	\$34,400

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The 2006/2007 Festivals Budget was prepared on the following basis:

\$36,750	General
\$10,000	Wintersun
\$10,000	Special allocation - non specific

2006/2007 Budget balance \$14,850.00

POLICY IMPLICATIONS:

Festivals Policy

UNDER SEPARATE COVER/FURTHER INFORMATION:

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03 [TCS-OC] Monthly Investment Report for Period ending 31 March 2007

ORIGIN:

Financial Services

SUMMARY OF REPORT:

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

RECOMMENDATION:

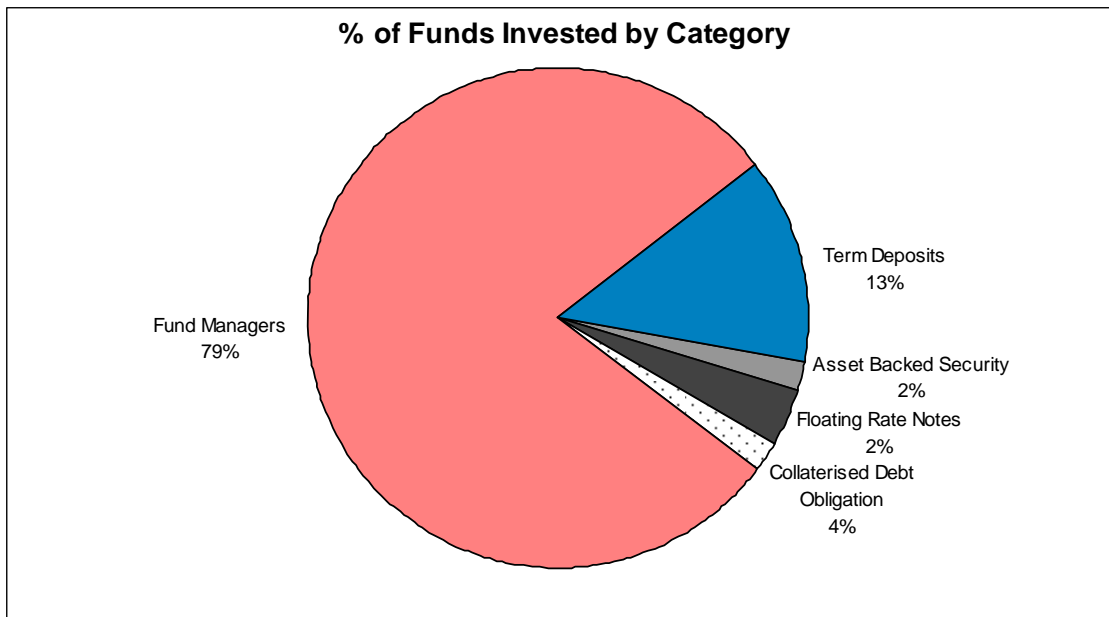
That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at 31 March 2007 totalling \$106,608,490.77 be received and noted.

REPORT:

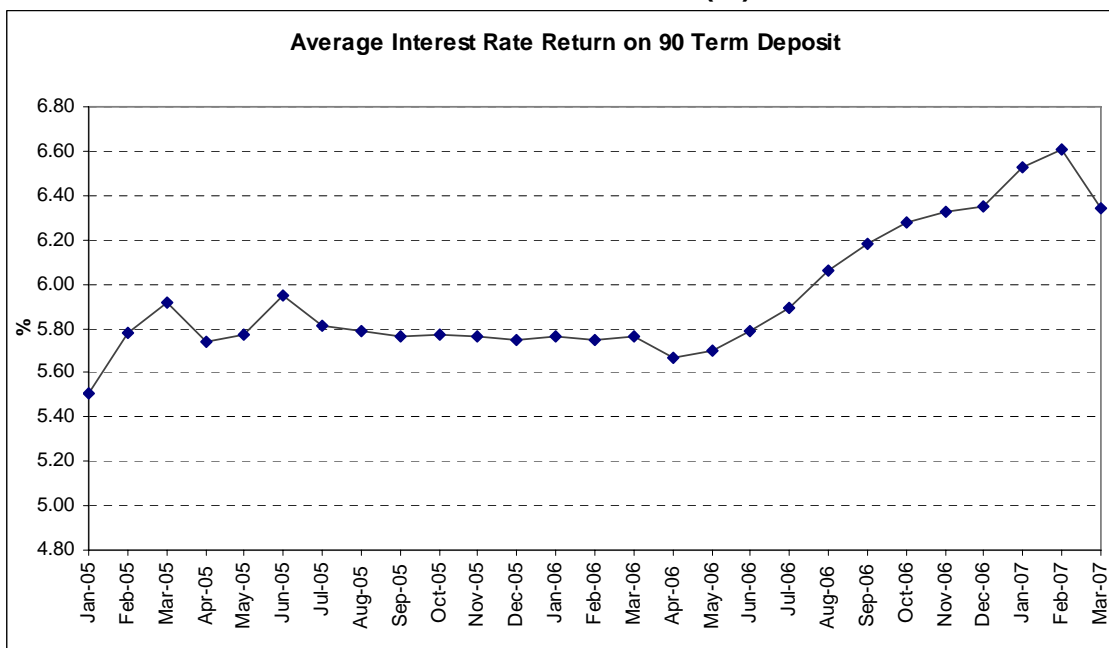
Report for Period Ending 31 March 2007

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested and certification has been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies.

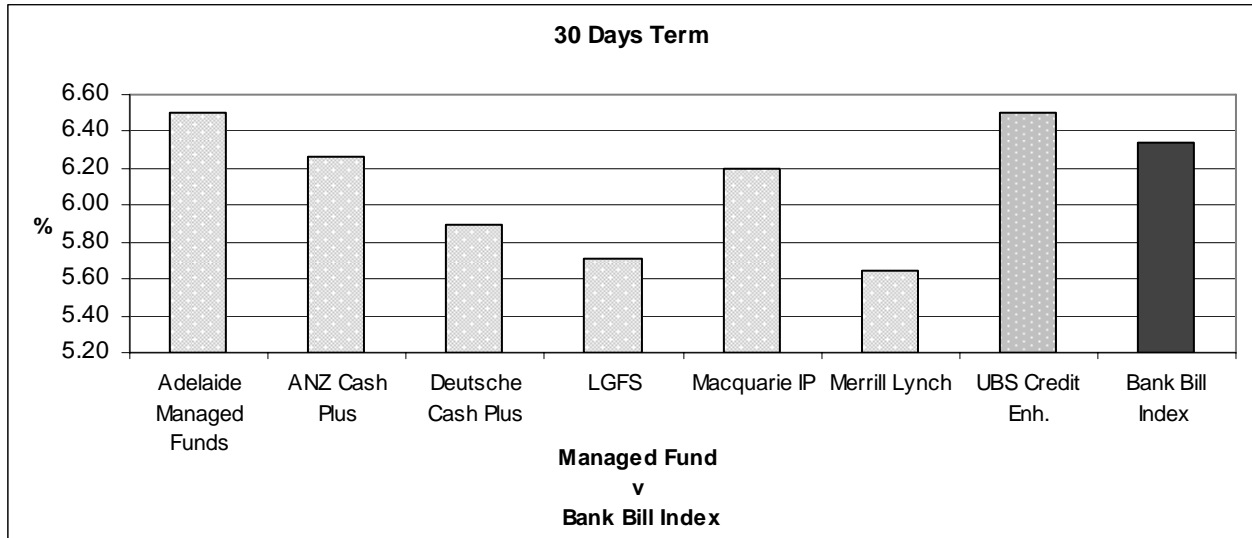
1. CURRENT INVESTMENT PORTFOLIO BY CATEGORY



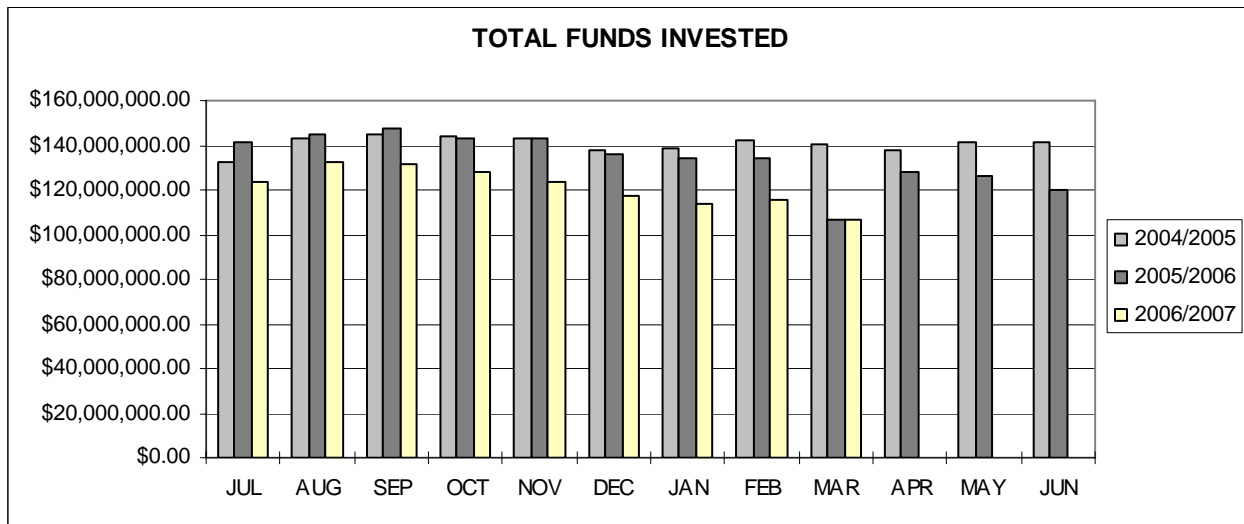
2. INVESTMENT RATES - 90 DAY BANK BILL RATE (%)



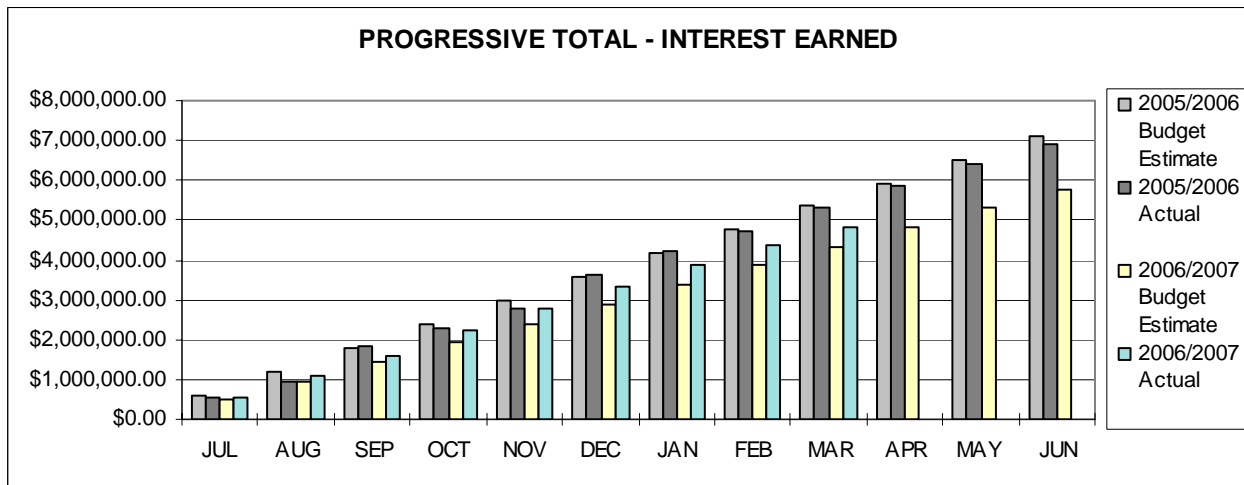
3. ANNUALISED RATE OF RETURN FOR FUNDS MANAGERS - NET OF FEES



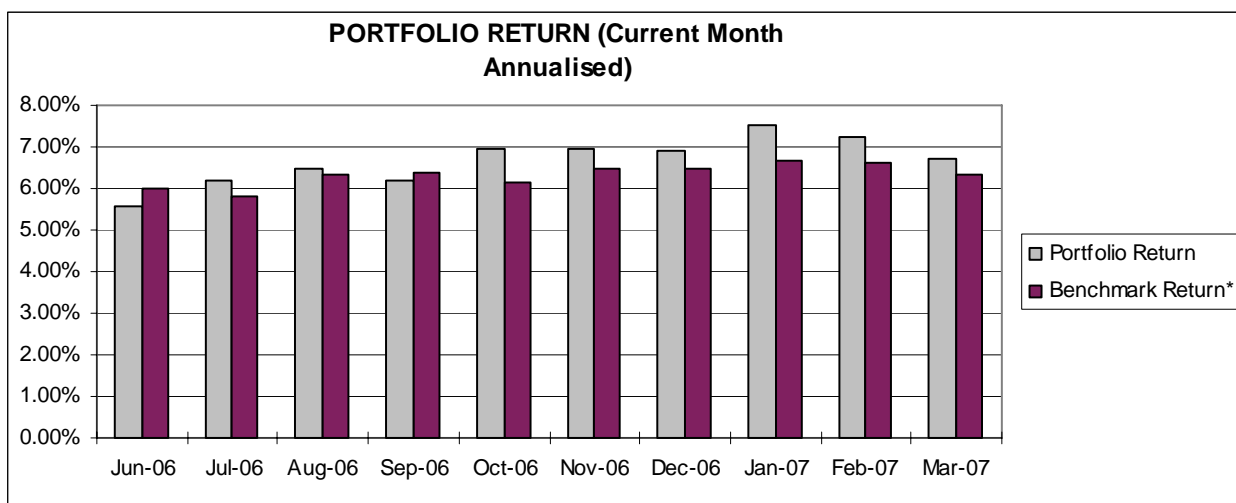
4. MONTHLY COMPARISON OF TOTAL FUNDS INVESTED



5. ANNUAL PROGRESSIVE TOTAL OF INTEREST ON TOTAL FUNDS INVESTED



6. PORTFOLIO PERFORMANCE



7. MARKET COMMENTARY

A major global share market "correction" occurred on February 28 and the impact of this slide in share values was still apparent in reduced fund manager returns during March. While the share market regained most of its losses by the end of March, further volatility can be expected in coming months, even in Council's diversified cash-based managed funds.

Council's Investment Portfolio return for March was down to 6.72% from February's return of 7.26%. The TSC Investment Portfolio return still outperformed the BBSW 6.34% benchmark.

8. INVESTMENT SUMMARY AS AT 31 MARCH 2007

GENERAL FUND

TERM DEPOSITS	14,117,125.00	
FUND MANAGERS	28,537,233.84	
ASSET BACKED SECURITIES	2,000,000.00	
COLLATERISED DEBT OBLIGATION	4,000,000.00	
FLOATING RATE NOTE	2,000,000.00	
CALL	0.00	50,654,358.84

WATER FUND

TERM DEPOSITS	0.00	
FUND MANAGERS	23,530,272.70	23,530,272.70

SEWERAGE FUND

TERM DEPOSITS	0.00	
FUND MANAGERS	32,423,859.23	
CALL	0.00	
FLOATING RATE NOTE	0.00	32,423,859.23

TOTAL INVESTMENTS 106,608,490.77

It should be noted that the General Funds investments of \$50 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

Statutory Statement - Local Government (General) Regulation 2005 Clause 212

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



Chief Financial Officer (Responsible Accounting Officer)

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

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04 [EO-OC] EC2007-005 Annual Supply of UV Disinfection Lamps and Accessories to Council

ORIGIN:

Contracts

SUMMARY OF REPORT:

Tenders for the Annual Supply of UV Disinfection Lamps and Accessories to service Council's Murwillumbah, Tumbulgum and Banora Point Sewerage Treatment plants have been called.

The supply contract will be for a one (1) year period with a possible two (2) by twelve month extension options.

Following the close of tenders two (2) submissions to the tender had been received.

RECOMMENDATION:

That:-

- 1. Aquatic – Maxcon Pty Ltd be awarded the Annual Supply Contract for the supply of UV Lamps and accessories to the Banora Point Sewerage Treatment Plant.**
- 2. Haymans Electrical be awarded the Annual Supply Contract for the supply of UV lamps and accessories to the Murwillumbah and Tumbulgum Sewerage Treatment Plants.**

REPORT:

Tenders closing on the 21 March 2007 were called for the Annual Supply of UV Disinfection Lamps and Accessories. The contract is for the supply and delivery of replacement UV disinfection lamps and ballasts at Council's Murwillumbah, Tumbulgum and Banora Point Sewerage Treatment Plants. The contract also provides for the safe disposal of the discarded lamps. UV lamps are used in the disinfection systems at the treatment plants.

The supply contract will be for a twelve (12) month period from a agreeable date, following determination by Council with an option for a further two (2) twelve month extensions. Any option to extend will be at Council's sole discretion and will be subject to review of the Contractors performance over the preceding twelve (12) months. Price adjustments will be in keeping with CPI movements.

Following the close of tender's submissions had been received from Haymans Electrical & Data Suppliers and Aquatec-Maxcon Pty Ltd.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Supplementary Confidential Information - EC2007-005 Annual Supply of UV Disinfection Lamps and Accessories to Council (DW 1571988).
-

05 [EO-OC] Tweed Vegetation Management Strategy 2004

ORIGIN:

Water

SUMMARY OF REPORT:

In August 2004, the Tweed Vegetation Management Strategy (TVMS) was completed after 9 years of work and considerable support from Council, external funding bodies, State agencies and the community. The TVMS found that the Shire supports an extremely rich biodiversity for which the region is nationally and internationally recognised. Implementation of the TVMS is recognised as a key environmental goal of Council's 2006-2009 Management Plan and is consistent with recent State Government natural resources reforms, Commonwealth and State biodiversity strategies.

The Strategy makes a wide range of recommendations in relation to bushland protection, management and rehabilitation and continuing strategy development and review. Many recommendations from the strategy have or are in the process of being implemented, including amendments to Council's Local Environmental Plan.

RECOMMENDATION:

That the Tweed Vegetation Management Strategy 2004 be adopted to guide vegetation and biodiversity protection and management within Tweed Shire.

REPORT:

Introduction

The Tweed Vegetation Management Strategy (2004; TVMS) was initiated in 1998 by the introduction of the Native Vegetation Conservation Act (1997; NVC Act), which provided a number of opportunities to streamline planning and management of native vegetation. Council resolved to prepare a Local Environmental Plan (LEP) which would replace the provisions of the NVC Act within the Tweed Shire as it had already initiated work on a more generic Vegetation Management Plan which involved detailed vegetation mapping, assessment of ecological values, and recommendations covering a wide range of Council interests.

The TVMS was prepared in close consultation with the community-based Tweed Vegetation Management Plan Steering Committee to provide a coordinated approach to the management of ecological processes in the Tweed.

Tweed Shire lies within a biogeographic region recognised, as one of Australia's most diverse in terms of its natural terrain, flora and fauna. The Shire is considered an area of high conservation significance at all levels; local, regional, national and international. It is also an area of high population growth – a fact that inevitably puts pressure on natural habitats and those charged with their management.

It is important to note that over the time since the TVMS was prepared, State planning and natural resource management reforms have continued. While these do not affect the basic principles and objectives of the Strategy, they will influence some of the more specific recommendations. Comments on the effect of these recent changes to the regulatory and funding environment are addressed separately toward the end of this report.

Overall Vision, Aims and Scope of the Strategy

As a result of a number of workshop discussions the Vegetation Management Plan Steering Committee formulated the following aims, objectives and guiding principles to guide the preparation and implementation of provisions for vegetation management planning.

Goal

To promote an equitable, holistic and coordinated framework for the management of ecological processes and systems in the environmental, economical, social and cultural interests of the State and Tweed community.

Guiding Principles

The following guiding principles should underpin the development of provisions for vegetation management planning:-

- Native vegetation communities must be managed in a way that does not compromise long-term sustainability.

- The package of planning provisions should adopt a balanced approach that seeks to achieve economic development, environmental protection and an improved social condition.
- A range of land management practices can be used to maintain the biological diversity of native vegetation and wildlife habitat.
- The conservation of native vegetation should be integrated with the management of other natural resources at both local and bioregional scales.
- To manage ecological processes and systems in accordance with the principles of Ecologically Sustainable Development (ESD) as defined by the NSW Coastal Policy 1997.
- The package of planning provisions should not allow clearing without development consent where there is a risk of unacceptable environmental or cultural impact.
- Effective partnerships between the community and Government should be encouraged for the management of ecological processes and systems.
- Vegetation communities and populations should be adequately represented across the full range of conditions and areas that they naturally occur.
- The cost of protecting and enhancing native vegetation and wildlife habitats should be shared throughout the entire community by the use of appropriate incentives.
- The retention of existing significant native vegetation is generally ecologically superior to broad scale clearing and replacement.

Aims and Objectives

The aims and objectives developed by the Vegetation Management Plan Steering Committee are:-

Aim 1 – To promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire.

1. Identify known and potentially significant areas of bushland and wildlife habitat in Tweed Shire.
2. Assess the effectiveness of existing vegetation management framework and identify areas of potential conflict.
3. Identify known and potentially significant areas of scenic value.
4. Evaluate the social and cultural (including Aboriginal) significance of native vegetation.
5. Prepare and implement local land use planning measures (e.g. under the EPA Act) and other protocols for the protection of high conservation and scenic value, social or cultural significance.
6. Encourage the preparation of site-specific plans of management for public owned land identified as containing significant vegetation or wildlife habitat.
7. Prepare and implement an incentives scheme to protect areas of significant vegetation or wildlife habitat in the Tweed.

Aim 2 – To encourage and promote rehabilitation and management of native vegetation and wildlife habitat in Tweed Shire.

1. Identify priority areas, species and processes for rehabilitation and management.
2. Prepare and implement a Rehabilitation and Management Strategy.
3. Prepare and implement an incentives scheme to encourage the implementation of the Rehabilitation and Management Strategy.
4. Encourage the preparation of best practice guidelines for the rehabilitation and management of vegetation and wildlife habitat.
5. Increase community awareness of the benefits of integrated and ecologically sustainable vegetation and wildlife habitat management and rehabilitation.
6. Encourage and promote Recovery Plans and Threat Abatement Plans prepared under the Threatened Species Conservation Act 1995.
7. Remove regulatory impediments to the establishment of native forestry plantations in appropriate locations.

Aim 3 – To promote the protection and management of soil and water resources

1. Identify areas where soil and water resources are likely to be susceptible to land and water degradation.
2. Develop and implement both regulatory and voluntary measures to discourage the inappropriate use of these areas.
3. Ensure that areas susceptible to, and processes responsible for, land and water degradation are recognised in the Rehabilitation and Management Strategy.
4. Encourage the preparation of best practice guidelines for management of soil and water resources.

Aim 4 – To recognise the social and economic impacts of managing vegetation

1. Review social and economic impacts associated with the management of bushland and wildlife habitat.
2. Acknowledge social and economic impacts when developing a framework for managing vegetation and wildlife habitat.
3. Monitor social and economic impacts through the activities of a joint Government and community based advisory committee.
4. Prepare and implement an incentive scheme as an economic mechanism to facilitate environmental management of bushland and wildlife habitat.

5. Increase community awareness of the benefits of integrated and ecologically sustainable vegetation and wildlife habitat management.

Aim 5 – To promote and encourage partnerships between the community and governments through consultation and participation

1. Prepare and implement an incentives scheme to protect areas of significant vegetation or wildlife habitat in the Tweed.
2. Foster an attitude of trust and cooperation between Government and the community through the activities of a joint community and Government based advisory committee.
3. Actively encourage and support the input of the local Aboriginal people.

Aim 6 – To establish and promote a framework for the implementation, continued development and monitoring of vegetation management and planning measures.

1. To ensure that the framework for implementing and monitoring the Strategy is consistent with the objectives of the Native Vegetation Act 2003.
2. Develop a regulatory framework within the Tweed Local Environmental Plan that clearly identifies the consent and assessment procedures for clearing of vegetation or wildlife habitat in Tweed Shire.
3. Identify or establish a joint Government and community-based committee to assist in the implementation and monitoring of the actions and provisions arising from the Tweed Vegetation Management Strategy.

Approach

In order to make an informed assessment of the conservation status of natural areas within the Shire, a number of major areas of investigation were addressed:-

- Ecological
- Soil, Water and Geological
- Socio-economic and Cultural Heritage (including Aboriginal values)
- Planning Assessment (including concurrent issues such as scenic landscape values)
- Management and Rehabilitation Framework
- Strategic Directions and Implementation Framework.

Key Findings

The ecological assessment was designed to interpret the values of mapped bushland areas of the Shire, and focused on three major themes: *Ecological Status*, *Ecological Sensitivity* and *Threatened Species*. Assessment of the first two of these themes involved detailed mapping and spatial modelling using a Geographical Information System (GIS). To determine Ecological Status, landscape attributes such as remnant size, the regional status of specific vegetation communities, connectivity and areas of key fauna habitat were combined to produce a consistent and objective Shire-wide assessment. The Ecological Status of the great majority of Tweed's remaining bushland

was classified *High* or *Very High* (over 50000 hectares or about 75% of that remaining). Although the largest contiguous areas of these types occur around the National Parks of the caldera rim and Mt. Warning, significant areas also occur along the coast. Many of the coastal vegetation communities are poorly reserved and have suffered disproportionate levels of clearing. Ecological Sensitivity was assessed in a similar way, but more specifically considered ecological attributes relating to the susceptibility of bushland areas to degradation. About one third (31%) of all bushland was classified as highly susceptible to degradation. The analysis of Threatened Species involved the collation of known records and documentation of fauna habitat preferences. With over 200 significant plant species and over 100 threatened fauna, the Tweed region supports perhaps Australia's highest concentration of significant species. The Threatened Species Conservation Act (1995) identifies a number of Key Threatening Processes that are likely to adversely affect threatened species and their habitats. These include clearing of native vegetation, inappropriate bushfire regimes, and the invasion of coastal vegetation communities by the exotic Bitou Bush.

The assessment of soil and water resources comprised a review of major issues affecting land degradation and water quality in Tweed Shire. Information was collated from existing sources in order to determine what the major characteristics and issues for soil and water resources are, and how vegetation management may influence the quality of these resources. It was found that the management of native vegetation through clearing controls and rehabilitation has an important role in protecting and enhancing soil and water resources. In particular vegetation on steep and unstable lands, riparian zones, coastal dunes and acid sulphate soils should be considered a priority.

The socio-economic evaluation found that Tweed Shire is a rapidly urbanising centre that is moving toward further reliance on the tertiary sector for employment and regional export. Tourism is now the biggest industry. The primary and secondary sector industries appear to be in decline, and there are major economic and land-use constraints to agricultural expansion. The greatest demands for bushland are related to the provision of services and infrastructure to support the growing population. On current trends the Shire's population is expected to increase by over 25000 in the next 15 years. These demands have given rise to conflicts over the rezoning of rural land for urban purposes especially along the coast. The findings suggested that vegetation management planning provisions should be more flexible in rural areas not subject to intense development pressure to enable landowners to carry out routine land management practices. It was also suggested that given the low income base for the majority of rural land owners and the likely decreases in agricultural viability all levels of government should canvass positive incentives to assist rural and rural residential landowners to protect and manage remnant vegetation and riparian areas.

The overview of Aboriginal values indicated that despite major cultural disruption to the local Aboriginal community since European settlement, the region has a rich and continuing Aboriginal heritage. This heritage involves numerous significant sites and cultural practices involving natural areas. However, much of this heritage is poorly documented or restricted knowledge and it is also likely that important sites have been lost from the oral tradition. In addition, disadvantage remains and there is a wide diversity of viewpoints among the local Aboriginal community. A number of approaches were

suggested to ensure adequate consideration of Aboriginal perspectives on vegetation management issues.

The aim of the Planning Assessment was to evaluate the level of protection provided by the current planning arrangements to remnant vegetation areas of differing ecological status. This involved a review of land use planning mechanisms used in the protection and management of natural areas, and a detailed spatial assessment (carried out for the TVMP99) which combined land use planning with ecological considerations. The results of these analyses indicated that at that time: about half of all mapped bushland (51%) was at least partially protected; about 15% was securely protected and managed and; a small but significant proportion (1.5%) had a high level of ecological importance and was likely to be threatened by development, given existing planning commitments. Most of the latter group involved bushland along the coast at Kings Forest, Cobaki, Tanglewood, Sea Ranch, Kingscliff and Uki. Recommendations were made in the TVMP99 to address some of the issues in these areas. A number of issues were raised with respect to way the current LEP regulates clearing:

- The current LEP does not acknowledge the role of other State agencies in managing vegetation, particularly the role of DIPNR and the Northern Rivers CMA under the NV Act.
- LEP clearing controls are essentially limited to Environmental Protection zones and areas covered by the Tree Preservation Order (TPO 1990).
- The 7(l) Environmental Protection (Habitat) zone and 7(d) Environmental Protection (*Scenic Escarpment*) Zone is not clearly associated with areas of high ecological value (*Status or Sensitivity*) and high scenic value.
- There remains a small but significant proportion of areas with high ecological status that appear to have little regulatory protection and are currently subject to intense development pressure (mostly along the coast). Efforts should be made to increase Environmental Protection zones especially along the coast where development pressure is high.
- The TPO 1990 does not protect habitat (only large trees) and its application is spatially limited. Notwithstanding it does provide a significant disincentive for pre-emptive clearing where it applies.
- The NV Act should provide significant clearing controls in non- State Protected Land.
- In areas of State Protected Land (e.g. steep land) significant exemptions continue to allow unregulated clearing (e.g. up to 2 ha per year in certain circumstances) even for areas of high ecological value. This anomaly may be rectified by the preparation of a SEPP, however these areas cover a very large proportion of the Shire's bushland.
- The Rural 1(a) zone does not reflect differences in the potential for land degradation across the landscape, particularly on steep land. Consideration should be given to LEP provisions (zones, overlays or written provisions) that more closely reflect the management needs (and clearing issues, see point above) associated with lands

vulnerable to degradation. Ideally, such provisions should be consistent with the definitions of State Protected Land (i.e. steep land and prescribed streams).

- As a result of the lack of clearing controls, the current LEP does not anticipate the need for clearing exemptions associated with routine land management.
- In cases where clearing consent is required there are no clear guidelines for Council on how to address the site assessment requirements (Tweed LEP 2000, Clause 28(4)) for a development application.

Other planning issues related to vegetation management were also identified. These included necessary consideration of scenic landscape values, koala habitat protection and bushfire management.

The Management and Rehabilitation Framework is presented to provide some strategic direction and priorities in this area. Strategic approaches were outlined to identify ecological priorities for: 1) the recovery existing bushland areas; 2) restoration of previously cleared areas; 3) Threatened species recovery, 4) management of threatening processes and 5) education, monitoring, planning and research. In addition, it was argued that the setting of overall rehabilitation priorities is dependent on strategic opportunities such as sources of funding, the commitment and willingness of landholders, the track record of the proponents and the level of protection of the site. Thus a broad-based funding-independent approach was recommended to ensure both available opportunities and ecological priorities are maximised.

Another major component of the project has been the production of a series of interrelated GIS databases for inclusion into the Council's GIS system. These GIS mapping layers (and associated databases) were used to produce the maps for this report, but can also help answer complex and more specific questions related to land use planning and the management of native vegetation.

The Strategic Directions and Implementation Framework involved the synthesis of the technical investigations, the development of goals and objectives, and review of the available tools and mechanisms for implementation. As a result implementation strategies and options were recommended in relation to the following three strategy areas:-

- *Bushland Protection (clearing control);*
- *Management and Rehabilitation;*
- *Continuing Strategy Development and Review.*

Key Recommendations and Initiatives

Key initiatives of the suggested implementation framework include:

Amendments to the overall purpose and objectives of Tweed LEP 2000 – to adopt a more consistent and holistic approach to nature conservation.

Changes to the LEP zoning controls –Suggested changes include:-

- Introduce provisions and integrate the Tweed LEP 2000 with the Native Vegetation Act 2003.
- A new rural zone to delineate steep land consistent with the State Protected Lands.
- A new environmental zone to replace current 7(a), 7(d) and 7(l) zones. This zone is intended to capture significant areas supported by detailed mapping (particularly those subject to development pressure), in public ownership, or the subject of negotiated outcomes. In general, this means that environmental zones will be strengthened along the coast and relaxed in the hinterland where most will be absorbed into the new steep land rural zone. DIPNR and the Northern Rivers CMA will deal with the majority of clearing and vegetation management issues in the rural areas of the Tweed hinterland.
- A new overlay (Catchment) map is proposed to trigger the need clearing consent. This map would identify bushland but may also be used to identify other catchment management related information (e.g. Sub-catchments, drainage, 'prescribed' streams etc). Consent to clear will depend on site values (i.e. merit-based) and guidance on the necessary criteria will be provided in a Habitat Management Development Control Plan (DCP; see below).
- Introduce new provisions to avoid unnecessary duplication when managing vegetation and assessing clearing applications by both Tweed Shire Council and other government bodies e.g. DIPNR and the Northern Rivers CMA.

Amendments to DCP 40 (Exempt and Complying Development) - to define certain types of clearing as exempt development. A wide range of exemptions will enable clearing for routine property management, emergencies, surveys, roads etc.

Preparation of a Habitat Management DCP

Preparation of a comprehensive Koala Plan of Management

Aboriginal Liaison - It is suggested that Council engage an Aboriginal Liaison Officer to help coordinate Aboriginal input into the full range of its activities.

Section 94 Contribution Plan Policy – to ensure developer contribution plans are consistent with this Strategy.

Bonus Development Rights Policy – to provide guidance and incentives for negotiated outcomes.

Rate Relief – a differential rate is recommended as an incentive for the protection and or management of lands set aside or managed primarily for nature conservation.

Environmental Levy – It is suggested that such levy would underpin the Management on Rehabilitation Framework and complement existing programs. It is expected that levy funds would be allocated on a competitive basis to proposals for planning or on-ground works consistent with defined rehabilitation and management priorities from individuals, community groups, and Council itself. This initiative may help offset regulatory controls and is an important mechanism for sharing costs throughout the community.

Appointment of an Environmental Officer to Administer the Strategy – Such an appointment is essential for all aspects of continuing Strategy development, implementation, monitoring and review (education/extension, advocacy, GIS and database maintenance, administration of management and rehabilitation initiatives, strategic planning and development assessments etc).

The Establishment of an Organisational Structure to Coordinate Financial and other Assistance for rehabilitation and management projects, preferably in conjunction with the Northern Rivers CMA.

Education and Promotion – Issues surrounding vegetation management are complex and there is an urgent need to provide promotional material to educate and inform residents of this Strategy and its approach to vegetation management in the Shire.

Funding the Strategy

At the time the Strategy was prepared the following funding arrangements were anticipated:-

1. Use of existing staffing to coordinate and implement changes to the LEP and other strategic planning initiatives.
2. Appointment of an Environmental Officer
3. An environmental levy to fund management, rehabilitation and education incentives and programs.

Post Strategy Developments and Changes

Funding

Funding for the implementation of the TVMS was included Council's 7-year Plan however reductions of about 30% were made to the program (along with others) and implementation was delayed until 2007/8. Under the amended 7-year plan, recurrent funding including grants of about \$450K pa (\$318K in 2007/8) is expected to be available. Essentially this amount was planned to cover items 2 and 3 above. At this stage it is not considered appropriate to implement an environmental levy as funding is embodied in the 7-year plan.

There has also been the key loss of staff in the strategic planning area, which has affected the progress of recommended initiatives in this area. In an effort to progress the work the Planning Reforms Unit and the Tweed River Committee appointed a part-time officer (3 days/week).

Progress on Implementing the Strategy

Although the TVMS is yet to be formally adopted its implementation has been recognised as a key environmental goal under Council's 2006-2009 Management Plan.

Progress on implementing specific recommendations include the following:

- *Draft LEP 2000 Amendment 21* – This Shirewide amendment to council's LEP incorporates the recommended amendments to the overall purpose of the Tweed LEP 2000, zoning controls and DCP 40 (Exempt and Complying Development).
- *Aboriginal Liaison* – An Aboriginal liaison Officer has been appointed by Council.
- *Environmental Officer* – This has been partially implemented (see above).
- *An Organisational Structure* – This is currently being implemented through the Tweed River Committee.
- In addition grant funding is currently being sought to support a range of other programs consistent with the TVMS.

State Government Changes

Recent State Government changes to the planning and natural resource management legislation that impact the TVMS include:

- Department of Planning Standard LEP template – As far as possible the draft LEP 2000 Amendment 21 is being incorporated in Council's new draft LEP 2007 which is currently being prepared by the Planning Reforms Unit consistent with the Standard LEP Template. The changes necessary to incorporate Amendment 21 are relatively minor and do not deviate in intent from the approach recommended in the TVMS.
- Newly recognised Endangered Ecological Communities under the Threatened Species Conservation Act 1995 – These listings may affect the ecological status allocated to specific mapped in the TVMS, although the communities in question were already recognised as important within the TVMS. Nevertheless there is a need to update this information.

The recent bio-banking and bio-certification procedures enabled under the Threatened Species Conservation Act were not anticipated at the time of the TVMS and may need to be addressed in the future.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Ongoing implementation subject to 7-year plan funding.

POLICY IMPLICATIONS:

Consistent with Council's Management Plan and previous commitment to fund and develop the Strategy.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

06 [EO-OC] Reafforestation Scheme for the Tweed

ORIGIN:

Water

SUMMARY OF REPORT:

This report considers the feasibility of introducing a reafforestation scheme similar to the one, which operated in the Tweed and Brunswick catchments from 1977-1997. In the years since the Tweed Brunswick Reafforestation Committee (TBRC) ceased operation a large number of incentive programs have become available to encourage reafforestation activities within the Shire. Although the TBRC was able to effectively source stock at discounted prices, it would need to be integrated with the existing programs to meet contemporary environmental integration and accountability standards.

RECOMMENDATION:

That a working group consisting of Council staff and a representative from the Northern Rivers Catchment Management Authority, set up a process or organisational structure, such as the Tweed Brunswick Reafforestation Committee, to provide stock at wholesale or subsidised prices to serve the existing and future reafforestation incentive programs, and in some cases individuals outside of existing programs within Tweed Shire.

REPORT:

Introduction

From 1977 to 1997 Tweed and Byron Councils supported the Tweed Brunswick Reafforestation Committee (TBRC) to provide subsidised trees to encourage reafforestation within the Tweed and Brunswick catchments landholders.

This report examines the feasibility of reintroducing a similar scheme within Tweed Shire in response to the following Council resolution (6 March 2007):-

"RESOLVED that Council considers introducing a reafforestation scheme similar to the one which operated in the Tweed and Brunswick catchments from 1977-1997 and which resulted in 1.6 million seedlings on private and public land."

Tweed Brunswick Reafforestation Committee (1977 – 1997)

TBRC consisted of a community-based group that sourced and distributed bulk trees to local residents. The committee operated as follows:-

1. Each year residents placed orders at subsidised prices for trays of seedlings and tubestock from a selected range of species (e.g. selected eucalypts, pines, mixed rainforest species etc).
2. The TBRC consolidated the orders and secured a wholesale order from a number of commercial plant nurseries using resident contributions and a subsidy from Byron and Tweed councils (\$3K – \$4K pa).
3. When the orders were received, a distribution day was organised for residents to pick up their seedlings.

The Committee also organised demonstration and field days to educate landholders on planting and maintenance issues.

As a result of natural attrition, the Committee wound up their operation in January 1998 having taken 4,758 orders for 1,610,351 seedlings over their 20-year life. Upon winding up the TBRC Council resolved (18 February, 1998) that:-

- "1. Upon finalisation of the Tweed-Brunswick Reafforestation Committee Council takes over the responsibilities of the operation.*
- 2. The operation will be administered and facilitated through the Recreation Services Unit."*

Current Reafforestation Initiatives

In the years since the TBRC ceased operation a large number of grant programs have become available to encourage reafforestation activities within the Shire. State and Federal examples include: Natural Heritage Trust, Envirofund, Landcare, Bushcare Coastcare, Dunecare, Bush Recovery, Threatened Species Initiatives, NSW

Environmental Trust Grants and numerous site specific projects run by the Northern Rivers CMA. Council is also active in encouraging reforestation through its River Health Program, Council's Community Bush Nursery Program and initiatives of the Tweed River Committee, Tweed Coastal Committee and Dunecare Advisory Group.

In addition, the implementation of the Vegetation Management Strategy under Council's 7- year Infrastructure Plan and carbon sequestration initiatives that are likely to arise from renewed interest in global warming should provide additional mechanisms.

Pros and Cons of the TBRC Model

Pros and cons of the reforestation model adopted by the TBRC are presented in the Table below:-

Pros	Cons
Relatively cheap to operate	Annual distribution limits planting and rehabilitation work
Facilitates the distribution of large numbers of seedlings	Does not ensure subsidised trees are planted or maintained
Bulk ordering provides considerable economies of scale and quality control	Does not ensure that trees planted are appropriate to the site.
Simple process for the landholder	Does not ensure that subsidised trees are planted for an appropriate purpose (reforestation, biodiversity conservation rather than amenity or gardening)
	Monitoring and evaluation is limited to seedlings distributed rather than on-ground outcomes.
	Limited support for other aspects of site management (weed management, erosion control, site access, tree health etc)

The Way Forward

While it is clear there are a large number of existing programs (Federal, State and Local) to encourage reforestation through direct or indirect incentives in the Shire, these programs generally source stock at retail prices.

While a major advantage of the model adopted by the TBRC is the ability to source stock at wholesale prices, this needs to be considered against the need for greater integration and accountability. Indeed, in the contemporary funding environment, this is likely to limit the ability of an organization like the TBRC to attract external funding to provide additional subsidies.

This suggests the need to set up a process or organisational structure, such as the TBRC, to provide stock at wholesale prices to serve the existing and future reforestation incentive programs, and in some cases individuals outside of existing programs. Details of how this could occur need to be determined.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

07 [EO-OC] Maritime Infrastructure Program Grant - Tumbulgum Pontoon Upgrade

ORIGIN:

Water

SUMMARY OF REPORT:

The NSW Maritime Authority has offered Council funding of \$32,500, on a 1:1 basis, through the Maritime Infrastructure Program (MIP). Funds offered are for refurbishment of the existing floating pontoon and installation of a boat sewerage pump-out facility at Tumbulgum.

RECOMMENDATION:

That:-

- 1. Council accepts the financial assistance from the NSW Maritime Authority's Maritime Infrastructure Program of up to \$32,500 for refurbishment of the existing floating pontoon and installation of a boat sewerage pump-out facility at Tumbulgum and votes the expenditure.**
- 2. All documentation be completed under the Common Seal of Council.**

REPORT:

The NSW Maritime Authority has offered Council funding of \$32,500, on a 1:1 basis, through the Maritime Infrastructure Program (MIP). Funds offered are for refurbishment of the existing floating pontoon and installation of a boat sewerage pump-out facility at Tumbulgum.

The matching funds from Council are available in the Waterways Asset Replacement budget within the 7 Year Infrastructure Plan.

The provision of a more robust floating pontoon and sewerage pump-out facility at this location is identified in the Draft Tweed River Recreational Boating Study (in prep) and the *Upper Tweed River Estuary Management Plan, 1996*.

The pontoon and pump out facility will be a public facility and will assist boat users in the launching and retrieval of boats from the adjacent boat ramp and provide additional temporary mooring capabilities for private and commercial vessels using the Tweed River.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The MIP Grant offer is for 50% of the estimated cost of the project. The matching funds will be provided through the Waterways Asset Replacement allocation of the 7 Year Infrastructure plan.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Letter of offer, NSW Maritime Authority Maritime Infrastructure Program (DW 1537512)
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O8 [EO-OC] Offer of Assistance for Implementation of the Tweed River Estuary Management Plan and the Tweed Coast Estuaries Management Plan 2006/2007

ORIGIN:

Water

SUMMARY OF REPORT:

The previous Minister for Natural Resources, Mr Ian MacDonald MLC, advised Council that financial assistance of up to \$500,000 will be made available to Council on a 1:1 NSW Government to Council basis for implementation of the Tweed River Estuary Management Plan 2006/07. An amount of \$50,000 was offered for implementation of the Tweed Coast Estuaries Management Plan 2006/07.

This funding has been made available through the Department of Natural Resources Estuary Management Program. Council has allocated \$500,000 in the 2006/2007 budget to provide Council's matching contribution to Tweed River Estuary management and \$50,000 is allocated to match the funding provided for Tweed Coast Estuaries.

RECOMMENDATION:

That Council accepts the financial assistance of up to \$550,000 from the Department of Natural Resource's Estuary Management Program on a 1 to 1 basis for implementation of the Tweed River Estuary management Plan and the Tweed Coast Estuaries Management Plan 2006/2007.

REPORT:

The previous Minister for Natural Resources, Mr Ian MacDonald MLC, advised Council that financial assistance of up to \$500,000 will be made available to Council on a 1:1 NSW Government to Council basis for implementation of the Tweed River Estuary Management Plan 2006/07. An amount of \$50,000 was offered for implementation of the Tweed Coast Estuaries Management Plan 2006/07.

This funding has been made available through the Department of Natural Resources Estuary Management Program. Council has allocated \$500,000 in the 2006/2007 budget to provide Council's matching contribution to Tweed River Estuary management and \$50,000 is allocated to match the funding provided for Tweed Coast Estuaries.

An offer was made in February 2003 by the then Minister for Land and Water Conservation of \$500,000 per year for three years based on a 2 to 1 NSW Government to Council basis for the first two years and 1 to 1 after that. A media release was circulated 18 February 2003 reiterating the \$1.5M commitment over three years.

This offer commenced in the 2003/2004 financial year with Council allocating \$250,000 in the budget to match the contribution required. No Estuary Management grant funding was provided to Council for the 2004/2005 financial year. The funding supplied in 2005/2006 was \$500,000 on a 2 to 1 basis. Council had allocated \$500,000 in 2005/2006 budget to match this offer 1 to 1. Therefore, \$250,000 was reserved to 2006/2007 to assist with matching the \$500,000 in this financial year on the 1 to 1 basis.

Some of the successful projects completed recently by the Tweed River Committee include revetment of Oxley Cove and Chinderah riverbanks, Management Planning for vegetation rehabilitation and improved recreational opportunities on the Oxley Cove Peninsula, ongoing water quality monitoring, contribution to several Acid Sulphate Soil projects, revegetation of North Tumbulgum riverbank and Lavender Creek, and contributions to riverbank rehabilitation projects in the Tweed River catchment.

The Tweed River Estuary Management Program adopted by the Tweed River Committee and submitted to DNR is included below in Table 1.

The Tweed Coast Estuary Management Program adopted by the Tweed Coastal Committee and submitted to DNR is included below in Table 2.

Table 1: Tweed River Committee – Tweed River Estuary Management Program

IMPLEMENTATION BUDGET 2006/2007

Project	Description	Outcomes	Budget Amount
<i>Project Coordination</i>	Coordination of Tweed River Committee and management of all Tweed River Estuary management Program Projects.	Delivery of estuary management program.	\$80,000

Project	Description	Outcomes	Budget Amount
<i>Education</i>	Update estuary colour brochure and information DVD. \$30k. Tweed River Festival \$10 k.	10, 000 educational brochures 100 DVD's for schools and community groups 5000 people attend Tweed River Festival events	\$40, 000
<i>Wetland Enhancement</i>	Charles Bay Project First Year Implementation.	Weed removal from approx 20 ha SEPP 14 wetland and riparian forest	\$50, 000
<i>Fingal Wetland Management</i>	Sponsors Lagoon South -Wetland Rehabilitation \$20k. Ongoing support of Tweed Aboriginal Land Council Wetland Conservation Project - \$10k.	Weed removal from approx 4 ha SEPP 14 wetland and riparian forest. Weed control in coastal vegetation fringing wetlands, approx 40 ha.	\$30, 000
<i>Shorebird Conservation</i>	Ongoing work to identify opportunities to provide additional high tide roosts in Tweed estuary. Contribution to construction of hide for population monitoring.	Ongoing work with scientists and stakeholders in lower estuary to find a suitable site for works to create a high tide roost site for migratory shorebirds.\$29k Construction of a bird hide to facilitate ongoing monitoring of bird numbers in Trutes Bay. \$25k	\$54, 000
<i>Monitoring</i>	Ecosystem Health Monitoring Program for Terranora Broadwater and Cobaki Catchment - \$120k Stormwater Quality Monitoring Lower Estuary - \$17k	Preparation of a report card style report detailing the health of the Terranora and Cobaki estuarine Ecosystem. Ongoing monitoring of water quality in canals and drains in Tweed Heads.	\$137, 000
<i>Riparian Rehabilitation</i>	Oxley Cove 2 nd year - \$40k, Byrill Creek 2 nd year - \$15k, Riparian Project Team - \$60k, Vegetation Management Officer - \$40k	Weed removal and bush regeneration in riparian and wetland areas. Part funding of Officer to begin implementation of the Tweed Shire Vegetation Management Plan – identifying opportunities to enhance conservation of riparian remnants.	\$165, 000
<i>Stormwater</i>	Condong creek industrial area audit and action implementation	Preparation of a detailed plan to enhance runoff quality from commercial/light industry	\$80, 000

Project	Description	Outcomes	Budget Amount
		area. Audit will include recommendations for individual premises as well as identify opportunities for appropriate end of pipe structures, eg artificial wetlands.	
<i>Bank Stability</i>	Revetment work and access improvement and Philp Parade, Tweed Heads.	Stabilise 100 metres of eroding river bank	\$100,000
<i>ASS and Floodgate Projects</i>	Tidal gate installation, ASS research support, water quality monitoring	Identify priority areas for installation of tidal gates. Assist ongoing research into ASS impacts & management. Ongoing logging of water quality in drains.	\$100,000
<i>Boating Facilities</i>	Implementation of Tweed Recreational Boating Strategy	Construction of onshore facilities to enhance commercial and recreational boating in the Tweed.	\$50,000
<i>Navigation</i>	Stotts Channel Dredging Works	Removal of approx 1500 cubic metres of accumulated silt to allow efficient flow of Stotts Channel	\$14,000
<i>Foreshore Projects</i>	Tweed River Murwillumbah Reach – stabilisation, amenity and access enhancement plan	Implement priority actions from a future management plan. Weed removal, bank stabilisation.	\$100,000
		Tweed Shire Contribution	\$500,000
		DNR Estuary Program	\$500,000
		Total	\$1,000,000

Table 2: Tweed Coastal Committee - Tweed Coast Estuaries Management Program 2006/07

Project	Description	Outcomes	Amount
Water Quality Monitoring	Ongoing water quality monitoring plus event monitoring for Cudgen Plateau agricultural land as per High Priority Actions "Water Quality" and "Cudgen Plateau Agricultural Lands"	1. WQ analyses for 15 sites in the coastal estuaries	\$15,000

Project	Description	Outcomes	Amount
Education	Development of a <i>Tweed Coastal Creeks Guide</i> for Cudgen, Cudgera and Mooball Creeks describing ecology, habitat, cultural, recreational and management values of these estuaries as per High Priority Action "Education"	1. Increased awareness of the ecosystems and management of the coastal estuaries 2. Increased community commitment to sustainable management of the coastal estuaries	\$15,000
Recreational Access Plan for Cudgen Creek	Development of a Recreational Access Plan & implementation to minimise impact from uncontrolled foreshore access to Cudgen Creek as per High - Med Actions "Recreational Facilities " and "Development"	1. Adequate facilities available along the estuary at designated locations 2. Reduced impact on foreshore and ecology from uncontrolled access to foreshore of Cudgen Creek	\$20,000
Christies Creek Floodgate, Cudgera Creek	Protection of significant freshwater wetlands and associated fauna habitat from salt intrusion and increased fish passage through redesign of an existing floodgate as per Med Priority Action "Christies Creek"	1. Protection of freshwater wetlands from saltwater inundation 2. Prevention of increase in mosquito breeding habitat 3. Enhanced passage through structure for fish	\$35,000
Riparian Rehabilitation of Mooball Creek	Protection and enhancement of existing riparian vegetation through rehabilitation and bank stability as per High Priority Action "Rehabilitation and Revegetation" and "Bank Erosion"	1. Vegetation buffers that aid amenity, reduce erosion, provide fauna habitat and improve water quality 2. Native plant communities that are low maintenance and naturally resistant to invasion by weeds	\$15,000
		DNR	\$50,000
		TSC	\$50,000
		Total	\$100,000

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Council has allocated \$250,000 in the 2006/2007 budget and reserved \$250,000 from 2005/2006 (Minute No. 25, 28 February 2006) to provide Council's matching contribution to Tweed River Estuary management funding assistance of \$500,000. Council has allocated \$50,000 in the 2006/2007 budget to match the funding provided for Tweed Coast Estuaries.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Letter of Offer from Minister Ian McDonald (DW 1558528).
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09 [EO-OC] Natural Disaster Relief Program

ORIGIN:

Works

SUMMARY OF REPORT:

Council has received advice from the Department of Commerce that an application for grant funding to repair a retaining wall in Skyline Drive, Tweed Heads West, has been approved. The works are required to repair damage to the wall caused by the rain storm event of 19 January 2006. This grant has been made available under the Natural Disaster Relief Program in the amount of \$260,000.

RECOMMENDATION:

That Council:-

- 1. Accepts the \$260,000 funding granted under the Natural Disaster Relief Program; and**
- 2. Votes the expenditure.**

REPORT:

Council has received advice from the Department of Commerce that an application for grant funding to repair a retaining wall in Skyline Drive, Tweed Heads West, has been approved. The works are required to repair damage to the wall caused by the rain storm event of 19 January 2006. This grant has been made available under the Natural Disaster Relief Program in the amount of \$260,000.

The grant will supplement the allocation of \$100,000 in Council's 2006/07 Infrastructure Program to complete the works.

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).*

Nil.

010 [EO-OC] Joint Flood Study with Byron Shire Council

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

Byron Shire Council has requested that Tweed Shire Council extend its upcoming Coastal Creeks Flood Study southward to include the Marshalls Creek floodplain. As flooding in this catchment interacts with flooding in the Wooyung area, it is beneficial to both Councils to conditionally agree to this request.

To oversee the joint study, formation of a Sub-Committee of the Floodplain Management Committee is proposed, consisting of all members of the existing Committee, plus technical and community representatives from Byron Shire. This will ensure that the flood study process is consistent with the NSW Floodplain Development Manual.

RECOMMENDATION:

That:-

- 1. Council expands the scope of the Coastal Creeks Flood Study to include the Marshalls Creek catchment within Byron Shire.**
- 2. The agreement to conduct the joint flood study be subject to Byron Shire Council paying an agreed portion of the joint flood study contract sum, and that Council authorises the Director Engineering & Operations to negotiate the appropriate cost share with Byron Shire Council.**
- 3. The agreement to conduct the joint flood study remains independent to the process of waterway enlargement works on Kallaroo Circuit Bund by Byron Shire Council, which must proceed in accordance with the schedule provided previously by Byron Shire Council.**
- 4. Council requests Byron Shire Council's acknowledgement of (3) in writing, prior to the commencement of the joint flood study.**
- 5. A Sub-Committee of Council's Floodplain Management Committee be formed for the duration of the Coastal Creeks Flood Study, consisting of all members of the Floodplain Management Committee, plus Byron Shire Council's Director Asset Management Services and Flood and Drainage Engineer, and up to three (3) stakeholder representatives from Byron Shire. The Sub-Committee shall only meet on matters**

directly related to the Coastal Creeks Flood Study. The Floodplain Management Committee shall continue to meet as required to address all other floodplain management issues without involvement of the Sub-Committee.

REPORT:

Coastal Creeks Flood Study

With the completion of the Tweed Valley Flood Study in 2005, it is intended to carry out a similar flood study for the Coastal Creeks Floodplain, consisting of Cudgen, Cudgera, and Mooball Creeks. This item was included in Council's 7 Year Plan.

Council has awarded a contract to Fugro Spatial Solutions Pty Ltd to carry out airborne laser scanning of the Shire, with one of the deliverables being digital terrain information for flood modelling of the study area.

The coastal floodplain extends beyond the southern Shire boundary, into Byron Shire. Flooding in Mooball and Crabbes Creeks around Wooyung is known to interact hydraulically with Yelgun and Marshalls Creeks in Byron Shire, but this flooding behaviour is not well understood by either Council.

Byron Shire Council's Director Asset Management Services is aware of Council's Coastal Creeks Flood Study, and with the endorsement of Byron Shire Council, has formally requested "a joint flood study to cover the Wooyung, Marshalls Creek and Crabbes Creek areas".

It is considered that extension of the Coastal Creeks Flood Study to include the Marshalls Creek catchment will be beneficial to both Councils and will provide a tool to better assess potential floodplain development in this area. The joint study is supported by the local Department of Natural Resources officer, who will assist in the preparation of a consultants brief and tender documents for the flood study.

Agreement to undertake the joint study should be subject to a cost sharing arrangement.

It should also be a condition of undertaking the joint study that waterway enlargement works on the Kallaroo Circuit Bund remain independent of the study, and remain on the schedule tabled previously by Byron Shire Council.

Tweed Shire Council will continue to project manage the Coastal Creeks Flood Study, and has applied for government grant funding to undertake the Study in the 2007/08 financial year.

Floodplain Management Committee

The NSW Floodplain Development Manual 2005 sets out a risk management process that Councils must follow in order to act in "good faith" in relation to floodplain management. According to the Manual, a Floodplain Risk Management Committee should be formed to act in an advisory role to Council, to discuss technical, social, economic, environmental and cultural issues related to management of the floodplain. The Committee must have a balanced representation of stakeholders.

Council currently has a Floodplain Management Committee, consisting of the following members:-

- 1 x Administrator (TSC)
- 1 x Director Engineering & Operations (TSC)
- 1 x Flooding & Stormwater Engineer (TSC)
- 1 x Department of Natural Resources (DNR)
- 1 x State Emergency Service (SES)
- 1 x Industry / Catchment Management Authority (CMA) Representative
- 2 x Local Community Representatives

As this study is *"likely to influence the effectiveness of management measures or flooding behaviour in another council area"* (Floodplain Development Manual 2005, Section 2.2), it is recommended that Council forms a Sub-Committee of the Floodplain Management Committee to oversee the Coastal Creeks Flood Study. The Sub-Committee should consist of all current members of the Floodplain Management Committee, plus technical and community representatives from Byron Shire.

Byron Shire Council has requested the following additional representatives to the committee:-

- 1 x Director Asset Management Services (BSC)
- 1 x Flood and Drainage Engineer (BSC)
- Equal numbers of representatives from Byron Shire as from Tweed Shire

It is recommended that Council agrees to include both the Director Asset Management Services and Flood and Drainage Engineer from Byron Shire Council on the Sub-Committee. Further, it is recommended that up to three (3) stakeholder representatives from Byron Shire also be accepted into the Sub-Committee. It is not considered necessary to include additional DNR or SES representatives on the Sub-Committee.

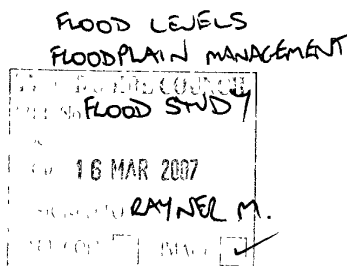
The Floodplain Management Sub-Committee shall be formed only for the duration of the Coastal Creeks Flood Study. All matters unrelated to the Coastal Creeks Flood Study shall be considered by the usual Floodplain Management Committee, without Sub-Committee involvement.

Following is correspondence from Byron Shire Council on this issue:-



15 March 2007

Mr Mike Raynor
General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484



Dear Mr Raynor

Joint Flood Study between Byron and Tweed Shire Councils

At the Ordinary Meeting held 1 March 2007 Council resolved

07-78

1. That Council commence a joint flood study with Tweed Shire Council.
2. That Council do not proceed with Marshalls Creek Floodplain Management Plan review until a joint flood study is complete. That Byron Shire Council and Tweed Shire Council should complete a joint flood study to cover the Wooyung, Marshalls Creek and Crabbes Creek areas

I understand that Tweed Shire Council is in the process of beginning a Coastal Creeks Flood Study and believe this to be an opportune time to begin a joint flood study to include Marshalls Creek in the Coastal Creeks Flood Study

You may be aware Council's Flood and Drainage Engineer has been discussing this proposal with Tweed Shire Council's Infrastructure Engineer and Toong Chin, from Department of Natural Resources (DNR) DNR supports the joint study and I believe Tweed Shire Council's engineer, in his preparations for the Coastal Creeks Flood Study, has been making allowances to make a joint study possible

Therefore, I would like to formally invite you to complete a Joint Flood Study in partnership with Byron Shire Council.

To complete the study a Committee will need to be formed and I understand you already have a committee formed for your Coastal Creeks Flood study. If you agree, I would like Byron Shire Council to have two representatives on the joint study committee, being James Flockton and myself

At a recent meeting, the Marshalls Creek Floodplain Management Committee passed the following recommendation

"That due to the impact and diversity of groups within the catchment, Byron Shire Council should have equal numbers of representatives as Tweed Shire Council on the Committee overseeing the joint Flood Study"

ALL COMMUNICATIONS TO BE ADDRESSED TO THE GENERAL MANAGER

PO Box 219 Mullumbimby New South Wales 2482
Tel (02) 6626 7000 DX 20007 Mullumbimby
Fax (02) 6684 3018 Email council@byron.nsw.gov.au
Web www.byron.nsw.gov.au ABN 14 472 131 473

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I would be happy to consider the number of community representatives you feel is acceptable for the joint flood study committee

If you have any questions regarding this project please call James Flockton on 6626 7158.

I look forward to hearing from you

Yours sincerely



Brett Lee
Director
Asset Management Services

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The Coastal Creeks Flood Study was included in Council's 7 Year Plan, and has been included as a works item in the 2007-08 budget. An application has been submitted for grant funding under the Natural Disaster Mitigation Program (NDMP). NDMP grant projects are funded in a 1:1:1 ratio (Commonwealth:State:Council), and are typically announced in September/October of the funding year.

The Coastal Creeks Flood Study will be carried out by consultancy. The tender process for this consultancy contract will be the subject of a future Council report.

As Byron Shire Council will be required to cover the additional cost of the joint study, no changes to Council's Flood Study budget or grant application are necessary.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

011 [EO-OC] Lease of the Ned Byrne Field, Wommin Bay Road, Kingscliff

ORIGIN:

Design

FILE NO: PF5950/9010

SUMMARY OF REPORT:

The lease of the Ned Byrne Field at Kingscliff expired on 30 June 2004, however rental has been paid to 30 June, 2007.

The lease was between Council and the Cudgen Headland Football Club Limited ("the Club"). When the lease commenced in 1985 the Club managed both the senior and junior league clubs, however during the course of the lease, the senior and junior clubs have become associated as separate entities from the Club, requiring separate insurance arrangements and separate boards. It is to be noted that the members of the senior and junior clubs are financial members of the Cudgen Leagues Club.

In October 2006 a rift formed in the senior team where some players started expressing a preference to play in the Gold Coast rugby league competition, there was no consensus and as a result two separate teams were formed, one of which intended to play in the 2007 Gold Coast league competition. This team has become the Gold Coast/Cudgen Hornets RLFC Inc (the "Hornets"). The other senior team plays under the banner of the Cudgen Leagues Club.

At the commencement of the 2007 season, the Club informed the Hornets that they could not use the field at all, for either training or games.

The Hornets have written to Council seeking a lease of the Ned Byrne Field for the purpose of training and playing games.

RECOMMENDATION:

That:-

- 1. Council approves entering into a lease agreement over the Ned Byrne Field with the Cudgen Leagues Club, the Gold Coast/Cudgen Hornets RLFC Inc and the Cudgen Headland Junior Rugby Leagues Club as tenants in common following completion of negotiations with each club;**
- 2. Council obtains a valuation to determine the market rental of the Ned Byrne Field to enable the commencement of negotiations regarding the lease; and**

3. All documentation be executed under the Common Seal of Council.

REPORT:

The lease of the Ned Byrne Field at Kingscliff (part of the Walter Peate Sportsfield on Wommin Bay Road) expired on 30 June 2004, however rental has been paid to 30 June, 2007.

The lease was between Council and the Cudgen Headland Football Club Limited ("the Club") and it has been the Club that has continued to pay the rental. The aerial photo below shows the area subject of this report:



When the lease commenced in 1985 the Club managed both the senior and junior league clubs, however during the course of the lease, the senior and junior clubs have become associated as separate entities from the Club, requiring separate insurance arrangements and separate boards. It is to be noted that the members of the senior and junior clubs are financial members of the Cudgen Leagues Club.

Both the junior and senior clubs have used the Ned Byrne Field for the purpose of training and as the home field for competition games for the last twenty years, for which the Club charges entry to members of the public to watch the senior competition games. The competition games were part of the Northern Rivers rugby league competition, which is played throughout the northern rivers areas, away games have been played as far as Grafton, Kyogle, Casino and Maclean.

In October 2006 a rift formed in the senior teams where players started expressing a preference to play in the Gold Coast rugby league competition, there was no consensus and as a result four teams were formed who intended to play in the 2007 Gold Coast league competition. These teams comprised an A Grade senior team, reserve grade senior team, an under 19's senior team and an under 17's team. These teams have become the Gold Coast/Cudgen Hornets RLFC Inc (the "Hornets").

The Cudgen Leagues Club is now attempting to form three senior teams to participate in the 2007 Northern Rivers competition.

At the commencement of the 2007 season, the Club informed the Hornets that they could not use the field at all, for either training purposes or for home games.

The Hornets have written to Council seeking a lease of the Ned Byrne Field for the purpose of training and playing competition games.

It appears that the Hornets are seeking to secure their right to use the field as their home playing field, as part of the Gold Coast competition.

It is to be noted at this point that the junior club also uses the Ned Byrne Field, but holds a seasonal licence to use an established playing field to the north of the Ned Byrne Field. The junior club has not contacted Council.

The Ned Byrne Field is within Crown Reserve 91115 and Council as Trustee will be the lessor in any agreement for the future leasing of the field.

It is not Council's role as Lessor to intervene or advocate on any particular club's behalf, and it is recommended that to avoid becoming embroiled in the politics of the rugby fraternity in Cudgen, that a lease be entered into with all users of the field. This will ensure equitable use of the field and compel the clubs to manage their own differences and allow the senior teams to play in either the Northern Rivers or Gold Coast competitions.

It is also recommended that Council obtain a valuation to ascertain the market rental of the sportsfield, taking into account that it is maintained by the Leagues Club. It is recommended that the clubs negotiate between themselves as to the sharing of these costs should a joint lease be entered into.

The Department of Lands, as landowner, requires that all leases over Crown Land must reflect a market rental. The Department is reluctant to allow a nominal rental where the lessee has the capacity to generate an income from the leased area. So it will be necessary to obtain the valuation to commence negotiations for the rental for a new lease.

The area of the expired lease was extended during the lease term to include an area north of the Ned Byrne Field to provide four tennis courts and a bowling green. This area is no longer used for those purposes and it is intended to exclude this area from the proposed lease area. It is intended to enter into a lease agreement for the Ned Byrne

Field only, as the area has been fenced and is physically separated from the rest of the Walter Peate Sportsfield.

Council is currently preparing a Masterplan for the Kingscliff Sports Complex within the Walter Peate Sportsground. The area south of the Ned Byrne Field, currently used only for carparking and also formed part of the lease area for the expired lease, will be sealed to extend the use of the carparking area as netball courts. A copy of the Masterplan is attached for the information of Council. It is intended to exclude this proposed netball area from the proposed lease area.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Draft plans for Kingscliff Sports Complex Masterplan. (DW 1576298).
 2. Aerial Photo of Lease Areas (DW 1576297).
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012 [EO-OC] Lease to Telstra Corporation Limited - Casuarina North Rugby Field

ORIGIN:

Design

SUMMARY OF REPORT:

Council has received an application to lease a ten (10) square metre area within Lot 10 in DP 1014470 to enable the construction of a mobile phone tower attached to a transmit and receive base station. It is proposed that the infrastructure be located in the vicinity of an existing pump station and Telstra padmount transformer next to the Casuarina North Rugby field.

It is anticipated that the infrastructure will not encroach onto the playing field area.

Telstra are seeking a term of twenty one (21) years made up of an initial term of eleven years, with 2 five year options. The rental for the initial year will be \$8,000 with annual increases.

It would be preferable to enter into a lease with a six year initial term with 3 options for 5 five years to make up the total term of twenty one (21) years.

Clause 6.1 of the Generic Plan of Management for Community Land Categorised as Sportsgrounds expressly authorises a lease for twenty (21) years and notes that the proposed use is allowable with consent.

Section 46 of the Local Government Act 1993 enables a twenty one lease within community land for the provision of services and facilities for the current and future needs of the community.

It is recommended that Council approve the lease subject to development consent being granted for the works and that Telstra cover all costs relating to the preparation and registration of the lease plan to create the lot to be leased.

RECOMMENDATION:

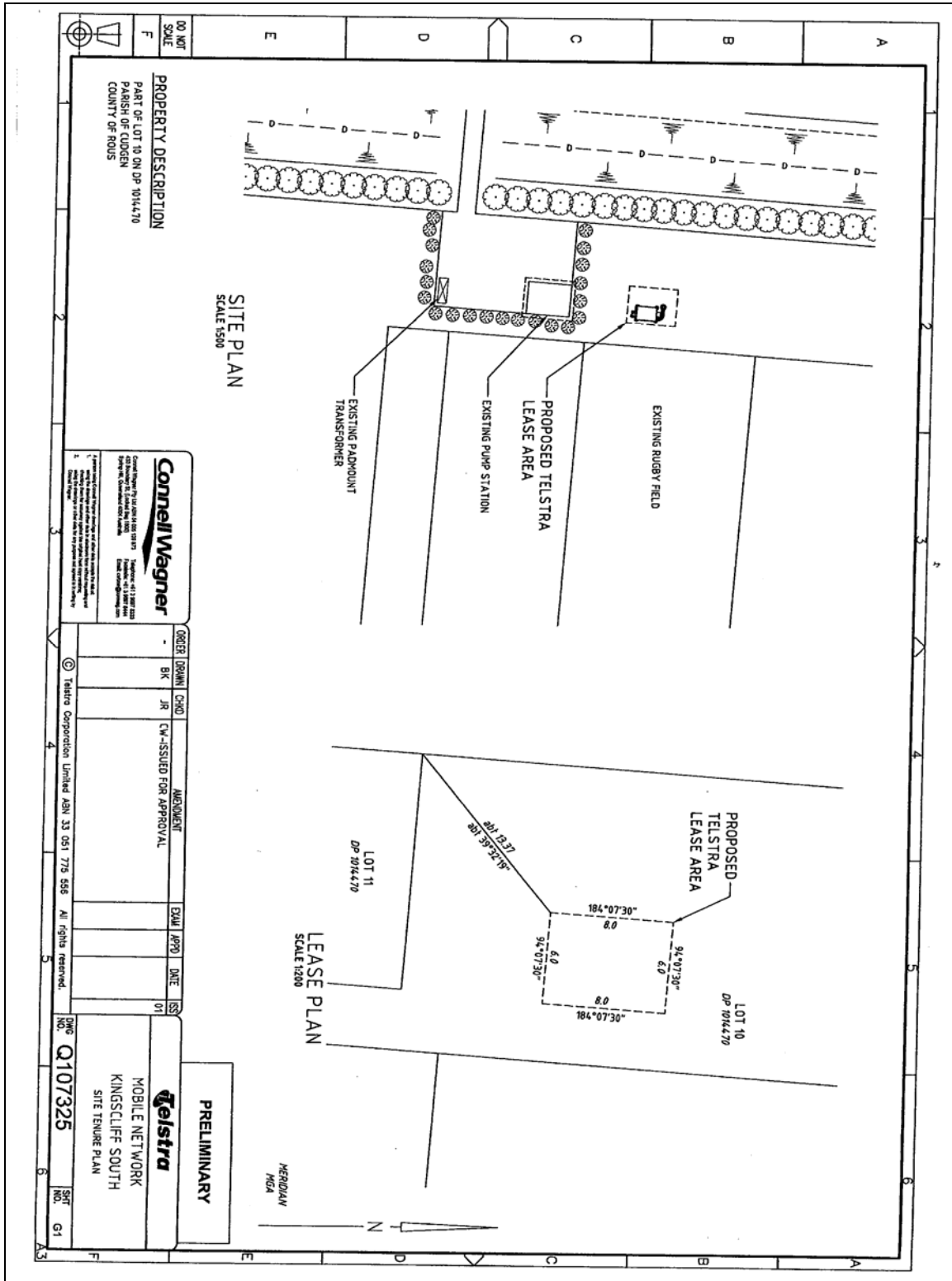
That:-

- 1. Council approves entering into a lease with Telstra Corporation Ltd subject to development consent being granted for the proposed works incorporating a mobile phone tower attached to a transmit and receive base station;**

2. **Joint use be investigated between Council and Telstra Corporation Ltd.**
3. **Telstra Corporation Ltd bear all costs relating to the preparation and registration of the plan for lease purposes;**
4. **All documentation be executed under the Common Seal of Council.**

REPORT:

As per Summary of Report. The plan below shows the location of the proposed works and lease area:



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

013 [EO-OC] Section 94 Plan No. 18 - Council Administration Offices and Technical Support Facilities

ORIGIN:

Planning & Infrastructure

FILE NO: Section 94 Plan

SUMMARY OF REPORT:

Council at its meeting on the 13 February 2007 resolved the following:-

- "1. *Council adopt draft version 2.1 of the Section 94 Plan No. 18 - Council Administration Offices and Technical Support Facilities as a basis for exhibition and community discussion.*

2. *Draft Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities Version 2.1 be exhibited as required by the Environmental Planning and Assessment Regulations to repeal and replace the existing Version."*

The Draft Plan was exhibited until 28 March 2007 and no submissions were received.

It is now recommended that Council formerly adopts Version 2.1 of Contribution Plan No. 18 Council Administration & Technical Support Facilities.

RECOMMENDATION:

That Council:-

1. **In accordance with Clause 31 of the Environmental Planning & Assessment Regulations 2000, approved Draft Version 2.1 of Section 94 Plan No. 18 Council Administration Offices and Technical Support Facilities to repeal and replace the existing version.**

2. **Gives Public Notice in the Tweed Link of Council's decision specifying that the amended Version 2.1 of the Plan (CP 18) comes into effect on the date of the notice.**

REPORT:

Council at its meeting on 13 February 2007 considered a report recommending amendments to Contribution Plan No. 18 - Council Administration Offices and Technical Facilities, known as version 2.1. A copy of the report is an attachment to this report.

Council after considering the report resolved the following:-

- "1. Council adopt draft version 2.1 of the Section 94 Plan No. 18 - Council Administration Offices and Technical Support Facilities as a basis for exhibition and community discussion.
2. Draft Section 94 Plan No 18 - Council Administration Offices and Technical Support Facilities Version 2.1 be exhibited as required by the Environmental Planning and Assessment Regulations to repeal and replace the existing Version."

At the close of the public exhibition period on 28 March 2007 no submissions had been received.

It is recommended that Draft Version 2.1 of Section 94 Plan No. 18 - Council Administration Offices and Technical Support Facilities be formally adopted in accordance with Clause 31 of the EPA Regulations 2000. A copy of "Version 2.1 Council Administration Offices and Technical Support Facilities" is attached to this report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Council report dated 13 February 2007 (DW 1535893).
 2. Version 2.1 - Council Administration Offices and Technical Support Facilities (DW 1577587).
-

O14 [EO-OC] Quarterly Variation Report for Contract EC2005-033 - Construction of the Kingscliff Sewage Treatment Plant: March 2007

ORIGIN:

Contracts

FILE NO: GC12/3-200533 Pt1, Site File No. 34B1

SUMMARY OF REPORT:

At the Council Meeting of 30 November 2005, a contract was awarded to Belmadar Constructions Pty Ltd (now the FRH Group Pty Ltd) for the construction of the Kingscliff Sewage Treatment Plant. The aim of this project is to upgrade the existing plant capability to service current and projected demand up to 25,000 EP (First Stage).

Construction commenced on 6 February 2006 and is scheduled to be finished by December 2007.

The Council decision required reporting, on a quarterly basis, on variations approved under delegation by the Director of Engineering and Operations. The total of approved variations to the end of March 2007 is \$2,269,160.86 (GST excl). This is within the current limit of delegated authority of 15% of the original contract sum (i.e. \$4,495,610.00 - GST excl).

In addition to the variations detailed in this report for the quarter to 31 March 2007, there are a number of other variations (and potential variations) under consideration resulting from changes to the scope of works, poor foundation conditions (Latent Condition) and associated delays underlying part of the site. This will result in further variations to the contract sum, potentially in the order of \$350,000.

RECOMMENDATION:

That the March 2007 Quarterly Variations of \$94,288.30 (exclusive of GST) for Contract EC2005-033 Construction of the Kingscliff Sewage Treatment Plant, be received and noted: -

- a) **Variation No.50 - Alternative Surface Aerators for Oxidation Tank. (\$70,000.00 GST excl)**
- b) **Variation No.51 - Negative Variation for Alternative Waste Oil Tank Arrangement (-\$1,000.00 GST excl)**
- c) **Variation No.52 – Secondary Effluent Pump Station (SEPS): Pipe columns in Stainless Steel in lieu of painted mild steel pipes (\$16,705.00 GST excl)**

- d) **Variation No.53 - Site Electricity Cost Reimbursement: From tender negotiations, Principal to pay for site electricity costs. (\$6,204.30 GST excl)**
- e) **Variation No.54 – Alternative connection arrangement (including valving) between Fire Service Main for STP and Mechanical and Electrical Facility. (\$1,337.00 GST excl)**
- f) **Variation No.55 - Electrical Works redesign resulting in deletion of three off 315 amp Isolators for the Aerator Starters, three off 160 amp Isolators for the Outfall Pump Starters, delete six off 40 amp Isolators for the RAS Pump Starters. (-\$3,040.00 GST excl)**
- g) **Variation No.56 – Increase in size of the Door at Switchroom (\$2,210.00 GST excl)**
- h) **Variation No.57 - Aluminium Light posts in lieu of GMS Posts (\$1,872.00 GST excl)**

REPORT:

Following the awarding of Contract EC2005-033 to Belmadar Constructions Pty Ltd (now the FRH Group Pty Ltd) for the Construction of the Kingscliff Sewage Treatment Plant (STP), construction commenced 6 February 2006.

The major variations for the December quarter have been a consequence of either:-

- acceptance of alternative superior aerators with improved efficiency
- redesign to improve constructability and durability of SEPS,
- redesign to improve operational performance of electrical and communications systems,
- other minor design changes and payment of electricity charges as agreed at time of tenders.

In accordance with the Council decision requiring a quarterly report on variations, the subject variations, during the March quarter 2007, are listed for Councils information, as follows:

Variation No.	Description	Amount (excl GST)	Status
50	Alternative Surface Aerators for Oxidation Tank: Alternative brand of aerators accepted. Alternate aerators have higher efficiency allowing reduction in motor size from 110kw to 90kw. Will result in net saving of approx \$24,000 over 15 years (after taking into account increased initial cost).	\$70,000.00	Approved
51	Negative Variation for Alternative Waste Oil Tank Arrangement. Mobile tank accepted to serve two locations in lieu of two fixed tanks.	-\$1,000.00	Approved
52	SEPS: Pipe columns changed to stainless steel in lieu of the specified painted mild steel pipes. This will eliminate potential for coating damage during routine pump maintenance thus increasing service life of pipe column.	\$16,705.00	Approved
53	Site Electricity Reimbursement: During tender negotiations, Principal agreed to pay all electricity costs.	\$6,204.30	Approved
54	Connection point details between the STP and Mechanical and Electrical Facility improved by incorporation of valving etc. Allows isolation of each section for both testing and operational purposes.	\$1,337.00	Approved
55	Electrical Works redesign resulting in deletion of three off 315 amp field isolators for the Aerator Starters, three off 160 amp field isolators for the Outfall Pump Starters, delete six off 40 amp field isolators for the RAS Pump Starters. (Isolators in switchboard provide sufficient level of control).	-\$3,040.00	Approved
56	Increase in size of the Door at Switchroom to allow easy entry and exit for switchboards	\$2,210.00	Approved

Variation No.	Description	Amount (excl GST)	Status
57	Aluminium light posts provided in lieu of the specified GMS Posts. Aluminium light posts required for consistency with the specified aluminium handrail and avoid potential for bimetallic corrosion.	\$1,872.00	Approved

The net result of the approved variations during the March Quarter is an increased cost of \$94,288.30 (GST excl) bringing total variations approved to the end of March 2007 to \$2,296,160.86 (GST excl). This is within the current limit (\$4,495,610.00 GST excl) of delegated authority given to the Director of Engineering and Operations.

The approved variations have been or will be incorporated into the works.

In addition to the variations detailed above, there are a number of other variations (and potential variations) under consideration resulting from additional works, the previously identified poor foundation conditions (Latent Condition) underlying part of the site and deductions. There are 2 major deduction variations that are expected to reduce the contract price by \$ 450,000 (deletion of Altona Road upgrade and deletion of Septage PS). The net cost outcome is an increase in the contract amount by approximately \$350,000. It must be noted that other variations may eventuate that increase the final contract cost by more than this figure.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The subject variations are within the contract budget and the total project budget.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

015 [EO-OC] Hastings Point Headland Road (Yugari Drive)

ORIGIN:

Works

FILE NO:

SUMMARY OF REPORT:

At Council's meeting on 23 January 2007 Administrator Boyd requested an estimate of cost to reconstruct or resurface the access road and parking area on Hastings Point Headland.

The road is listed on the Infrastructure Program for 2007/08, and also the preparation of a masterplan for the Hastings Point foreshore is listed for 2008/09.

The estimated cost to rehabilitate the pavement of the central section, seal the gravel carpark, and reseal the eastern section of Yugari Drive is \$105,000.

It is recommended that this be the limit of work at this stage, pending the preparation of the foreshore masterplan.

RECOMMENDATION:

That:-

- 1. It be noted that the rehabilitation of Yugari Drive is included in the Infrastructure Program for 2007/08;**
- 2. The rehabilitation of Yugari Drive in 2007/08 be limited to pavement rehabilitation, sealing of the gravel carpark and resealing of the eastern section.**

REPORT:

At Council's meeting on 23 January 2007 Administrator Boyd requested an estimate of cost to reconstruct or resurface the access road and parking area on Hastings Point Headland.

The road within the Hastings Point Reserve known as Yugari Drive, is approximately 400m long from Tweed Coast Road to its termination on the headland. The initial 50m is asphalt surfaced and in good condition. The central 250m of spray sealed road is in very poor condition with numerous potholes. There is a gravel carpark 150m long adjacent to this section. The final segment of the road is spray sealed and consists of a widened parking area plus cul-de-sac, and is in fair condition.

The road is listed on the Infrastructure Program for 2007/08.

The preparation of a masterplan for the Hastings Point foreshore is listed for 2008/09. It is possible that this masterplan will vary the configuration of the road. Accordingly it is not considered prudent to undertake expensive reconstruction of the road until the masterplan is developed.

However, the condition of the road warrants some treatment at this stage and accordingly pavement rehabilitation of the central section, sealing of the gravel carpark, and resealing of the eastern section is proposed. The estimated cost of this work is \$105,000.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

016 [EC-OC] EC2007-013 Contract for Stotts Creek Solid Waste Landfill – Stage 3 Landfill Development

ORIGIN:

Contracts

SUMMARY OF REPORT:

Tenders were called, in accordance with the Local Government (General) Regulation 2005 and Council's Procurement Policy, for the excavation, filling, placement of geomembrane liner, drainage and connection to the leachate collection system for Stage 3 of the Stotts Creek Solid Waste Landfill Site.

Tenders closed on 28 March 2007 and seven tenders were received on a Schedule of Rates basis.

This report provides a recommendation on the preferred tender.

RECOMMENDATION:

That:-

- 1. Council awards Contract EC2007-013 "Stotts Creek Solid Waste Landfill – Stage 3 Landfill Development" to Turner Civil Works Pty Ltd for the amount of \$354,781.82 (GST exclusive).**
- 2. The Director Environment and Community Services be given delegated authority to approve variations up to 20% above the initial contract price.**
- 3. Council votes the expenditure of \$426,000 for the project from the relevant waste reserves.**

REPORT:

Tenders were invited for the construction of Stage 3 of landfill development at the Stotts Creek solid waste landfill site. The work required in the tender includes:-

- Excavation, as required, from the floor and batters of the completed quarry area to form the outline of the Stage 3 landfill cell.
- Filling, as required, to complete the profile of the Stage 3 landfill base where over excavation through quarrying has occurred.
- Filling using select fill materials, for construction of the earthen portion of the landfill liner, and construction of external and intermediate landfill containment bunds.
- Placement of a geomembrane liner over the internal surface of the Stage 3 landfill cell.
- Placement of drainage aggregate and slotted drainage pipework to form the leachate collection system within the Stage 3 area.
- Connection of the leachate collection system into the existing leachate recovery well, completed as part of Stage 1 and 2 developments.

At the closing of tenders on 28 March 2007, seven tenders were received.

These were –

Fabtech S.A
CM & SM Fraser
FRH Group
Hopedale Services
MJ & SL Seery Excavations
Setlow Construction Group
Turner Civil Works

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funding for this project is contained within Council's domestic and non domestic waste services budget.

POLICY IMPLICATIONS:

Nil

UNDER SEPARATE COVER:

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 Confidential Information to Agenda Item EC2007-013 Stotts Creek Solid Waste Landfill – Stage 3 Landfill Development (DW 1576993)
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017 [EC-OC] Plan of Management for Coolamon Cultural Centre

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

Council at its meeting held Tuesday, 5 September 2006 resolved that a Plan of Management be developed for the use of the Coolamon Cultural Centre. This report provides Council with a plan that will effectively manage the competing needs of providing office space for the Community & Cultural Services Unit and its use as a small community exhibitions and meeting space. The Community Cultural Development Committee endorsed the report at its meeting held Thursday, 5 April 2007 with the proviso that the building remain as a Community Cultural Space in the event that the staff accommodation is no longer required.

RECOMMENDATION:

That Council endorses the report and adopts the Plan of Management as proposed.

REPORT:

The Coolamon Cultural Centre has had a chequered history as a cultural facility. The Centre was originally refurbished and used as the Tweed River Regional Art Gallery from 1988 until 2004 when the Gallery was moved to its current position. The space was then used as the Centre for the Fifth City of the Arts Program (2003-2005) from 2004 until mid 2006. The Centre became offices for the Community & Cultural Services Unit from late 2006. A small exhibition/meeting room space was retained with access to the kitchen, toilets and storage area. The alarm systems reflect this change.

It is proposed that the Centre maintains a program that provides the community with access to the space whilst also enabling the building to work effectively as offices with some degree of autonomy, certainty and security. Staff should have an expectation that their requirements are met in regards to use of the kitchen, toilets and movement around the Centre. The use of the storeroom as a meeting space is no longer practicable as the venue is inadequately ventilated. Use of the air conditioning is cost prohibitive for general meetings. The units would only be turned on where appropriate; such as in circumstances where the exhibition space would be required to expand into the store area.

It is proposed that the Centre be available for use by the Community & Cultural Services Unit for projects that originate from or are in partnership with the relevant Community & Cultural Services Officer. This will alleviate the requirement for additional staff, such as an Events Coordinator to open and close during out of hours use, as the officer will undertake these duties. The current administration staff are unable to act in that capacity as their time is fully committed.

It is recognised that the addition of this space will, from time to time, conflict with the usage of other halls, auditoriums and gallery spaces. It is not intended that the Coolamon Cultural Centre competes with existing Council facilities but aims to provide additional spaces for functions that are community based and which form part of the Unit's program.

Unit staff conduct a vigorous program of meetings, which precludes any extensive use of the Centre by the public. Effective use of the space would be improved by the installation of additional dividing walls. A dividing wall is currently able to separate the long Gallery space. It is also important to note that usage of the space should not conflict with the use of the space by Unit staff for operational matters and functions. Use of the space will be authorised by the Manager Community & Cultural Services through the Community Development officer.

It is proposed that the:-

- Coolamon Cultural Centre exhibition space be utilised by the Community & Cultural Services staff for projects and meetings that originate from and are in partnership with the Unit.

- Manager Cultural and Community Services be responsible for the initiation, development, conduct and implementation of the project.
- Staff has access to the kitchen during the Centre's operational hours.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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O18 [EC-OC] Moving to the Tweed: Migration Heritage, People & Demographic Change, Stage Two

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

Tweed Shire Council has been offered a grant of \$7,500 to be matched by Tweed Shire Council and this has been included in the 2007/2008 budget period.

RECOMMENDATION:

That:-

- 1. Council accepts the grant offer of \$7,500 from the Migration Centre to be used for the "Moving to the Tweed: Migration heritage, People and Demographic Change, Stage Two".**

REPORT:

In 2004 Tweed Shire Council established a dialogue with the Migration Heritage Centre of NSW that resulted in a grant of \$5,000 from the Migration Heritage Centre, matched by Tweed Shire Council, to undertake Stage One of "Moving to the Tweed: Migration Heritage Project". This project is successfully underway, resulting in a further offer of a grant of \$7,500 in funding from the Migration Heritage Centre to be matched by Tweed Shire Council to undertake Stage Two.

The project will underpin the development of new exhibitions at the Tweed River Regional Museum and strategically build the collection and research base of the museum. Stage One will document object stories and personal histories before they are lost as the post-war migrants age.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funds have been allocated within the Museum allocation in the draft 2007/2008 budget period.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

019 [EC-OC] Seniors Week 2007

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

Seniors Week is a State Government initiative supported by Council. Council's Community Worker Aged & Disability and Council's Healthy Ageing Project Officer, assisted Tweed Shire Senior Citizens Week Committee to expand membership and coordinate Senior's Week festivities across Tweed Shire. All events were well attended, and feedback has been excellent. Council forged strong community partnerships during the preparations for Seniors Week, and the outcomes of these partnerships will broaden the possibilities for care & wellbeing of our elderly, and those who care for them in the Tweed community.

RECOMMENDATION:

That Council continues to support Tweed Shire Senior Citizens Week Committee and Seniors Week events in the Tweed.

REPORT:

Seniors Week is a State Government initiative supported by Council. Council's Community Worker Aged & Disability and Council's Healthy Ageing Project Officer worked with Tweed Shire Senior Citizens Week Committee and the Tweed Heads Sub-Committee to expand membership and facilitate Senior's Week festivities across the Shire.

Council Officers also coordinated the program, media, ticketing and marketing of Seniors Week in Tweed. Officers are currently networking with the Department of Ageing Disability & Home Care to assist future marketing of the state-wide Seniors Week campaign.

Tweed provided a large and diverse program with over 30 local events. A focus for Council Officers in 2007 was to encourage and assist service providers, schools, community aged groups and residential aged care facilities to facilitate events - a successful initiative with Tweed nursing homes successfully funding and organising cruises for residents, 2 seniors groups holding special events, 2 high schools facilitating seniors luncheons, and several primary schools providing concerts and morning teas.

Council Officers and the Committee also facilitated new and successful events in 2007 - a Healthy Heart Walk in Murwillumbah, a Seniors Black Tie Ball with Senior debutants presented to Max and Marguerite Boyd, 2 Art and Heritage bus tours and a Memory Wall. The response to the walk was excellent and Council Officers are now working with Northern Rivers Area Health to establish walking groups in the Murwillumbah area. The ball, which was the highlight of the week, was attended by over 100 people and identified as an enjoyable and successful event for Seniors Week. The Art and Heritage tours, with commentary by a member of the Historical Society, incorporated sites identified in the recently launched Tweed Art and Heritage Trail brochures. Both tours were well attended and indicated that many Seniors retiring to Tweed Heads are not aware of the magnificent and diverse beauty of the Shire, nor the abundance of cultural and artistic activities. The Memory Wall was a joint project coordinated by Council Officers with partnerships between Aged Care facilities and Tweed City Shopping Centre, and was very successful.

Council supports Seniors Week by providing funding to the Committee. In 2007, Council donated \$2250. This was utilised to fund Committee events as well as computer training at the Uki CTC, a Seniors luncheon for the frail aged held by Twin Towns Friends Association, entertainment at the RSL Oxley Club event and morning tea for Council's Big Friday Out at Banora Point Community Centre. Committee events are also funded by grant applications to the State Government, CDSE funding, donations from local business, minimal ticket costs & fundraising raffles. In 2007, the Committee was successful in gaining \$1000 funding from the Department of Ageing Disability and Home Care towards costs of the Art and Heritage bus tours and the Black Tie Ball.

Council Officers continued to forge strong community partnerships during the preparations for Seniors Week, and the outcomes of these partnerships will broaden the possibilities for care and wellbeing of our elderly, and those who care for them in the Tweed community.

All events across the Shire were well attended, media coverage was excellent and feedback has been positive.

The Seniors Week Program follows:

Live Life

**NSW Seniors Week
11-18 March 2007
www.nswseniors.com.au**

TWEED SHIRE SENIOR CITIZENS WEEK

PROGRAM OF EVENTS

Join us in Seniors Week for a celebration of the valuable contribution Seniors make to our community. Take some time out to learn something new, be adventurous or simply get together with friends – there's something for everyone!

TICKET BOOKING NUMBER - unless otherwise stated, tickets can only be reserved by phoning 02 6670 2266, between 9 am - 2.30 p.m, 26 Feb to 2 March.
All times stated are NSW Daylight Savings Time, unless otherwise stated

SUNDAY 11 March

Healthy Heart Walk - Tweed 7.30 a.m. – meet at front of Tweed Civic Centre
1 hr guided walk with breakfast and presentations. No bookings required - \$3.00 pay on day.

Opening Ceremony 2 – 4 p.m. Aveo Mountain View Retirement Village Afternoon Tea with entertainment. Bookings essential - phone ticket booking number. (Village residents should also book)

MONDAY 12 March

RSL Oxley Club Morning Tea 10 a.m. RSL Oxley Club, Bray Park
Morning Tea and entertainment Free event. Bookings essential, phone 02 6672 2954

Gentle Exercise Class 8.45 – 10 a.m. Florence St, Tweed Heads
Free come and try session. No bookings required. For info call Julia 02 6674 9506. Held in the Alan Millard Room (behind Early Childhood Intervention Centre, opposite Ivory Crescent). An initiative of Tweed Health Promotions

Advance Care Planning Workshop 11 a.m. – 1 .00 p.m. South Sea islander room, Tweed Civic Centre
Presented by Prof. Colleen Cartwright. This workshop will teach seniors how to ensure their future wishes with regard to their health in old age are respected. Bookings essential . Book with Leanne Carpenter 02 6659 3197 Places limited, no charge.

TUESDAY 13 March

Healthy Heart Walk – Murwillumbah 8.30 a.m. Meet at front of Murwillumbah Civic Centre for a 1 hr guided walk followed by breakfast & presentation. \$3.00, pay on day. Bookings essential, phone ticket booking number.

Seniors Rainforest Cruise 9.30 a.m. (Qld) Two hour cruise with morning tea, historic commentary and bird feeding
Tickets \$22 each – to book call Tweed Endeavour Cruises on 07 5536 8800

Seniors Luncheon 12.30 p.m. Lindisfarne Anglican Grammar School, Terranora
Lunch prepared and served by Hospitality students \$8 Bookings essential - phone ticket booking number. (Do not telephone school – no special diets catered for.)

WEDNESDAY 14 March

Grandparents Morning Tea 10 a.m. Bookings essential, phone 02 66722390 Condong Public School, McLeod Street

Concert and Morning Tea 10 a.m. No bookings required. Murwillumbah Public School, Prince Street, Murwillumbah

Tweed Art & Heritage Bus Tour 10 a.m. Departs from Tweed Heads
Four hour excursion exploring some of the sites of Tweed Shire Council's newly launched Tweed Art and Heritage Trails. \$10 (limit of 2 pp) - includes lunch. Bookings essential - phone ticket booking number. Event sponsored by Department of Ageing Disability and Home Care and Tweed Shire Council City of the Arts 2003-2005 program of cultural activities.

Gentle Water Exercise Class 10.30 – 11.15 a.m. South Tweed Indoor Pool, Heffron Street, Tweed Heads South
Free come and try session. No bookings required. For info phone Julia 02 6674 9506. An initiative of Tweed Health Promotions

Seagulls Club presents "The Three Tenors Show" 2 p.m. Gollan Drive, Tweed Heads West
Tickets \$12 (members free) Bookings essential - phone 07 5536 0833

THURSDAY 15 March

Seniors Tropical Luncheon Cruise 9.30 a.m. (Qld) Four and a half hour Tweed River cruise with lunch, historic commentary and bird feeding. Tickets \$42 each – to book call Tweed Endeavour Cruises on 07 5536 8800

Noble Lakeside Park Social Day Monarch Drive, Kingscliff
For a Lakeside Walk, meet at the Fountain at 10 a.m. At 11 a.m. enjoy a concert, raffles, craft stalls and lunch. Cost \$5 Bookings essential - phone ticket booking number. (Park residents may book with Lesley or Keith at the Park).

Seniors Luncheon 12 noon Tweed Valley College, Hall Drive, Murwillumbah
Vegetarian lunch prepared and served by students, with entertainment. \$8 each. Bookings essential - phone ticket booking number. (Do not telephone school – special diets not catered for.)

Continued over page

Twin Towns Services Club Seniors Week Concert 10.30 a.m. (Qld) Free Tickets only available from the Twin Towns stall at Centro Tweed from 10 am (NSW) Monday 12 March until sold out. Limit of 2 pp. Must show Seniors/Concession Card.

FRIDAY 16 March

Big Friday Out 10 a.m. – all day Banora Point Community Centre
Free morning tea. Canasta, Mah Jong, Chess and board games. Small cost for Tai Chi, & card & jewellery making.
No bookings required - for information call Gudrun on Tues & Fri - 07 5523 2030

Tweed Art & Heritage Bus Tour 10 a.m. Departs from Murwillumbah
Four hour excursion exploring some of the sites of Tweed Shire Council's newly launched Tweed Art and Heritage Trails.
Tickets \$10 (limit of 2 pp) - includes lunch. Bookings essential - phone ticket booking number. Event sponsored by Department of Ageing Disability and Home Care and Tweed Shire Council City of the Arts 2003-2005 program of cultural activities.

Tweed Heads Bowls Club Open Day Wharf Street, Tweed Heads
Free bowls coaching 9 – 11 a.m. No bookings required. For info phone Greg 07 5506 8157

Tucker, Tea & Tai Chi 1 - 5 p.m. Uniting Church Hall, Pearl St, Kingscliff
U3A Tweed Coast Open Day - demonstrations of a variety of classes and activities, information and refreshments.
Bookings essential - phone Dorothy on 02 6676 1459. Free event sponsored by Department of Ageing Disability and Home Care.

SATURDAY 17 March

St Patricks Day Concert 7.30 pm Catholic Hall, Main Street, Murwillumbah
Entertainment and refreshments. Single \$5, Family \$10, pay at door, no bookings required.

SUNDAY 18 March

Club Banora Open Day 9 a.m. – 4 p.m. Leisure Drive, Banora Point
Free tryouts of sports/activities. Free entertainment/sausage sizzle/tea & coffee. Seniors 20 % Discount at Sizzlers Restaurant - before 6 p.m. For details phone Club 07 5524 1544

Seniors Black Tie Ball 5 – 9 p.m. Club Banora, Leisure Drive, Banora Point
Come dancing to celebrate the culmination of Seniors Week 2007! For individuals and couples alike, dress up and enjoy a glamorous social evening with delightful music. Light meal included. \$10 per person - bookings essential. Phone ticket booking number. This event sponsored by Club Banora and Department of Ageing Disability and Home Care.

OTHER EVENTS

Free Bingo No bookings required. Must show Seniors/Concession Card.
Mon 12 March Club Banora 11.30 a.m. & 7.30 p.m. **Thurs 15 March** Twin Towns Services Club, 10.30 a.m. (Qld)
Tues 13 March Twin Towns Services Club 10.30 a.m. (Qld) Club Banora 11.30 a.m. & 7.30 p.m.
Club Banora 11.30 a.m. **Fri 16 March** Club Banora 1.30 p.m.

ALL WEEK

Centro Tweed – Seniors Week Expo Displays & Information Stalls. For info ph 07 5536 4066
Tweed City Shopping Centre presents health and medical information displays, giveaways and Seniors discounts. For info phone 07 5524 4401
Austral Café Seniors Special Devonshire Tea \$5 Main Street, Murwillumbah

Monday 12 - Friday 16 March

Uki CTC (Community Technology Centre) Varied computer activities. Bookings essential. For program and bookings call 02 6679 5399 www.ukivillage.com.au

Tweed Shire Libraries Free one hour personal sessions - *An Introduction to Email* Sessions through the day (9 a.m - 5 p.m.)
Bookings essential. Tweed Heads 07 5569 3150 Murwillumbah 02 6670 2427 Kingscliff 02 6674 1607

TUESDAY 6 MARCH **WONFA** (We Ought Never Feel Alone) 11 a.m. Kingscliff Uniting Church Varied program of activities including two course lunch. \$5 donation only. Bookings essential. To book call Estelle on 02 6676 2577

FRIDAY 9 March

Tweed Heads Public School Concert 10 a.m. Tweed Heads Public School, Stuart Street, Tweed Heads
Concert and morning tea. No bookings required. For info phone 07 5536 1351

TUESDAY 27 March

Uki Public School Concert and Morning Tea 9.30 a.m. Uki Public School, Main Street, Uki
No bookings required. For info phone 02 66 795128

Tweed Shire Senior Citizens Week Committee would like to thank the following for their generous support of Seniors Week 2007

Aged Services Learning & Research Collaboration	Dept of Ageing Disability & Home Care	Murwillumbah Public School	South Tweed Sports Club Tweed City	Tweed Heads Bowls Club	Twin Towns Services Club
Austral Cafe	Dept of Veterans Affairs	Noble Lakeside Park	Shopping Centre	Tweed Heads Public School	Uki CTC
Aveo Mountain View	Gold Coast Tweed	Ocean View Banora Point	Tweed Clubs CDSE	Tweed Shire Council	U3A Tweed Coast
Catholic Church Mur'bah	Seniors Newspaper	Seagulls Club	Funding	Tweed Valley College	Inc
Centro Tweed	Greenhills Lodge	Seventh Day Adventist Church of Murwillumbah	Tweed Community Health	The Weekly	Warming Bay
Club Banora	Kingscliff Uniting Church		Tweed Endeavour		

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

O20 [EC-OC] Request for "In Kind" Support/Waive Fee

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

Council has received requests from various organisations asking that Council provides in-kind support/waives the fees for room hire. Details of the requests are reproduced in the body of this report.

In accordance with Section 356 of the Local Government Act 1993 - Donations, Council resolved on 6 October 2004 that:-

".... in future, all donations made by Council, whether in cash or in kind, be made by way of a resolution of Council."

RECOMMENDATION:

That Council:-

- 1. With reference to the request from Murwillumbah Churches of Christ on behalf of the Murwillumbah Ministers Fellowship, that Council provides the Murwillumbah Civic Centre free of charge for the rehearsals and Annual Civic Carols to be held on 8 and 9 December 2007, and that Council's support is recognised with the following acknowledgement "This programme has been supported by Tweed Shire Council".**

- 2. With reference to the request from Tweed Byron Local Aboriginal Land Council, that Council provides the Tweed Heads Civic Centre free of charge for the NAIDOC celebrations Church Services on 1 July 2007 and for a reduced fee of \$161.50 being 50% of the full fee of \$323 for the NAIDOC Ball on 6 July 2007 and the South Tweed Community Hall free of charge for NAIDOC Elders Day celebrations on 3 July and NAIDOC Baby Show and Junior Disco on 5 July 2007, and that Council's support is recognised with the following acknowledgement "This programme has been supported by Tweed Shire Council".**

REPORT:

Council has received requests from various organisations asking that Council provides in-kind support/waives the fees for room hire. Details of the requests are reproduced as follows:-

Organisation Name	Request	Est \$ Amount of Waiver	Recommendation	Meet Guidelines?
Murwillumbah Churches of Christ on behalf of the Murwillumbah Ministers Fellowship	Request fee be waived for hire of Murwillumbah Civic Centre for rehearsals and Annual Civic Carols on 8 & 9 December 2007	\$396	That the fee be waived for the purpose of the Annual Civic Carols.	Yes
Tweed Byron Local Aboriginal Land Council	Request fee be waived for hire of Tweed Heads Civic Centre on 1 and 6 July 2007 and South Tweed Community Hall on 3 and 5 July 2007 for NAIDOC celebrations	\$468.70	That the fee be waived for the Church Services, Elders Day and Baby Show and Junior Disco and that the fee be reduced to \$161.50 being 50% of the full fee of \$323 for the NAIDOC Ball.	Yes

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Should requests be approved for the waiving of fees for room hire, the income for the meeting room will be impacted by the amount of the fee reduction.

Should requests for "in kind" support be approved, this will impact on the costing of Council's involvement in the activity.

POLICY IMPLICATIONS:

In considering this request, reference should be made to:-

Festivals Policy.

Donations Policy.

Guidelines for Fee Reduction, Auditoriums, Meeting Rooms and Halls.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Murwillumbah Churches of Christ (DW1563483)
 2. Tweed Byron Local Aboriginal Land Council (DW1567910)
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021 [EC-OC] Markets on Public Land - Sale of Food and Drinks

ORIGIN:

Environment & Health

SUMMARY OF REPORT:

Council policy has historically not permitted the sale of food and drink, such as 'commercial' or conventional fast foods, at markets held on public lands as these goods may be purchased from local established shops.

However, on 1 November 2000 Council resolved to permit the operation of two food vans at the markets at Pottsville, Kingscliff, Knox Park and Recreation Street. On 17 July 2002 Council approved the operation of four food vans at the Knox Park market and on 13 February 2007 Council also approved the operation of four food vans at the Recreation Street, Tweed Heads market.

A letter was received from the Kingscliff Lions Club requesting that Council consider increasing the number of food vans permissible at the Jack Bayliss Park, Kingscliff. On 13 February 2007 Council also resolved to advertise the proposal to vary the existing Policy to permit the operation of four (4) only approved food vans which sell conventional foods and drinks at the markets at Kingscliff.

The subsequent advertisement period closed on Wednesday 21 March. Two letters of objection to the proposed changes were received, relating to noise from generators utilised by food vans.

RECOMMENDATION:

That Council:-

- 1. Varies the current Policy to permit the operation of four (4) only approved food vans which sell conventional foods and drinks at the markets at Kingscliff.**
- 2. Places restrictive conditions regarding the placement and location of generators or motors, which require noise impacts on local residents to be minimised.**

REPORT:

Council policy has historically not permitted the sale of food and drink, such as 'commercial' or conventional fast foods, at markets held on public lands as these goods may be purchased from local established shops.

However, on 1 November 2000 Council resolved to permit the operation of two food vans at the markets at Pottsville, Kingscliff, Knox Park and Recreation Street, as follows:

'Where Council approval has been granted for the conducting of a market or similar, on a regular basis on a reserve, then approval is given for the operation of a maximum of two (2) food and drink vendors which comply with the requirements of the "Code for Vending of Food at Markets and One Day Events".'

On 17 July 2002 Council also approved the operation of four food vans at the Knox Park market only, due to the reported marginal success of that market. On 13 February 2007 Council resolved to approve the operation of four food vans at the Recreation Street, Tweed Heads market.

A letter was subsequently received from the Kingscliff Lions Club requesting that Council consider increasing the number of food vans permissible at the Jack Bayliss Park, Kingscliff. 13 February 2007 Council resolved to advertise the proposal to vary the existing Policy to permit the operation of four (4) only approved food vans which sell conventional foods and drinks at the markets at Kingscliff.

The subsequent advertisement period closed on Wednesday 21 March. Two letters of objection to the proposed changes were received, relating to noise from generators utilised by food vans impacting local residents, as follows:

Kay Patchett
Body Corporate Secretary
P.O. Box 1593
KINGSCLIFF 2487
27th February 2007

Mr. Peter Ainsworth
General Manager
Tweed Shire Council
P.O. Box 816
MURWILLUMBAH 2487

FOOD VENDING.
Pollution - Noise

TWEED SHIRE COUNCIL	
FILE No.	MARKETS - Kingscliff
Doc No	
RECD	28 FEB 2007
ASSIGNED TO	AINSWORTH, P.
HARD COPY	<input type="checkbox"/>
IMAGE	<input checked="" type="checkbox"/>

Dear Mr. Ainsworth,

“FOOD VANS AT KINGSCLIFF MARKET”

Further to our telephone conversation on Friday 23rd February on behalf of our body corporate, we register strong opposition to the proposed additional “food vans” at the markets in Kingscliff.

160 Marine Parade is the home of eight (8) families who will suffer, significantly if this is allowed to proceed. All our residents have supported this market over the years. Living **across the road** from the markets had not been a disadvantage or interfered with our “quality of living”, until recently.


Late last year one food vendor installed a new generator. The noise from this forced us to vacate our balconies and keep all windows and doors shut for the duration of the markets (7am to 2pm) every second week. We approached the “Lions Club” members and discussed the noise of the generator. The generator was moved to a different position. While this action has helped we are still aware of the noise. As one we agree that any additional noise would reduce our “quality of life”.

Our recommendations are:

1. No further noise from the markets by not allowing any additional vendors who create noise.
2. Move the market to the southern side of the toilet block. This would overcome the noise factor affecting ratepayers. In this position there are two roads and a park between the markets and the next residential living space.

We trust you can now appreciate how the noise factor impacts on our lifestyle and look forward to your favourable response.

Yours truly,


Kay Patchett
Body Corporate Secretary

22st February 2007

POLLUTION - NOISE
FOOD VENDING

TWEED SHIRE COUNCIL
REF No MARKETS - KINGSCLIFF
Doc. No.
REC'D 23 FEB 2007
ASSIGNED TO AINSWORTH, P
HARD COPY <input type="checkbox"/> IMAGE <input checked="" type="checkbox"/>

The Manager
Environment and Health Unit
Tweed Shire Council
P O Box 816
MURWILLUMBAH 2484

Dear Sir,

Re: Food vans Kingscliff markets

We refer to the announcement as set out in the Public Notices section of the Tweed Link dated February 20th 2007 and would advise that although we do not object to this increase in numbers we would request that the noise levels be subject to stringent conditions for any new vans.

This request is made in the light of other vans that have been extremely noisy and it is only in recent months that the matter has been alleviated

Yours faithfully
C E and A E Carruthers

Per: 

C E & A E Carruthers
Unit 3 160 Marine Parade
Kingscliff 2487

telephone & fax 02 66 744 620
e-mail charlesc@norex.com.au

Doc ta221

It is noted that the relevant Policy objective states:

*'To control the vending of food on public reserves, streets and roads to maintain the highest levels of public health, safety and convenience of persons using public reserves, streets ad roads **and to cause minimum financial impact to nearby retail outlets.**'*

The request for an additional food stall may be considered in light of the interest of permanent local retailers who have established businesses, employ people and are likely to work long hours, seven days per week (particularly in the take away food trade). No objection has however been received from existing food retailers at Kingscliff.

With respect to noise it is considered feasible to locate food vans to the west of the site, away from residents and to shield motors so that noise is directed away from homes.

Conclusion:

It is recommended that Council:

1. Vary the current Policy to permit the operation of four (4) only approved food vans which sell conventional foods and drinks at the markets at Kingscliff.
2. Places restrictive conditions regarding the placement and location of motors which require noise impacts on local residents to be minimised.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Vending of Food on Public Reserves, Streets and Roads Policy.

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).

Nil.

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