



AGENDA

ORDINARY COUNCIL MEETING Tuesday 12 February 2008

Chairman: Mr Garry Payne AM

Administrators: Mr Garry Payne AM

Mr Max Boyd AM



COUNCIL'S CHARTER

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

Tweed Shire Council has the following charter:

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



ITEMS FOR CONSIDERATION OF COUNCIL:

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ABORIGINAL STATEMENT

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

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

CONFIRMATION OF MINUTES

Minutes of the Ordinary and Confidential Council Meetings held Tuesday 22 January 2008

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

- 1. Minutes of the Ordinary Council Meeting held Tuesday, 22 January 2008 (DW 1745335)
- 2. **Confidential Attachment** Minutes of the Confidential Council Meeting held Tuesday, 22 January 2008 (DW 1744607)







SCHEDULE OF OUTSTANDING RESOLUTIONS

FOR COUNCILLOR'S INFORMATION:

18 December 2007

Planning Committee

P6 [PR-PC] Development Application DA07/0631 for a Telecommunications Facility including One (1) Monopole Structure with an Approximate Height of 21.3 Metres at Lot 10 DP 1014470, Casuarina Way, Casuarina

P 123 COMMITTEE DECISION:

Administrator Boyd Administrator Payne

RECOMMENDED that Development Application DA07/0631 for a telecommunications facility including one (1) monopole structure with an approximate height of 21.3 metres at Lot 10 DP 1014470, Casuarina Way, Casuarina be deferred to allow the applicant to consider further alternative sites and appropriate resident consultation.

Current Status: Applicant has requested additional time to consider further alternative sites and conduct appropriate resident consultation.







ADMINISTRATOR'S MINUTE

[AM] - Signing of Documents

Documents signed by Administrators since last Council Meeting

Administrator Boyd

23 January 2008	Lease - Murwillumbah Pistol Club Incorporated
25 January 2008	Licence Agreement - Tweed River Art Gallery - Chereyne Hawkins
31 January 2008	Lease - Twin Towns Playgroup - Recreation Street, Tweed Heads

RECOMMENDATION:

That the information be received and noted.







ORDINARY ITEMS FOR CONSIDERATION

REPORTS FROM THE GENERAL MANAGER

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

1	[SUB-CDAC] Minutes of the Community Cultural Development Advisory
	Committee Meeting held Tuesday 18 December 2007

Cultural Development Advisory Cttee

VENUE:

Coolamon Cultural Centre

TIME:

9.30 a.m.

PRESENT:

Administrator Max Boyd, Lesley Buckley, Barbara Carroll, Barbara Allen, Gary Corbett, Dr Glenda Nalder, Judith Sutton

APOLOGIES:

Jackie Dorahy, Lesley Mye

MINUTES OF PREVIOUS MEETING:
Moved: Administrator Boyd
Seconded: Barbara Carroll

RESOLVED that the Notes of the Community Cultural Development Advisory Meeting held Thursday 26 July 2007 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

_____Carried

BUSINESS ARISING:

Item from Meeting held 19 October 2006

South Murwillumbah Cultural Precinct

Mr Corbett provided Administrator Boyd with research on the IMAX Theatres model.

GENERAL BUSINESS:

1. Treasures of the Tweed Mural Project

On 4 December the Public Art Advisory Committee ratified the proposed design concept by David Adams, on behalf of Job Futures, for a mural along the Commercial Road levee wall south of the Wollumbin Street intersection (including Newell Park on Wharf Street). Residents were invited to a presentation of the concept held at Murwillumbah Services Club on 17 December 2007.

This project will be undertaken by Job Futures as the federally funded auspice body and the commencement of Stage 1 is scheduled for late January 2008. It is anticipated that the total cost to Tweed Shire Council for Stage 1 of the project will be approximately \$10,000.

Moved: Barbara Carroll Seconded: Dr Glenda Nalder RECOMMENDATION:

That Council proceeds with the mural project and meet the associated costs over a three year time frame.

Carried

2. Tweed Shire Council contribution to Arts Northern Rivers and Creative Industry Strategy

Arts Northern Rivers is seeking funding for a research project to commence in early 2008. Discussion was held on the desirability for representatives of this Committee to provide input in the development of the brief and be included in the selection panel for the research staff.

Moved: Barbara Carroll Seconded: Dr Glenda Nalder

RECOMMENDATION:

That Council provide in-principle support to the project subject to representatives of the Community Cultural Development Advisory Committee contributing to the development of the research project brief and ongoing participation in the project.

		Carried
	 _	



3. Mr Terry Watson - Tweed Tourism

Administrator Boyd advised the resignation of Mr Terry Watson from the Executive Officer position at Tweed Tourism. The Committee wished to express their thanks to Mr Watson for his exemplary work over the years and noted his outstanding achievements in raising the profile of the Tweed both nationally and internationally.

Administrator Boyd left the the meeting.	meeting at	t 10.05 a.m.	Mr Corbett	chaired the	remainder of

- 4. Cultural Development Officer Report Lesley Buckley
- a. Tweed and Murwillumbah Civic and Cultural Centres Audit.

 Council's Executive Management Team resolved on Wednesday 6 June 2007 to complete an audit of the Murwillumbah and Tweed Heads Civic Centres with a view to recommending future functions and attendant requirements of both facilities. In order to progress this resolution the following Stage 1 Action Plan was designed and undertaken:

Stage 1 - Project Action Plan & Timeframe

Stage 1	Implementation Strategy	Task	Who	When	Actioned
Feasibility Study	Audit Murwillumbah and Tweed Heads Civic and Cultural Centres	Prepare Consultant Brief	MCCS/CDO	June'07	Completed
		Advertise EOI (if necessary)	MCCS/CDO	June'07	Completed
		Engage/Contract Consultant	MCCS/CDO	July'07	Completed
		Consultant to: 1. Undertake Venue Audit 2. Identify Priority Items 3. Provide Costing 4. Define best venue for performing arts focus	Consultant	August '07	Completed
	Implement Audience Development Research Study	Compile statistical analysis to determine: 1. 2003-2006 usage 2. Current usage 3. Estimated 2008 usage	CDO	July'07	Completed

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Identify Potential Partners, and regional and national PA networks and producers	CDO	Aug'07	WIP Regional Arts NSW Musica Viva Tour Aust NORA QLD Arts
Compile Feasibility Report	MCCS/CDO	Sep – October '07	Completed
Present Report to EMT	MCCS	Jan – Feb '08	
Determine/ratify 1. Future Direction 2. Committed Budget 3. Priority Refurb items 4. Action Plan	EMT	Feb'08	
Present Report and Recommendations to Council	MCCS	March'08	

Technical Consultant, Mr. Len McPherson was engaged to undertake a full audit of both auditoria and to provide Council with professional advice and recommendations. The audit has been completed and a report to EMT is currently being finalised.

b. International Creative Community

The 3rd International Creative Community (ICC) exhibition will be hosted by Tweed Shire Council in December. The exhibition celebrates the continuing success of an International art exchange program that began in 2005 as part of the *City of the Arts* and will feature a selection of works from artists from South Korea, Indonesia and Australia.

The ICC has grown to be a unique and significant residency program that provides real and tangible intercultural experiences for artists. It began its evolution here in the Tweed as part of the *Tweed Shire City of the Arts* 2003 – 2005 cultural program.

Since 2005 two significant creative exchange programs have been initiated. In January this year, the inaugural exchange hosted 14 artists from South Korea who worked and exhibited with 14 Australian artists in an ICC exhibition held at the Gold Coast City Council Chambers Foyer Gallery. This exchange was then reciprocated in August, when 11 Australian artists visited South Korea for an exhibition at the Hyundai Arts Centre in Ulsan.

The exhibition runs from 14 to 21 December from 10am – 4pm (DST) at the Coolamon Cultural Centre in Tumbulgum Road, Murwillumbah.



c. Cultural Planning Currently:

- Finalising assessment of Stretching Cultural Dimensions 5 year Cultural Program Plan.
- Consultation with cultural sector groups to identify appropriate program plan
- Designing Creative Industry strategy and will coordinate with the proposed Northern Rivers Creative Industry

d. Multi Arts Performance Project

- The production was cancelled in December, due to the fact that Lismore City Hall venue was damaged earlier this year. It has been decided to restage the production for Tweed and Lismore in June 2008.
- MAP has been entered into the 2008 LGSA Cultural Award Program
- MAP has also been entered into the Regional Arts Australia Coffee Table Book
- A 3 minute promotional DVD has been completed
- e. Treasure of the Tweed Commercial Road, Levee Wall Mural Project.

What is the Treasures of the Tweed Mural Project?

- The Treasures of the Tweed Mural Project is a innovative community cultural development Public Art project that aims to celebrate the Tweed's unique and endangered flora and fauna.
- The proposed project will be initiated by Job Futures in partnership and collaboration with Tweed Shire Council, Tweed Landcare Incorporated and the Murwillumbah Services Club.
- The mural has been designed by renowned local artist David Adams, who will also oversee and facilitate the project in collaboration with the Jobs Future -Work for the Dole program.
- The location for the proposed mural is the road-side of the Levee Wall that runs along Commercial Road, Murwillumbah.
- It is envisaged that the mural, which will eventually span the full length of the wall (700m), will be developed in a staged process.
- Stage 1, which is anticipated to commence in January 2008, will cover approximately 80m and will begin at the Wollumbin Street end of Commercial Road and finish opposite King Street. Stage 1 will take approximately 6 months to complete.
- The Treasures of the Tweed Mural Project will create an iconic landmark for the local community and visitors. It will aesthetically enhance the levee bank wall and the surrounding park parklands.

Public Art Advisory Committee met on 4th December to approve conceptual design.

Letters to all Commercial Road residents outlining the proposed project and inviting them to attend a morning tea briefing session as the Murwillumbah Services Club was held on Monday 18th December.

Traffic Management Plan has been completed	

5. Correspondence:

- (a) Arts Northern Rivers Re Tweed Shire Council contribution to NR Arts and Creative Industry Strategy
- (b) Queensland Community Arts Network Discontinuance of funding resulting in inability to continue core activities. The Committee requested Ms Buckley to provide a letter of support to the funding authority reinforcing the value of the organisation.
- (c) Cherilyn Evans Re: letter of appreciation to Salt Cultural Arts Fund

6. Festival and Events Report – Barbara Allen

Since October there has been a focus on Council's festivals and civic events. Regional meetings and training seminars have wrapped up for the year. Final draft of Tweed Shire Festivals Strategic Plan for the next five years is nearly complete and will be circulated for feedback and changes as soon as possible.

- a. Strategic Plan Professional Development
 - Ellise Twohill, a graduate of Kingscliff TAFE Event Management was employed on a one day a week contract to assist in the event organisation and management of International Volunteers Day
 - Represented Council at the Official Welcome to Tokoku Foreign Language Students at Kingscliff TAFE. Japanese students gaining work training and experience in tourism & hospitality in Tweed Shire and Gold Coast
 - Started Northern Rivers Council's Leadership Course and completed first two units. Tweed Council group presentation on evaluation of performance appraisal theory and practise very well received.
- b. Strategic Plan Regional Development
 - Risk Management Network of Council Event Officers in Northern Rivers now meets every two month at Lismore Council Chambers. Meeting currently looking at approval processes for events across the region to see if some consistency can be developed. Risk Management workshops for Kyogle and surrounding areas event organisers being developed for 2008.



- Arts Northern Rivers held its Annual Regional Festival Organisers Seminar in Alstonville in early December. Assisted in developing the program but unable to Chair the meeting this year because of Council event commitment.
- Wintersun meeting held on 8 November at Queensland Police Special Events HQ to discuss new plan for 2008. Only issue is with the car cruises along Marine Parade. Now expected to go as far as Rainbow Beach Surf Club and turn around to end of Coolangatta Beach, limited impact on Tweed traffic. No Wintersun cross border parade this year but reviewing for 2009. Expecting Tugun bypass to be open by next Wintersun which is positive for traffic management of this growing popular festival.
- Tweed Shire Local Government Week 2008 theme discussed at LGSA Event Officers Network final meeting on 13 November, along with risk management and project management of major events. LGSA Tourism Conference to be held in Lismore, Casino and Evans Head from 11-14 March 2008.

c. Strategic Plan - Financial

- Applications being received for Festival Funding and Donations second round of 2007/2008. Forms are available on Council's website due in on 28 February 2008. Proposed date of meeting is early March.
- Speed on Tweed is not applying to TSC for multi year funding as they are currently seeking a replacement for Roger Ealand or will hold their final festival in 2008.
- Financial Plan for Tweed Festivals and Events is being prepared as part of the Tweed Shire Festivals Strategic Plan 2008 – 2013 however there is no funding available from TSC Management Plan and Draft Budget for 2008 -2009 due to financial restraints.
- TEDC has offered to undertake an Economic Impact Evaluation of Murwillumbah Festival of Performing Arts 2007 using the new economic modelling tool and profit & loss statement from the festival with no further cost to Council. This is a training exercise for new staff.
- Fundraising from sponsors and people in the community for the Tweed Kenyan Mentoring Program received a significant boost in September from the visit of the three young volunteers who coordinate youth environment events and activities from the desk in Nairobi. It is hoped that increased funds can provide a more secure future for the desk.
- Preparations for Australia Day Celebrations 2008 are going well with some exciting new developments for including Tweed Heads again. Gary Corbett, Manager CCS will be addressing the next Tweed Heads Chamber of Commerce Board Meeting on 31 October re Australia Day in Tweed Heads. Don Beck is the ongoing Chairman and I am the new Secretary of the TSC Australia Day Committee.



- Council funding for this year's International Volunteers Day on 5 December has been now been allocated. Ellise Twohill who assisted me last year will be event managing. She will start after the school holidays.
- d. Strategic Developments Calendar
 - Draft of 2008 Tweed Shire Festivals & Events Calendar being sent to magazines and other publications being produced now for the coming year
 - Updating the Council's website event listing including links & photos
 - Tweed Festivals Trail brochure is being requested by accommodation resorts, good response in general
 - Banana Festival this year was badly affected by the wet weather and will keep the theme "Medieval Madness" for next year's parade on 30 August 2008
- e. Important events coming up:
 - 12 20 October Tweed River Festival, Tweed Shire
 - 20 October Beachside Skate Comp 07, Cabarita Skate Park
 - 2 3 November Tweed River Agricultural Show, Murwillumbah
 - 6 November Melbourne Cup, Murwillumbah Jockey Club (?)
 - 11 November Rainbow Ride Cycle Challenge, Through the Tweed
 - 25 November Four Seasons Concert, All Saints Murwillumbah
 - 2 December Kids in Need Dragon Boat Races, Jack Evans Boat Harbour
 - 5 December International Volunteers Day, Tweed Heads Civic Centre
 - 8 December Carols under the Stars, Salt Central Park
 - 31 December New Years Eve Fireworks, Twin Towns & Salt

2008

- 5 January Bull & Bronc Rodeo, Cabarita Pony Club
- 26 January 2008 Australia Day, Around Tweed Shire
- 28 January Tweed Coast Raft Race & Picnic Day, Pottsville Creek
- f. Strategic Developments Tourism Marketing



- Advice given to Kyogle Council re a major car road rally event proposed for the area. Would be a major boost to the town's tourism profile but some logistical issues and potential financial risks.
- XTerra a major mountain bike, swim and run event held in different parts of the world is looking at a suitable site for the Australian segment in the Tweed hinterland. Have referred them on to Terry Watson at Tweed Tourism. Has good potential as a sports tourism event.

7. Ongoing

- Consultation with festivals and events on a range of issues continues
- Liaising with different sections of Council re festivals and events
- Seeking comment on Draft Tweed Festivals Strategic Plan 2008 2013

NEXT MEETING:

The next meeting of the Community Cultural Development Advisory Committee will be held at the Coolamon Culture Centre on 31 January 2008, at 3.30 p.m.

The meeting closed at 11.30 a.m.

DIRECTOR'S COMMENTS:

- 1. The recommendation regarding the seven reasons of the Tweed Mural Project requires referral to the Director Community & Natural Resources for inclusion in the 2008/09 budget deliberations.
- 2. Funding is available for Council's contributions to the Creative Industry Strategy.

DIRECTOR'S RECOMMENDATIONS:

1. Treasures of the Tweed Mural Project

As per the Director's Comments being:

That the recommendation regarding the Tweed Mural Project be referred to the Director Community & Natural Resources for inclusion in the 2008/2009 budget deliberations.

2. Tweed Shire Council contribution to Arts Northern Rivers and Creative Industry Strategy

As per the Committee's recommendation being:

That Council provides in-principle support to the Arts Northern Rivers Creative Industry Strategy subject to the representatives of the Community Cultural Development advisory Committee contributing to the development of the research project brief and ongoing participation in this project.



[SUB-DAC] Minutes of the Tweed Shire Council Disability Access 2 Committee Meeting held Thursday 20 December 2007

Disability Access Cttee

VENUE:

Coolamon Cultural Centre, Tumbulgum Road, Murwillumbah

TIME:

10.00 a.m.

Present:

Milena Morrow (Chair), Ray Clark, Ron Douglas, Una Cowdroy, Vic Sparks, Barry Stegeman, Kirrily Twyford, Stefan Zak, Maggie Groff, Pam Veness (Minutes)

Apologies:

Administrator Max Boyd, Barbara Carroll, Steven Pollitt, Peter Ainsworth

MINUTES OF PREVIOUS MEETING:

Moved: Ron Douglas Seconded: Stefan Zak

RESOLVED that the Minutes of the Tweed Shire Council Disability Access Committee meeting held Thursday 18 October 2007 be accepted as a true and accurate record of the proceedings of that meeting.

Ms Morrow introduced Barry Stegeman, Senior Building Surveyor, as meeting delegate for Ross Cameron, Manager Building Services.

BUSINESS ARISING:

Item from Meeting held 17 February 2005 9. Mobility Map

Final adjustments have been made to the map. Printing quotes are being sought. A media launch will be arranged for early March.

Item from Meeting held 16 June 2005

2. 'Missed Business' - How to attract more customers by providing better access to your business"

The Committee agreed that further distribution to businesses will occur next year and a community education program is proposed.

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Item from Meeting Held 16 February 2006

4. Footpath Access - Tweed Valley Way, Murwillumbah South

Costing for this project has been completed. Funding is possible through the PAMPS program.

ITEM FROM MEETING HELD 18 AUGUST 2005

7. Tweed Shire Access Awards

Current Status: Nominations closed on 26 October 2007. The Working Party considered and inspected all nominations. Presentation of the awards was held on Monday 3 December 2007 at Tweed Heads Civic Centre.

Winners of Category 1 – Refurbished Premises: The White Olive Restaurant, and Category 2 – New Premises (built within the past 5 years): The Bright Side of Life

Recipients of Highly Commended Certificates – Category 1 – The Escape Gallery, Tweed Valley Early Childhood Intervention Service, Tweed City Family Medical Practice Category 2 – Tweed Shire Family Day Care

Discussion was held on provision of articles for media such as Spinal Cord Injuries national magazine, and the Australian Institute of Building Surveyors newsletter.

The Working Party will reconvene next year to explore working with community organisations to raise the profile of the awards, and expand the guidelines/categories.

Item from Meeting Held 16 February 2006

6. Uki Resident's Association

The Committee discussed access issues as per the request by Uki Resident's Association.

At their meeting on 23 October 2007, Council resolved to approve Committee expenditure up to \$3,000 for the purchase and installation of picnic tables at Uki.

1. Tweed Shire Council Swimming Pool Hoists

This matter requires further investigation and consultation.



Item from Meeting held 21 June 2007

1. Private Certification

A report is awaited from Manager Building Services, Ross Cameron.	
	
Item from Meeting held 21 June 2007 1. Disability Parking Space, Library, Tumbulgum Road, Murwillumbah	
At their meeting on 23 October 2007, Council resolved to refer the matter to the Loc Traffic Committee. Mr Clark advised that a dedicated disability space would not be to best usage for such an area of high demand. Holders of disability parking permits of utilise the half hour spaces for periods up to two hours.	the
CORRESPONDENCE:	
Ms Julie Lewin – Letter of resignation from Committee	
GENERAL BUSINESS:	
1. Taxi Incentive Scheme	
Ms Groff will make representations to the Ministry of Transport regarding the use of	

2. Disability Issues in Tweed Shire

disability vouchers for accessible taxis.

Discussion was held on planning for disability issues arising within the shire and the capacity of Council to address these.

Moved: Una Cowdroy Seconded: Milena Morrow

RECOMMENDATION that a report be prepared identifying the need for further disability service provision in the community by Council.

COIIIII	unity by C	ouricii.		
				Carried
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NEXT MEETING:

The next meeting will be held at 10.00 a.m. on 21 February 2008 in the Activities Room, HACC Centre, Heffron Street, Tweed Heads South

The meeting closed at 12.00 noon

DIRECTOR'S COMMENTS:

Nil

DIRECTOR'S RECOMMENDATIONS:

2. Disability Issues in Tweed Shire

As per the Committee's recommendation:

That a report be prepared identifying the need for further disability service provision in the community by Council.



ORDERS OF THE DAY

1 [NOM] Mayoral Election

NOTICE OF MOTION:

The NSW State Electoral Office has advised that the cost of conducting the Councillor elections in September 2008 will be in the order of \$400,000. A referendum on this issue of a popularly elected Mayor would be an additional cost to this amount and given the Council's current budgeting process this further cost cannot be justified.

Administrator Boyd moves that conditions contained within Minute Nos O185 and 565, from the Operations Committee and Council Meetings respectively held 16 November 2005, referring to the conducting of a referendum on the issue of a popularly elected Mayor as follows:

"...3. Council conducts a referendum on the issue of a popularly elected Mayor to be held in conjunction with the 2008 Council elections."

and

he rescinded

"...5. Council prepare a paper, prior to the election, to be communicated in the Tweed Link setting out the options of advantages and disadvantages of having a popularly elected Mayor, with Administrators to assist with the case study."

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