



TWEED SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

Tuesday 21 April 2009

Mayor: Cr J van Lieshout

**Councillors: Cr B Longland, Deputy Mayor
Cr D Holdom
Cr K Milne
Cr W Polglase
Cr K Skinner
Cr P Youngblutt**

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:

ITEM	PRECIS	PAGE
	ABORIGINAL STATEMENT	5
	CONFIRMATION OF MINUTES	5
1	Minutes of the Ordinary and Confidential Council Meetings held Tuesday 17 March 2009	5
	SCHEDULE OF OUTSTANDING RESOLUTIONS	7
2	Schedule of Outstanding Resolutions as at 21 April 2009	7
	MAYORAL MINUTE	9
3	[MM-CM] Mayoral Minute for the period 11 March 2009 to 9 April 2009	9
4	[MM] Local Government and Shires Associations Tourism Conference, Kiama - 10-12 March 2009	13
	ORDINARY ITEMS FOR CONSIDERATION	15
	REPORTS THROUGH THE GENERAL MANAGER	15
	REPORTS FROM THE GENERAL MANAGER	15
5	[GM-CM] Integrated Customer Service	15
6	[GM-CM] Memorandum of Understanding Southern Cross University	21
7	[GM-CM] National Sea Change Taskforce	33
8	[GM-CM] Association Conferences	37
	REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES	45
9	[TCS-CM] Probity Plan - Disposal of Bay Street	45
	REPORTS FROM SUB-COMMITTEES/WORKING GROUPS	49
10	[SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 12 March 2009	49
11	[SUBCOM] Minutes of Sub-Committees and Working Groups Not Requiring Council Decision	63

ORDERS OF THE DAY	65
12 [NOM] Valuation of Farm Land	65
13 [NOM] Rezoning Applications	65
14 [NOM] 5861 and 5867 Tweed Valley Way, Mooball	65
15 [NOM] Campaign to Inspire community involvement in Environmental Restoration	66
16 [NOM] Council Land Sales and Land Capacity	67
17 [NOM] Jack Evans Boat Harbour (JEBH)	67
18 [NOM] Tweed Koala Status	68
19 [NOM] Ecological Economics Study of the Tweed Waterways	69
20 [NOM] Rail Link	69
CONFIDENTIAL ITEMS FOR CONSIDERATION	71
REPORTS THROUGH GENERAL MANAGER IN COMMITTEE	71
REPORTS FROM THE GENERAL MANAGER IN COMMITTEE	71
1 [GM-CM] Disposal of Council Land by Public Tender - Wollumbin Street, Murwillumbah	71
REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES	71
2 [CNR-CM] Purchase of Lot 25 in DP 615931 at Eviron - For Landfill & Future Quarry Operations	71
3 [CNR-CM] Land Acquisition – Lot 1 in DP 248515 and Part Lot 1 in DP 774820 Eviron - For Landfill & Quarry Purposes	72
4 [CNR-CM] Sale of Lot B in DP 27680 No. 2 Mayal Street Murwillumbah	72

ABORIGINAL STATEMENT

The Mayor 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

1 Minutes of the Ordinary and Confidential Council Meetings held Tuesday 17 March 2009

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 17 March 2009 (ECM 2011333).
 2. **Confidential Attachment** - Minutes of the Confidential Council Meeting held Tuesday 17 March 2009 (ECM 2011054).
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SCHEDULE OF OUTSTANDING RESOLUTIONS

2 Schedule of Outstanding Resolutions as at 21 April 2009

FOR COUNCILLOR'S INFORMATION:

18 November 2008

PLANNING COMMITTEE

P4 [PR-PC] Development Application DA07/0945 for Multi Dwelling Housing Consisting 34 Residential Units at Lot 290, 630 DP 755740; Lot 1 DP 781512, No. 7 Elsie Street, Banora Point

P 13 COMMITTEE DECISION:

**Cr W Polglase
Cr K Skinner**

RECOMMENDED that this item be deferred to allow for further negotiations with the applicant.

Current Status: To be reported to a future Planning Committee Meeting.



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MAYORAL MINUTE

3 [MM-CM] Mayoral Minute for the period 11 March 2009 to 9 April 2009

COUNCILLORS

INVITATIONS:

Attended by the Mayor

- 18 March 2009 - Twin Towns Friends Association invitation to attend the Tweed Shire Senior Citizens Week, Ballroom Dancing Exhibition - Community Hall, Heffron Street, South Tweed Heads
- 19 March 2009 - Invitation to a meeting requested by Peter Macgregor on behalf of the proponents of the part 3A project application for Casuarina Town Centre - Murwillumbah Offices, Mt Warning Room
- 20 March 2009 - Murwillumbah Rotary Club Official Welcome to the Shire for a group study exchange team from the Caribbean - Murwillumbah Council Chambers Foyer
- 20 March 2009 - Attwood Marshall Lawyers Kingscliff opening - 1B Pearl Street, Kingscliff
- 21 March 2009 - Invitation from the Tweed River Canine Club for the "Opening of the Champion Dog Show" - Murwillumbah Showgrounds
- 23 March 2009 - Citizenship Ceremony - South Tweed Heads
- 24 March 2009 - Cultural Awareness - Coolamon Centre, Murwillumbah
- 25 March 2009 - Mayor as guest speaker for the University of the 3rd Age - St Cuthberts Hall, Tweed Heads
- 25 March 2009 - Masada Investments Pty Ltd, Wharf Central opening - Tweed Heads
- 25 March 2009 - Community Drug Action Team - South Tweed Hall, South Tweed Heads
- 27 March 2009 - NOROC - Richmond Valley Council, Casino

- 3 April 2009 - Rotary International Good Neighbours conference - Seagulls, Tweed Heads
- 5 April 2009 - Opening and Celebration Service of Tweed Church of Christ, Banora Point Public School, Pioneer Parade Banora Point
- 7 April 2009 - Program on "Inclusion" - Centaur Primary School

Attended by other Councillor(s) on behalf of the Mayor

- Cr Longland - 13 March 2009 - Opening of Tweed Valley Office of the Northern Rivers Community Legal Centre - Commercial Road, Murwillumbah
- Cr Longland - 15 March 2009 - Official Launch of Seniors Week - Community Hall at Aveo Mountain View Retirement Village, North Arm Road, Murwillumbah

Inability to Attend by or on behalf of the Mayor

- 25 March 2009 - Tweed Shire Council Women's Forum Breakfast
 - 29 March 2009 - Casuarina Recreation Club expansion, official opening
 - 9 April 2009 - Centaur Primary School ANZAC Day
-

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

- Cr van Lieshout - 11 and 12 March 2009 - LGSA Tourism Conference (10 - 12 March 2009), Kiama NSW
- Cr Milne - 27 and 28 March 2009 - Councillor Weekend Program, Coffs Harbour NSW
- Cr Holdom - 29 March to 1 April 2009 - Planning Institute of Australia 2009 National Congress, Darwin NT

Information on Conferences to be held

Councillors, please refer to the Councillor portal for complete Conference information

SIGNING OF DOCUMENTS BY THE MAYOR:

- 24 March 2009 - Acquisition of Easement - Lot 101 Dp1084943,
Cudgen Easement Transfer - Lot 6 Dp250390
95 Coast Road Bogangar
- 26 March 2009 - Lease - Fingal Surf Club
- Lease - Part of courtyard area - Tweed Heads Civic Centre,
Southern Cross University

RECOMMENDATION:

That:-

- 1. That the Mayoral Minute for the period 11 March 2009 to 9 April 2009 be received and noted.**
 - 2. The attendance of Councillors at nominated Conferences be authorised.**
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4 [MM] Local Government and Shires Associations Tourism Conference, Kiama - 10-12 March 2009

Councillors,

This conference was a major event for me which embraced my desire to see our Shire come up to a level in eco-tourism to attract both domestic and overseas travelers at a time when a global economic crisis could mean disaster for many other areas.

The opportunity to meet with and cross reference with other local government representatives across the state was of great importance to ensure the Tweed has a prominent position in the future decision making processes in all areas of planning and social and economic needs.

The host council of Kiama was very warm and welcoming of the many Shires and we were indeed impressed with the successful planning of the small town which was evident with the atmosphere and strategic street-scaping depicting a clean well planned inviting tourist attraction.

Kiama would probably be on par with Tweed in its positioning and landscape where it is situated on a beautiful bay on the southern coast of NSW with the highlight of the famous "Blowhole" (which now is less frequent in its spectacular display) but backed by green lush countryside where some of the most famous stud farms settle into the hills surrounding the bay.

It has had its difficulties in planning however the positioning of the new "Segal Hotel" beside a most historic building and overlooking the harbour can be attributed to the strong decisions and constant consideration of community needs made by the elected Council and their staff.

Kiama to me represented the opportunity we have here in Tweed to have good positive outcomes for the future based on sound decision making as a result of healthy across the board consultation both within elected council and council management to produce productivity – economic and social growth- and retained aesthetic beauty of our magnificent and unique landscape through our constant consideration of the community we represent.

We were enthused by the presentations made by various co-coordinators from industries as diverse as airport-operations – transport – accommodation – gelato manufacturing and also inspiring messages of hope from our National Parks and Wildlife Services encouraging eco-tourist opportunities within our national parks and adjoining private landowners.

We have an enormous opportunity to learn from the past and push through those barriers and embrace change which will in turn bring growth both economically and socially and preserve the "jewel in the crown" image of this unique Shire.

RECOMMENDATION:

That the Mayoral Minute regarding the Local Government and Shires Associations Tourism Conference held at Kiama, 10-12 March 2009, be received and noted.

ORDINARY ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

5 [GM-CM] Integrated Customer Service

ORIGIN:

General Manager

FILE NO: Customer Service

SUMMARY OF REPORT:

A number of in-house reviews and general community feedback has clearly indicated a need for Council to develop a stronger customer focused culture and service delivery model.

The underlying principle is that Council recognises that customers require and deserve prompt, courteous, accurate and efficient service in all their dealings with the organisation.

Along with increasing pressure for greater productivity, flexibility and transparency, State Government guidelines and legislation require that local government adopt a much stronger customer and community focus.

Council is currently un-equipped to effectively manage customer services demands and will fall further behind as the shire grows.

This report outlines the benefits, requirements and steps that should now be taken toward developing a full service customer contact centre.

For Council, the singular benefits are that a dedicated customer service function can reduce costs, increase productivity and improve customer satisfaction and support. It can be the catalyst to make improvements across the entire organisation and increase the quality of all services. And it will improve Council's public image and reputation.

If approved by Council it is anticipated that within three years Council will have a full service customer contact centre at Murwillumbah (with a satellite office in Tweed Heads) that manages the significant majority of all customer interactions and transactions through its consolidated counter services, call centre, the web and email.

RECOMMENDATION:

That Council:

- 1. Endorses the establishment of a full service customer Contact Centre within three years at Murwillumbah (with a satellite office at Tweed Heads), that manages the significant majority of all customer interactions and transactions through its consolidated counter services, call centre, the web and email, subject to funding availability.**
- 2. Gives consideration in future budget deliberations to the allocation of funds to commence implementation of the Contact Centre model.**

REPORT:

In August 2007 an initial audit of Councils corporate relations activities was undertaken. This highlighted a number of areas where improvements could be made. The organisation recognised the need to address this and as a result commissioned a Corporate Relations Strategy.

For Council, the relationships it has with its customers and community, based on their experiences with and perceptions of the organisation, are central to its success. Customers need to trust and respect the organisation they deal with. They need to understand what the organisation stands for, what it offers and how that benefits them; that the offer represents quality and value for money; that they will receive efficient and courteous service; that they will be listened to and can influence the organisation by expressing their views and opinions.

A number of in-house reviews and general community feedback has clearly indicated a need for Council to develop a stronger customer focused culture and service delivery model.

Council is currently un-equipped to effectively manage customer services demands and will fall further behind as the shire grows.

This report outlines the benefits, requirements and steps that should now be taken toward developing a full service customer contact centre.

Along with increasing pressure for greater productivity, flexibility and transparency, State Government guidelines and legislation require that local government adopt a much stronger customer and community focus.

For Council, the singular benefits are that a dedicated customer service function can reduce costs, increase productivity and improve customer satisfaction and support. It can be the catalyst to make improvements across the entire organisation and increase the quality of all services. And it will improve Council's public image and reputation.

Customers will rate highly the quality of the customer service they receive and appreciate the investment Council has made in them and their needs.

Customers no longer excuse poor performance. They have experienced great service from other successful enterprises and want the same – or a reasonable approximation - from government. This has created a need for Council to develop a stronger customer focused culture and service delivery model.

- Council recognises that customers require and deserve prompt, courteous, accurate and efficient service in all their dealings with the organisation.
- Council values its staff and seeks to develop their skills and to support and guide them with effective systems, policies, processes and structures.

Current Situation

There is a demonstrated need for Council to develop an effective customer service solution. Staff interviewed also support the move, noting the significant shortcomings of the present arrangement.

Clearly, Council is unequipped to effectively manage existing customer service demands, and will fall further behind the faster the shire grows.

The Desirable Future

If Council approves the Contact Centre model it is anticipated that within three years Tweed Shire Council will have a full service customer contact centre that manages the significant majority of all customer interactions and transactions through its consolidated counter services, call centre, the web and email.

Its staff will be highly trained, with great interpersonal and technology skills, and will be respected across the organisation.

New systems and technologies will have improved capability and capacity, and knowledge management will be enhanced across the organisation. Productivity will be increased through improved and new processes.

The organisation will be more resilient, having demonstrated its flexibility and capacity for major change. Staff will have greater confidence in their ability to make and manage change.

Customers will rate highly the quality of the customer service they receive and appreciate the investment Council has made in them and their needs.

The Benefits

For Council, the singular benefits are that a dedicated customer service function can reduce costs, increase productivity and improve customer satisfaction and support. It can be the catalyst to make improvements across the entire organisation and increase the quality of all services. And it will improve Council's public image and reputation.

More specifically, it can:

- Free professional staff to concentrate on their core duties without being diverted by the need to handle routine enquiries and transactions.
- Reduce frustration and time spent by staff juggling enquiries and requests outside their area of expertise, thereby increasing job – and customer satisfaction.
- Reduce the time spent per customer interaction – on the phone and in person.
- Initiate process improvements that streamline the way people work and develop new processes that deliver better service faster.
- Accelerate the development and adoption of new information and knowledge management systems that bring productivity gains across Council.
- Propel the expansion of on-line services (eBusiness) and bring greater customer focus to the website.

- Spur integration between departments and a more outward focus across the organisation.
- Provide the focus for an evolving organisational culture with a strong customer service ethos.
- Reduce customer frustration with not knowing where to get information, receiving inaccurate or insufficient information and feeling that they are getting the “run-around”.
- Enable customers to complete most of their business, whether that is an enquiry, service request or financial transaction, at the first point of contact, thereby increasing satisfaction.
- Over time, constrain growth in departmental staff numbers.

Key elements and issues involved in establishing an integrated customer service function include:

- information gathering
- evolving the culture
- the model
- the people
- the structure
- training
- information and systems
- policies, processes and procedures
- operating environment
- implementation steps
- evaluation

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

It should be noted that establishment costs for the Contact Centre are significant and while many benefits and efficiencies will be realised in the short term, they will continue accruing over time. A total costing to establish the contact centre is approximately \$300,000.00.

POLICY IMPLICATIONS:

The Customer Service Charter Policy will be reviewed to complement the establishment of a Contact Centre. In establishing a Contact Centre, numerous operational policies, protocols and procedures will be developed.

UNDER SEPARATE COVER:

1. Corporate Relations Strategy (ECM1969474)
 2. Customer Service Charter Policy (ECM2027852)
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6 [GM-CM] Memorandum of Understanding Southern Cross University

ORIGIN:

General Manager

SUMMARY OF REPORT:

Senior Southern Cross University staff and Council's Management Team met at the end of 2008 with the objective of progressing and formalising the relationship between Council and Southern Cross University.

A strong relationship between the two Organisations will maximise and foster the continued growth and success of the University in the Tweed, improve access to the Tweed Community to higher education, assist in Council accessing higher levels of academic support for its staff and activities and to share in a cooperative sense management and innovation opportunities. Following on from initial discussions Southern Cross University have provided a Memorandum of Understanding for Council's consideration.

The report recommends that Council enter into a Memorandum of Understanding in accordance with the inserted document below.

RECOMMENDATION:

That Council enters into a Memorandum of Understanding with Southern Cross University as outlined in the report.

REPORT:

Senior Southern Cross University staff and Council's Management Team met at the end of 2008 with the objective of progressing and formalising the relationship between Council and Southern Cross University.

A strong relationship between the two Organisations will maximise and foster the continued growth and success of the University in the Tweed, improve access to the Tweed Community to higher education, assist in Council accessing higher levels of academic support for its staff and activities and to share in a cooperative sense management and innovation opportunities. Following on from initial discussions Southern Cross University have provided a Memorandum of Understanding for Council's consideration (inserted below).

The report recommends that Council enter into a Memorandum of Understanding in accordance with the inserted document below.



Tweed Shire Council LOGO

Memorandum of Understanding

between

Southern Cross University

and

Tweed Shire Council

TABLE OF CONTENTS

1) PARTIES TO THE MEMORANDUM	3
2) FOREWORD.....	3
3) INTRODUCTION.....	3
4) ORGANISATIONAL BACKGROUND	4
5) MEMORANDUM OBJECTIVES	4
6) MEMORANDUM OUTCOMES	4
7) WORKING GROUP.....	5
8) RESPONSIBILITIES	6
9) REPORTING	6
10) STATEMENT OF UNDERSTANDING	6
11) ANNEXURE	7

draft

MEMORANDUM OF UNDERSTANDING

1) PARTIES TO THE MEMORANDUM

SOUTHERN CROSS UNIVERSITY

and

TWEED SHIRE COUNCIL

2) FOREWORD

This Memorandum sets out the understanding reached between the parties, as listed, for the range of initiatives that will be explored in order for the two organisations to co-operate effectively for mutual benefit.

The co-operation initiatives are a result of discussions between Southern Cross University and Tweed Shire Council.

3) INTRODUCTION

- 3.1 The Memorandum reflects the desire of both organisations to position themselves so as to benefit from further development of the relationship in a more structured way.
- 3.2 The catalyst for co-operation is recognition of both complimentary goals and mutual benefits derived from an ongoing formal relationship.
- 3.3 The Memorandum acknowledges the potential for meaningful engagement between the organisations and their constituent communities of interest. It positions each to derive goodwill, knowledge sharing, support and enrichment from responsible relationships based on creative vision for a dynamic region committed to social and cultural wellbeing, economic prosperity and environmental sustainability.
- 3.4 The Memorandum recognises the benefits that accrue to the people of the Tweed Shire and the wider region as a result of the University's presence within its boundaries and based on education and research capacity.
- 3.5 The Memorandum recognises the benefits for the University of the Tweed Shire location to inform academic teaching, service learning and research pursuits.

4) ORGANISATIONAL BACKGROUND

4.1 **Southern Cross University**

The University serves the higher education needs of the North Coast of New South Wales, with campuses in Coffs Harbour, Lismore and Tweed/Gold Coast as well as other access points in the region and more widely. The University is a respected Australian tertiary institution with a tradition of scholarship and research developed since 1970. The institution is a dynamic and vital university, which has seen its enrolment grow to more than 12,000 students.

4.2 **Tweed Shire Council**

Insert brief description of TSC here

5) MEMORANDUM OBJECTIVES

- 5.1 To promote on-going cooperation between the parties.
- 5.2 To enhance the reputation and public standing of both organisations and to better service the needs of Tweed Shire community.
- 5.3 To maintain regular communication and exchange information of mutual interest.
- 5.4 To document the mutual respect and appreciation between the parties.
- 5.5 To be a permanent public record of the mutual aspiration of both organisations to continue to contribute to, and encourage the success of, each organisation.
- 5.6 To reinforce the commitment of each organisation to building the capacity and potential of the Tweed Shire.

6) MEMORANDUM OUTCOMES

- 6.1 The broad intention of the Memorandum is to provide a formal mechanism for the parties to collaborate on a range of projects and specifically to:
 - foster the continued growth and success of the University;
 - improve access for citizens of the Tweed Shire to the educational and other services provided by the University;
 - improve the linkages between the University and the community, through the Tweed Shire Council;
 - improve the efficiency, effectiveness and innovation of both organisations;

- assist the Tweed Shire Council in accessing high levels of academic support for its activities; and
- ensure that the University and the Tweed Shire Council continue to regularly investigate, establish and maintain fruitful on-going relationships of mutual benefit.

6.2 In order to achieve the above listed objectives referred to in Clauses 5 and 6, the parties will develop an action statement that will:

- record and recognise the linkages that already exist between the University and Tweed Shire Council;
- encourage the growth in linkages of mutual benefit;
- put in place mechanisms that can ensure the growth and maintenance of a healthy relationship of mutual benefit; and
- commit each organisation to regular meaningful dialogue about issues of future planning and mutual concern.

6.3 The action statement referred to in Clause 6.2 of the Memorandum should without limitation include provisions requiring:

- periodic briefings between the parties via an address by either the Vice Chancellor or the General Manager and/or the Mayor of Tweed Shire Council, as appropriate;
- the Tweed Shire Council be invited to hold meetings at the University;
- University researchers to be encouraged to use the Tweed Shire local government area as a study area;
- the investigation of partnership opportunities to solve problems of mutual interest and engage staff and students of the University;
- regular contact and exchange of ideas between both organisations via circulation of publications and invitations to events and functions that share a commonality of interest; and
- reference to the activities listed in the Annexure to this Memorandum.

7) WORKING GROUP

7.1 A working group comprising Tweed Shire Council staff, and key senior University staff will guide the implementation of the various elements of the Memorandum, and maintain communication links to ensure that related projects are acknowledged.

The working group will meet two times a year.

7.2 The University has established the Office of Regional Engagement (ORE). ORE provides a secretariat to support the core strategic commitment of the University to respectful community engagement. It is committed to the achievement of integrated locally based partnerships.

The working group will liaise regularly with ORE as part of this Memorandum.

8) RESPONSIBILITIES

- 8.1 The parties will work together to facilitate the achievement of objectives.
- 8.2 As emerging issues arise, the working group will convene meetings to ensure dialogue is maintained and any issues are resolved.
- 8.3 The organisations commit to working together in the spirit of the objectives of this Memorandum.

9) REPORTING

- 9.1 The working group will report on the outcomes of its meetings to their respective governing bodies.
- 9.2 Reports will also be given to other stakeholders as necessary to ensure that there is awareness both of the role of the working group and the purpose of this Memorandum.
- 9.3 Regular communication between members of the working group will occur via email, telephone and site visits.

10) STATEMENT OF UNDERSTANDING

This document is a statement of understanding and is not intended to create legally binding obligations on either party.

ANNEXURE

The University's Office of Regional Engagement (ORE) will be in regular contact with the Tweed Shire Council to investigate collaboration opportunities, including the following areas of interest as identified by Tweed Shire Council Executives:

TSC Area of Interest	SCU Work Unit	TSC Area of Interest	SCU Work Unit
<ul style="list-style-type: none"> → Leadership → Governance 	Graduate College of Management (Professor Ian Eddie)	<ul style="list-style-type: none"> → Student Internships → Events 	School of Tourism & Hospitality (Professor John Jenkins)
<ul style="list-style-type: none"> → Economics → Accounting → Financial Management → Communication → Marketing → Human Resources → Information Technology 	School of Commerce & Management (Associate Professor Steve Kelly)	<ul style="list-style-type: none"> → Cross border issues incl. liaison with GCCC → Consultation → Strategic Planning → Teamwork → Collaboration with other local government areas 	Office of Regional Engagement (Ms Ros Derrett and Ms Lisa Francisco)
<ul style="list-style-type: none"> → Environmental matters 	School of Environmental Science & Management (Professor Jerry Vanclay)	<ul style="list-style-type: none"> → Social Sciences → Community Services → Visual Arts and Culture 	School of Arts & Social Sciences (Associate Professor Karen Brooks - Acting)
<ul style="list-style-type: none"> → Aged Care and Aging 	ASLARC – Aged Services Learning and Research Centre (Colleen Cartwright)		

Further opportunities exist for:

- **Study and Professional Development opportunities**
- **Distribution of information of mutual interest**
- **Mentoring, guest speakers, policy formulation**
- **Short course**
- **Global connections**
- **Use of the University's expertise** – research and fee-for-service consultancies

SIGNED:

Professor Paul Clark
Vice-Chancellor and President
SOUTHERN CROSS UNIVERSITY

Professor Bryan Rothwell
Head of Campus
Tweed Gold Coast
SOUTHERN CROSS UNIVERSITY

Mike Raynor
General Manager
TWEED SHIRE COUNCIL

Cr Joan van Lieshout
Mayor
TWEED SHIRE COUNCIL

Date: _____

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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7 [GM-CM] National Sea Change Taskforce

ORIGIN:

General Manager

FILE NO: Sea Change Taskforce; General Memberships

SUMMARY OF REPORT:

Council has received a request from the chair of the National Sea Change Taskforce to join the organisation. The letter is an attachment to this report.

The National Sea Change Taskforce was established in 2004 as a national body to represent the interests of coastal councils and to play a leadership role in assisting LGAs to deal with issues such as population growth and the demands of tourism.

The objectives of the organisation are to:

- Support and advance the interests of coastal councils and their constituents;
- Provide national leadership in addressing the impact of the sea change phenomenon;
- Work collaboratively with local State and Federal Governments to develop a coordinated approach to managing population and tourism growth in coastal areas.

Tweed Shire Council's membership fee for 2009/2010 would be \$3,630.00. Given the relevance to the Tweed and the Federal Government's increasing desire to recognise and consult with local government through such organisations, this report recommends that Council joins the National Sea Change Taskforce.

RECOMMENDATION:

That Council becomes a member of the National Sea Change Taskforce.

REPORT:

Council has received a request from the chair of the National Sea Change Taskforce to join the organisation. The letter is an attachment to this report.

The National Sea Change Taskforce was established in 2004 as a national body to represent the interests of coastal councils and to play a leadership role in assisting LGAs to deal with issues such as population growth and the demands of tourism.

The objectives of the organisation are to:

- Support and advance the interests of coastal councils and their constituents;
- Provide national leadership in addressing the impact of the sea change phenomenon;
- Work collaboratively with local State and Federal Governments to develop a coordinated approach to managing population and tourism growth in coastal areas.

Since 2004 the Taskforce has focused on advocacy, research and policy development. Copies of their research reports are available for download from their website – www.seachangetaskforce.org.au

Attached to this is an overview of the organisation's activities for 2007-08 for Council's information.

Since the report was prepared in January, the Taskforce chair, Cr Barry Sammels, the Mayor of Rockingham (WA) and the Treasurer, Cr Mary-Lou Corcoran, Mayor of Victor Harbor (SA) have been appointed to the newly-formed Steering Committee for the Australian Council of Local Government.

The annual subscription fees are set at a level to reflect the population of member LGAs. The current fee for an LGA with a population between 50,000 and 100,000 is \$3,300 (inc GST). Fees have not been revised since 2006 and the Taskforce's Executive Committee has decided to increase fees by 10% for the 2009-10 financial year.

Tweed Shire Council's fees for 2009/2010 would therefore be \$3,630 including GST.

Member meetings are held in conjunction with the Taskforce's annual conference and at the AGM. The most recent conference was held at Mandurah (WA) on 3 and 4 March, and is an attachment to this report. The next AGM will be held in conjunction with the full meeting of the Australian Council of Local Government, which is expected to be held in Canberra in November (date yet to be set). This will enable Mayors of member councils to attend the meeting at no additional travel expense.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

\$3,630.00 annual contribution. An allocation can be made in the 2009/2010 budget if Council resolves to join.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

1. Letter of invitation (ECM 1974307)
 2. Report to Members January 2009 (ECM 2024741)
 3. Conference Report (ECM 2024742)
 4. Member List (ECM 2023355)
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8 [GM-CM] Association Conferences

ORIGIN:

General Manager

FILE NO: Conferences/Seminars - General; Shires Association of NSW - Conference

SUMMARY OF REPORT:

Council has received advice of two upcoming relevant conferences. The Australian Local Government Association (ALGA) is convening the 2009 National General Assembly of Local Government to be held at the National Convention Centre in Canberra between 21-24 June.

The NSW Shires Association has released details of its annual conference to be held from Monday 1 June to Wednesday 3 June in Sydney.

Details of both conferences are an attachment to this report.

RECOMMENDATION:

That Council determines Councillor attendance at these conferences.

REPORT:

Council has received advice of two upcoming relevant conferences. The Australian Local Government Association (ALGA) is convening the 2009 National General Assembly of Local Government to be held at the National Convention Centre in Canberra between 21-24 June.

The NSW Shires Association has released details of its annual conference to be held from Monday 1 June to Wednesday 3 June in Sydney.



11 March 2009

Mayor Joan Van Lieshout
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

cc: Councillors
cc: CEO

Dear Mayor Van Lieshout

2009 National General Assembly of Local Government – call for motions

I write to confirm that the 2009 National General Assembly of Local Government (the Assembly) will be held at the National Convention Centre in Canberra between 21 and 24 June.

The Assembly is the major event on the annual local government events calendar and typically attracts more than 700 mayors, councillors and senior officers from councils across Australia. The Australian Government has also confirmed that the next meeting of Mayors and Shire Presidents as part of its Australian Council of Local Government will be held to coincide with the Assembly.

The Australian Government is increasingly looking to local government to play a role as a partner in tackling the major issues facing the nation and the Assembly is the opportunity to make sure that your Council's views are represented. The Assembly is also a great opportunity to hear from senior politicians and interesting key note speakers and is an unparalleled networking opportunity within the local government sector.

This theme for this year's Assembly is *Rising to the Challenge - Infrastructure, Financing, Climate Change*.

In response to feedback received at previous Assemblies, ALGA has revised the process for motions to ensure that policy debates relate to the current national priorities for local government. This year we are calling for motions under the three major themes of the Assembly:

- Infrastructure;
- Climate Change; and
- Local Government financing.



ALGA is now calling for 'Notices of Motions' to be submitted by councils. To assist Councils in developing motions that fall under these themes, ALGA has put together a discussion paper for each theme. These discussion papers can be found on the NGA website.

Motions can be submitted via the electronic form located at ww.nga.alga.asn.au. Motions should be received by ALGA no later than Friday 24 April 2009. Any administrative inquiries can be directed to Clare Hogan, ALGA's Director of National Events on 02 6122 9436 or clare.hogan@alga.asn.au.

I urge you to take the opportunity to make sure the views of your Council and your community are represented at the 2009 Assembly.

Yours sincerely

Geoff Lake
President

NATIONAL GENERAL ASSEMBLY

Call for Motions

The 2009 National General Assembly of Local Government (NGA) theme is *Rising to the Challenge - Infrastructure, Financing, Climate Change*. The NGA is your opportunity to contribute to the development of the national local government policy.

To enhance the quality of outcomes from the NGA, and to ensure that motions are relevant to local government nationally, the ALGA Board is calling for motions on the following three key themes:

- Financing of Local Government
- Infrastructure
- Climate Change

To assist Councils in preparing motions, discussion papers on each theme are available at the NGA website www.nga.alga.asn.au.

To be eligible for inclusion in the National General Assembly Business Papers motions must:

1. fall under one of the themes – infrastructure, climate change, local government financing;
2. be relevant to the work of local government nationally; and
3. complement or build on the policy objectives of state or territory association.

Motions should be submitted electronically via the online form on the website www.nga.alga.asn.au and should be received by ALGA no later than Friday 24 April 2009.

Councils unable to submit electronically should contact the Clare Hogan, Director National Events, on (02) 6122 9436 for alternative methods of submitting a motion.

ONLINE REGISTRATION NOW OPEN!

Register your attendance at the National General Assembly of Local Government at
www.nga.alga.asn.au

Register now and save \$200 with the \$799 early bird registration.

Provisional Program

MONDAY 22 JUNE 2009

Morning

Opening Ceremony

Keynote Speaker

Government Address: Anthony Albanese

Afternoon

Delegate Discussion Concurrent Symposia

Keynote Address: Infrastructure

Keynote Address: Financing

TUESDAY 23 JUNE 2009

Morning

Panel Discussion

Opposition Address: Malcolm Turnbull

Opposition Address: Warren Truss

Keynote Address: Climate Change

Afternoon

Delegate Discussion

Debate on Motions

WEDNESDAY 24 JUNE 2009

Morning

Constitutional Recognition Update

Government Address: Prime Minister

Debate on Motions

President's Close

General Interest

Item 4: Notice of Annual Conference - 2009 Shires Association Election and Voting Information

The Shires Association of New South Wales' Annual Conference will be held 1-3 June 2009 at the Wentworth Hotel, Sydney.

The opening ceremony for the Conference will be held on Monday 1 June, with Conference business sessions on Tuesday 2 and Wednesday 3 June and the Conference dinner on the Tuesday evening.

Closure of the Roll of Voters

The Roll of Voters means all members of the Association who are, by virtue of the rules, entitled to nominate a delegate to vote in the election of members of the Executive Committee at a Conference (ie councils). The Roll of Voters closes seven days prior to the date upon which the Returning Officer calls for nominations: approximately **6 April 2009**.

When do nominations open?

The Returning Officer will call for nominations for the offices of **President, Vice President General*** and for members of the **Executive Committee** on approximately **13 April 2009** (ie at least seven weeks prior to the first day of the annual conference).

The Returning Officer will call for nominations for the offices of **Vice Presidents** and **Treasurer** at the Annual Conference (ie on 2 June 2009) following the election of members of the Executive Committee. The offices of Vice Presidents and Treasurer are to be elected from the nine Executive Committee members chosen to represent each of the nine Electoral Divisions.

When do nominations close?

Nominations for the offices of **President, Vice President General*** and for members of the **Executive Committee** must reach the Returning Officer at least four weeks prior to the first day of the Annual Conference. This means that nominations for the offices of President, Vice President General* and for members of the Executive Committee will close on approximately **4 May 2009**.

Nominations for the offices of **Vice Presidents** and **Treasurer** must reach the Returning Officer no later than **10am on 3 June 2009** (the second day of business of the Annual Conference).

* A person who assumes the office of Immediate Past President may continue in that office for a maximum period of two years. If after two years there is no new Immediate Past President (ie because the incumbent President is elected to serve a second two year term) then the office of Immediate Past President lapses and is replaced by the office of Vice President General until a different person is eligible to assume the office of Immediate Past President. Persons who nominate for the office of Vice President General are advised that their nomination for such office will become void if the incumbent President is not re-elected as President and so will then assume the office of Immediate Past President.

Contact

For further information please contact: Adam Dansie, LGSA Manager Industrial Relations, 02 9242 4140 or adam.dansie@lgsa.org.au.

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LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

A budget allocation is available to meet the cost of Councillor attendance.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES**9 [TCS-CM] Probity Plan - Disposal of Bay Street****ORIGIN:****Corporate Governance****SUMMARY OF REPORT:**

Council at its meeting of 13 November 2007 resolved:

1. *Adopts the Probity Plan prepared by Maddocks Lawyers in relation to the disposal of the Bay Street Road Closure, Lot 1 in DP 848723;*

4. *The ATTACHMENT be treated as CONFIDENTIAL in accordance with Sections 10A(2)(c) and (d) of the Local Government Act, 1993, because:*
 - (c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;*

 - (d) *commercial information of a confidential nature that would, if disclosed:*
 - (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the council, or*
 - (iii) *reveal a trade secret.*

An application under Section 12 of the Local Government Act 1993 was lodged on 24 December 2008 requesting a copy of the Probity Plan, Disposal of Bay Street, prepared by the law firm Maddocks on behalf of Council. In a letter dated 3 February 2009 to the applicant, a determination was made that as the probity plan was a confidential attachment to the Council Report, the document was unable to be released.

The applicant on 4 March 2009 in terms of Section 12A of the Local Government Act 1993 requested a review of Council's decision of 3 February 2009 to allow the release of the Probity Plan, Disposal of Bay Street.

In accordance with Section 12A(3) of the Local Government Act 1993, Council must review any such restriction no later than three months after it is imposed. Section 12A(5) of the Local Government Act 1993, states that Council must remove the restriction, if at anytime it finds that there are no grounds for the restriction.

The Probity Plan in question outlines the processes to be followed to facilitate the effective management of confidential information and in the context of the decision making process relating to the disposal of the land it was initially determined as being confidential information. Following receipt of legal advice it is recommended that Council removes the confidential document restriction on the Probity Plan, Disposal of Bay Street.

RECOMMENDATION:

That Council, in accordance with Section 12A(5) of the Local Government Act 1993, removes the confidential document restriction on the Probity Plan, Disposal of Bay Street (Enterprise Content Management number 1700760) and makes a copy available to the applicant in terms of the Access to Information Policy.

REPORT:

As per summary.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Section 12A of the Local Government Act 1993

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. **Confidential Attachment** - Probity Plan – Bay Street Road Closure (ECM1700760)
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REPORTS FROM SUB-COMMITTEES/WORKING GROUPS**10 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 12 March 2009**

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 9.00am

PRESENT:

Committee Members: Cr Barry Longland (Deputy Mayor), Mr Lance Vickery, Roads and Traffic Authority, Snr Constable Paul Henderson, NSW Police, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed.

Informal: Mr John Zawadzki (Chairman), Mr Ray Clark, Mr Paul Brouwer, Mr Danny Rose, Ms Judith Finch (Minutes Secretary).

APOLOGIES:

Mr Mike Baldwin, Roads & Traffic Authority of NSW, Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 12 February 2009 adopted as a true and accurate record of proceedings of that meeting.

SCHEDULE OF OUTSTANDING RESOLUTIONS

Schedule of Outstanding Resolutions

Tweed Valley Way between Condong and Chinderah

From Meeting held 11/12/2008 (Item B8)

ORIGIN:

Planning & Infrastructure

FILE NO: DW1926529; Tweed Valley Way, Condong and Chinderah; Traffic - Safety; Traffic - Committee

SUMMARY OF REPORT:

Request received in relation to traffic safety at night on the Tweed Valley Way between Condong and Chinderah. It has been suggested that "cats eyes" be placed on this stretch of road.

'Cats Eyes' are normally referred to as 'Retroreflective Raised Pavement Markers' or 'RRPM's'. They are used to augment painted lines on the road surface. For Tweed Valley Way a typical installation would be red RRPM's on the left edge line, white or yellow RRPM's on the right edge line or separation/barrier line at a spacing of about 24 metres.

Unfortunately installation of RRPM's comes at a cost together with replacement and need to be considered within budgetary constraints, however centreline RRPM's do exist at all 'painted turn lanes and islands and bends signposted at speeds lower than 100kph.

RECOMMENDATION TO COMMITTEE:

That this be investigated further by Council officers.

RECOMMENDATION TO COUNCIL:

That this be investigated further by Council officers.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A.1 [LTC] Banora Point Primary School - Pioneer Parade

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 1994354; 1994355; Traffic - Committee; Pioneer Parade; Traffic - School Zones; Transport - Bus Services - Stops; Banora Point Primary School

SUMMARY OF REPORT:

Request received for approval to extend the bus parking bays at the Banora Point Primary School.

"I write to request the Tweed Shire Council Traffic Management committee considers approving extending the bus parking bays to between the northern edge of Pioneer Parade to the entrance of the staff car park. This would be in addition to the current bays south of the pedestrian crossing.

This change is requested so as to improve safety and limit congestion after school each day in conjunction with the soon to be completed car drop-off initiative.

It is hoped that this change will clearly identify the specific designated areas: car drop-off, bus collection / drop-off and pedestrian access (along Pioneer Parade north or over the crossing and along Pioneer Parade heading south)."

It is considered that the request is reasonable on the following grounds:-

1. It is desirable to have the buses parked on the departure side of the crossing.
2. Encouraging parents to drop off and pick up on site removes the risk of through traffic.
3. This would enable buses to enter and leave the bus bay without being inhibited by queuing traffic.
4. Removes the mix of parent and bus traffic which is in lines with best practice.

The Committee was concerned about the 'No Right Turn' sign that has been erected immediately inside the car park entrance/exit which will force all vehicles to the north on Pioneer Parade and generally to the east on Johnson Street.

RECOMMENDATION TO COMMITTEE:

That:-

1. The existing parent pick up and drop off zone east of the marked crossing on Pioneer Parade adjacent to the Banora Point Primary School be converted to a school bus zone.
2. 'No Parking' signs for school zone times be installed in the new parent parking area of the Banora Point Primary School in the drop off end zone.

RECOMMENDATION TO COUNCIL:

That

1. The existing parent pick up and drop off zone east of the marked crossing on Pioneer Parade adjacent to the Banora Point Primary School be converted to a school bus zone.
2. 'No Parking' signs for school zone times be installed in the new parent parking area of the Banora Point Primary School in the drop off end zone.
3. The former bus zone area on Pioneer Parade be monitored for effectiveness for a period of 3 weeks from Monday 16 March 2009 with a view to determine whether it should remain.
4. That the Pioneer Parade (Banora Point Primary School) be listed on Outstanding Resolutions for follow up of monitoring.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

The following item was moved from C - Classifieds Road Section to be dealt with under this section of the Agenda during the meeting.

A.2 [LTC] Regulatory Signage Murwillumbah Civic Centre

ORIGIN:

Planning & Infrastructure

FILE NO: Traffic - Committee; Traffic - General; Traffic - Parking; Civic Centre - Murwillumbah; Tumbulgun Road

SUMMARY OF REPORT:

Following completion of the design of the external roadworks to the Tweed Regional Aquatic Centre it is beneficial to reallocate kerbside uses in accordance with Drawing No. EH06003/08 issue B.

The proposal is for the installation of the following signage:-

1. Motorcycles only parking
2. No Stopping
3. No Parking - drop off/pick up only

RECOMMENDATION TO COMMITTEE:

That the signage as shown on Drawing No. EH06003/08 Issue B for parking related to the Murwillumbah Civic Centre be approved as follows:-

1. Motorcycles only parking
2. No Stopping
3. No Parking - drop off/pick up only

RECOMMENDATION TO COUNCIL:

That the signage as shown on Drawing No. EH06003/08 Issue B for parking related to the Murwillumbah Civic Centre be approved as follows:-

1. Motorcycles only parking
2. No Stopping
3. No Parking - drop off/pick up only

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B.1 [LTC] Heffron Street, Tweed Heads - Tweed River High School

ORIGIN:

Planning & Infrastructure

FILE NO: DW1912458; Heffron Street; Minjungbal Drive; Traffic - Committee; Traffic - Safety; Pedestrian Safety; Traffic - School Zones; Pedestrian Crossings; School - Tweed River High

From Meeting held 13/11/08 (Item B1)

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

The following is a reproduction of an outstanding item from the meeting held 13 November 2008:-

"Request received in relation to a recent School Safety and Response Unit report regarding Tweed River High School which has raised the following for Local Traffic Committee consideration:-

- "1. The provision of a school pedestrian crossing in Heffron Street outside the main school gate.*
- 2. An audit be conducted in relation to the possibility of a fence being erected along the entire length of Minjungbal Drive between Heffron Street and Kirkwood Road. The erection of a fence would force students to cross at the traffic lights at the intersection of Heffron Street and Minjungbal Drive.*
- 3. Minjungbal Drive and surrounding streets be declared a 'School Zone' between the hours of 8:00am and 9:30am and 2:30pm and 4:00pm to reduce the speed limit to 40kph during these school hours."*

A meeting was held between NSW Police, Council's traffic engineer and school officials on Tuesday 28 October 2008 to discuss the above issues.

With regard to issue 1 it was agreed at the meeting that the warrants for a pedestrian crossing would be difficult to achieve and a mid block crossing would be more appropriate. Council officers will further investigate this option.

With regard to issue 2 Council's Traffic Engineer advised that safety fencing installation is relatively expensive and the fencing of the median in Minjungbal Drive may cost up to \$200,000. On a cost basis this option is prohibitive.

With regard to issue 3 Council officers will further investigate this option in conjunction with the school and bus operators.

Further information will be provided to the Committee by Council officers.

The Chairman advised of comments received from Mr W McKennariey on behalf of the Blind Citizens Association (DW1928150).

FOR VOTE - Unanimous"

Issue 1 has been investigated by Council officers and a pedestrian refuge design completed. The pedestrian refuge is now constructed.

Advice is sought from the Roads & Traffic Authority of NSW on the installation of a school zone on Minjungbal Drive.

The Committee was advised that a pedestrian refuge has been constructed in Heffron Street. The Roads & Traffic Authority of NSW representative advised that it would be unlikely that a 40kph School Zone would be approved for Minjungbal Drive for the following reasons:-

- Not having a direct frontage to the school,
- Having high volumes as a distributor/arterial road;
- and the existence of traffic signals

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

For Council's information.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B.2 [LTC] Racecourse Road, Tyngalga

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 1967893; Racecourse Road; Traffic - Speed Zones; Safety; Animals - Other

SUMMARY OF REPORT:

Request received for Local Traffic Committee advice in relation to the movement of racehorses and trainers from the stabled premises south of the intersection of Cane Road and Racecourse Road.

"Each morning between sunrise and 9.00am (except Sunday) there may potentially be 30+ horse movements between these stables and the training facilities at the Murwillumbah Racecourse which is only possible by crossing Cane Road.

While there are advisory signs along Cane Road warning motorists of possible horse crossings these seem to be ineffective and vehicles seem to prefer to maintain the 100K speed allowed. We therefore request that the Tweed Shire Council consider and recommend some other remedy to this dangerous mix of horses and fast traffic movement to try to assist us mitigate the risk of a serious accident."

This matter has been considered in detail at previous Local Traffic Committee meetings where it was determined that a reduction in the speed limit was not warranted and that signage warning of horses crossing be installed and operated by the Jockey Club. It would appear that this sign is open at all times therefore detracting from its impact.

The Committee raised concerns about the lack of management of the existing flip signage warning of horses crossing.

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

That the Jockey Club develop, in consultation with Council officers, a Traffic Management Plan for the racecourse precinct, Tyalgah to be enacted by the Jockey Club.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

B.3 [LTC] Surfside Buslines - Ourimbah Road, Tweed Heads West

ORIGIN:

Planning & Infrastructure

FILE NO: DW1986187; Ourimbah Road; Traffic - Committee; Traffic - Directional Signs; Traffic - Safety

SUMMARY OF REPORT:

Request received for the provision of 'Emergency Exit' signage at Surfside Buslines, Ourimbah Road, Tweed Heads West.

"Surfside Buslines Pty Ltd require our emergency exit entry be sign posted to meet council requirements by law. As you see by enclosed photo, if we had a fire, a vehicle parked in this driveway would have to be dragged out of the way which could take up vital time, endangering staff and buses."

Council officers will inspect the site and report to the Committee.

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

That Council officers request that Surfside Buslines provide their Safety Management Plan or similar in relation to the emergency exit area onto Ourimbah Road for discussion.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B.4 [LTC] Hastings Point - Traffic Issues

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 1966370; Tweed Coast Road; Peninsula Street; Traffic - Committee;
Traffic - Safety; Traffic - Speed; Bridges - Cudgera Creek

SUMMARY OF REPORT:

Request received in relation to construction trucks going to and from The Point. It is reported that:-

"Trucks are constantly exceeding the speed limit and the situation is extremely dangerous. This begins at 6am and continues through till 6 or 7pm. The past 2 weeks have been blissful in comparison as the construction traffic had stopped. But for this to be occurring in the height of school holidays is ridiculous in the extreme.

4 - 6 seconds for a fully loaded B-double truck to cross the Hastings Point bridge when the bridge and surrounds are covered by young children and teenagers crossing the road to get to the beach is incredibly dangerous. And they are the slow trucks. We do have video proof.

This week as well as speeding we have had air brake noise and truck horns being blown. Complaints to the builders fall on deaf ears as they claim - quite incorrectly - that they 'can do nothing'.

We have requested that a sign be erected at both ends of the village for trucks to be restricted to 40kph as they were across the Kingscliff bridge.

Also while the erection of a sign showing children in the Peninsula St area has had some minor impact - more is needed.

This is not a reasonable situation and we request that Council intervene. It's not an acceptable situation for oversized developments to be approved and residents told they simply have to accept the disruption to their lives and the risks to their safety."

Council's records indicate that within the week ending 27 August 2008, the vehicle volume 50 metres north of Hastings Point Bridge on Tweed Coast Road was 5,396 vehicles per day with an 85 percentile speed of 61kph. The 85 percentile speed of Class 1 to 3 vehicles (cars and mini vans) was 61kph while the 85 percentile speed of Class 4 - 12 vehicles (trucks) was 57kph. Trucks represented 4.4% of total vehicular traffic.

The Committee considered that truck movements have possibly decreased since the Christmas holiday season. The Committee noted that Police enforcement has been, and is being conducted in this area on a regular basis.

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

That no action be taken however Council officers conduct further speed and volume counts near the Hastings Point Bridge for further review.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B.5 [LTC] Local Traffic Committee Meeting Schedule**ORIGIN:**

Planning & Infrastructure

FILE NO: ECM 1992791; Traffic - Committee

SUMMARY OF REPORT:

A request has been received from Mr Geoff Provest, MP regarding the schedule of meeting dates for the remainder of 2009 for the Local Traffic Committee meetings.

The possibility of Local Traffic Committee meeting dates better aligning with Council meeting dates has been suggested. Listed below are the current and proposed meeting dates showing the Council meeting date that would apply for adoption of Local Traffic Committee minutes:-

Current LTC Meeting Date	Council Meeting for Adoption of Minutes	Proposed Meeting Date	LTC	Council Meeting for Adoption of Minutes
16 April 2009	19 May 2009	26 March 2009		21 April 2009
14 May	16 June	28 May		16 June
11 June	21 July	25 June		21 July
9 July	18 August	30 July		18 August
13 August	15 September	27 August		15 September
10 September	20 October	1 October		20 October
15 October	17 November	29 October		17 November
12 November	15 December	26 November		15 December
10 December	January 2010	17 December		January 2010

The Committee suggested that the acknowledgement letter being forwarded to the customer including the expected date of the Council meeting as well as the Local Traffic Committee meeting date.

RECOMMENDATION TO COMMITTEE:

That the revised Local Traffic Committee meeting dates of 26 March, 28 May, 25 June, 30 July, 27 August, 1 October, 29 October, 26 November, 17 December 2009 be considered.

RECOMMENDATION TO COUNCIL:

That:-

1. No action be taken at this time to amend the existing meeting schedule for the Local Traffic committee meeting dates.
2. This item be listed on Outstanding Resolutions for further discussion.

FOR VOTE - Unanimous

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C.1 [LTC] Kyogle Road

ORIGIN:

Planning & Infrastructure

FILE NO: 1886479; Traffic Committee; Safety; Speed Zones; Kyogle Road

SUMMARY OF REPORT:

This item (B1) has been discussed at the previous meetings on 18 September 2008, 16 October and 13 November 2008 and the item is reproduced as follows:-

"Request received to reduce the derestricted speed limit on Kyogle Road which runs through the village shops at Mount Burrell.

Council speed studies in the vicinity of Mount Burrell on Kyogle Road show that the 85th percentile speed is around 80kph.

It was recommended that speed limit surveys be undertaken at this location and forwarded to the RTA representative for an evaluation.

The Roads & Traffic Authority of NSW representative advised that a formal response regarding this matter should be available prior to the next Local Traffic Committee meeting.

RECOMMENDATION TO COMMITTEE:

For the Committee's consideration.

RECOMMENDATION TO COUNCIL:

That this matter be listed on the Schedule of Outstanding Resolutions."

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Geoff Provest"

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

That this matter be listed for the next LTC Agenda.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

C.2 [LTC] Regulatory Signage Murwillumbah Civic Centre

This item was moved to be dealt with in Section A: Formal Items Section - Delegations for Regulatory Devices - Please refer to Item A2 above.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 16 April 2009 in the Mt Warning Meeting Room commencing at 9.00am.

There being no further business the Meeting terminated at 11:20am.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

Tweed Valley Way between Condong and Chinderah

As per Committee's recommendation being:

That this be investigated further by Council officers.

A.1 [LTC] Banora Point Primary School - Pioneer Parade

As per Committee's recommendation being:

That

1. The existing parent pick up and drop off zone east of the marked crossing on Pioneer Parade adjacent to the Banora Point Primary School be converted to a school bus zone.
 2. 'No Parking' signs for school zone times be installed in the new parent parking area of the Banora Point Primary School in the drop off end zone.
 3. The former bus zone area on Pioneer Parade be monitored for effectiveness for a period of 3 weeks from Monday 16 March 2009 with a view to determine whether it should remain.
 4. That the Pioneer Parade (Banora Point Primary School) be listed on Outstanding Resolutions for follow up of monitoring.
-

A.2 [LTC] Regulatory Signage Murwillumbah Civic Centre

As per Committee's recommendation being:

That the signage as shown on Drawing No. EH06003/08 Issue B for parking related to the Murwillumbah Civic Centre be approved as follows:-

1. Motorcycles only parking
 2. No Stopping
 3. No Parking - drop off/pick up only
-

B.1 [LTC] Heffron Street, Tweed Heads - Tweed River High School

As per Committee's recommendation being:

For Council's information.

B.2 [LTC] Racecourse Road, Tyngalga

As per Committee's recommendation being:

That the Jockey Club develop, in consultation with Council officers, a Traffic Management Plan for the racecourse precinct, Tyngalga to be enacted by the Jockey Club.

B.3 [LTC] Surfside Buslines - Ourimbah Road, Tweed Heads West

As per Committee's recommendation being:

That Council officers request that Surfside Buslines provide their Safety Management Plan or similar in relation to the emergency exit area onto Ourimbah Road for discussion.

B.4 [LTC] Hastings Point - Traffic Issues

As per Committee's recommendation being:

That no action be taken however Council officers conduct further speed and volume counts near the Hastings Point Bridge for further review.

B.5 [LTC] Local Traffic Committee Meeting Schedule

As per Committee's recommendation being:

That:-

1. No action be taken at this time to amend the existing meeting schedule for the Local Traffic committee meeting dates.
 2. This item be listed on Outstanding Resolutions for further discussion.
-

C.1 [LTC] Kyogle Road

As per Committee's recommendation being:

That this matter be listed for the next LTC Agenda.

11 [SUBCOM] Minutes of Sub-Committees and Working Groups Not Requiring Council Decision

UNDER SEPARATE COVER:

1. Minutes of the Aboriginal Advisory Committee held Friday 6 March 2009 (ECM 2024455)
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ORDERS OF THE DAY

12 [NOM] Valuation of Farm Land

NOTICE OF MOTION - CR W POLGLASE:

Councillor W Polglase moves:

That a meeting be arranged with a representative of the Valuer-General's Department, Councillors and farmer groups to explain how the valuation of farm land is assessed.

13 [NOM] Rezoning Applications

NOTICE OF MOTION - CR W POLGLASE:

Councillor W Polglase moves:

That: the Director Planning and Regulation brings forward a report on the number of applicants that have applied for spot rezoning and plans to deal with the applications.

Note: Some of the applications have been in Council for a long time and some action needs to take place.

14 [NOM] 5861 and 5867 Tweed Valley Way, Mooball

NOTICE OF MOTION - CR P YOUNGBLUTT:

Councillor P Youngblutt moves that Council gives priority to the advancement of a rezoning of properties at 5861 and 5867 Tweed Valley Way, Mooball.

15 [NOM] Campaign to Inspire community involvement in Environmental Restoration**NOTICE OF MOTION - CR K MILNE:**

In terms of the number of animal species, the Tweed has one of the highest vertebrate biodiversity of any region in Australia. Research suggests that the region supports more species of bird, fish, amphibian, and mammals than Kakadu, and a similar numbers of reptiles. (TSC Management Plan 2008-2011)

But this ecosystem is suffering badly. There are now 112 fauna species in the Tweed listed as threatened with extinction and the Tweed wildlife carers are inundated with over 4000 calls per year.

To reverse this situation would require a enormous efforts to restore vegetation for animal habitats and wildlife corridors on both public and private lands.

This could only be achieved with the whole hearted involvement of the community and would require a broad attitudinal shift. Many European countries are leading the way in these fields with Denmark achieving 50% community participation rates in restoration works.

With the recent placement of a new marketing coordinator in Council and the Tweed Link resource, Council is well placed to develop a marketing campaign to achieve such a goal.

I Cr Katie Milne move that Council develops a strategy to increase levels of environmental awareness and participation in environmental restoration in the Tweed and that:-

1. This strategy to include an on going marketing campaign primarily focused through the Tweed Link.
 2. This strategy to aim for 50% participation of the Tweed community in environmental restoration on both public and private lands.
-

16 [NOM] Council Land Sales and Land Capacity

NOTICE OF MOTION - CR K MILNE:

Council Land Sales and Land Capacity

Council is considering numerous land sales to stimulate economic growth of the Shire including in the Tweed Heads, Murwillumbah and Cabarita areas.

It is essential the community is fully placed to understand the capacity of these localities to provide for essential community and environmental services and the land that may be needed to accommodate these provisions before any land sale decisions are made.

I, Cr Katie Milne move that Tweed Shire Council:

1. Carries out an audit of Council lands dedicated to community and environmental facilities.
 2. Consults with relevant organisations to determine what land capacity may be needed now and for future generations to cater for environmental and community facilities.
 3. Develops a plan to determine where the proceeds of any lands sales would be allocated.
-

17 [NOM] Jack Evans Boat Harbour (JEBH)

NOTICE OF MOTION - CR K MILNE:

Council currently has a part five application on public exhibition of the new plans for Jack Evans Boat Harbour.

I, Cr Katie Milne move that Tweed Shire Council:

1. Extends the exhibition period to two months.
 2. Places the full plans on the Council website.
 3. Tables the report on the health of the boat harbour in relation to stormwater issues.
 4. Provides a report on whether compensation for the treatment of the Gold Coast stormwater can be claimed.
-

18 [NOM] Tweed Koala Status**NOTICE OF MOTION - CR K MILNE:**

According to the Australian Koala Foundation “Australia’s koalas form the backbone of a lucrative tourism industry. In 1996 alone, revenue of \$1.1 billion was injected into Australia’s economy by foreign tourists who came here to see koalas.”

The Tweed Coast Koala Atlas states that “While the actual size and status of the current Koala population for the study area (total Tweed Coast area) remains speculative, considered calculationsproduce an estimated Koala population of well below 500 and realistically between 200 and 300”.

“Such considerations from the Koalas perspective suggest **an effective** population size for the entire (Tweed coast) study area of between 65 – 130 individuals”.

“Given the degree of isolation from other known Koala populations and subsequent low probability of significant levels of recruitment from outside of the (Tweed coast) study area, this Koala population should be considered highly Vulnerable to Endangered with poor prospects for long term survivorship”.

I, Cr Katie Milne move that:-

1. Council holds a workshop on the state of the Tweed Koalas.
2. Council engages the services of local Koala expert Dr Steven Phillips as the keynote speaker.
3. This workshop be open to the public and advertised as such.
4. A plan of action be developed to ensure the survival of the Tweed Coast Koalas as a priority in the 2009/10 budget.
5. Such a plan of action to include a strategy for harnessing the economic potential of koala tourism.

19 [NOM] Ecological Economics Study of the Tweed Waterways**NOTICE OF MOTION - CR K MILNE:**

I, Cr Katie Milne move that Tweed Shire Council:

1. Commissions an ecological economics study on the Tweed waterways of current and potential uses.
 2. This study to
 - a. include a 'well being' community survey of preferred waterway use.
 - b. provide recommendations for future use of the river.
 - c. be given priority status in the current and future budgets, to be completed in time to be part of any considerations of change of use of the waterways.
-

20 [NOM] Rail Link**NOTICE OF MOTION - CR K MILNE:**

Getting the Casino-Murwillumbah line reopened to enable a safe, user-friendly and environmentally sustainable local commuter rail service is a 'shovel ready' project, and planning for the Gold Coast rail link should be starting immediately.

The last train ran on the Casino to Murwillumbah rail line in May 2004 when the line was closed by the NSW Labour Government without any public consultation. After five years of half-hearted promises the NSW government has now abandoned all plans and funding proposals for our existing, yet idle, rail infrastructure.

The north coast is a major growth centre of NSW. This rail line already connects 8 of the 10 largest population centres within the Northern Rivers, yet lies idle and rusting.

As an indicator of unmet demand and the future viability of the line, a Southern Cross University (SCU) survey found that 72% of respondents would use a commuter service at least once a month. This translates into an estimated 2,875 passenger trips per day. If the line was extended from Murwillumbah through to the Gold Coast, then 91.2% of respondents indicated they would use the service at least once a month.

NSW Transport Minister David Campbell's office has confirmed that the Casino to Murwillumbah rail line was not part of the NSW government's wish list to Infrastructure Australia for federal funding, and now claims the cost of restoring the line to be more than \$150 million over five years. PricewaterhouseCoopers, in its 2004 report, estimated a cost of only \$30 million over 5 years. The NSW government has never released the basis for its figures, but keeps citing the project as 'prohibitively expensive'.

Local councils (Tweed, Byron and Lismore) have put in submissions in support of our rail line, but it seems that without State Govt support, no project gets considered for funding. The state government no longer even pretends to have a plan or funding on the table for north coast rail.

We call upon state and federal Labour governments to take urgent action to:

- ◆ Maintain the line from falling into further disrepair;
- ◆ Commit infrastructure funding to repair the line to an operational state;
- ◆ Develop a strategic plan for expanding the line to connect with Queensland rail services.

For Sydney, they are looking at \$13 billion for the CBD Metro and West Metro projects – that's \$3000 per Sydney resident.

If we apply the same funding formula to our region, with a population of 280,000 (that's not including the millions of tourists), we should be getting \$850 million. For that amount of money we could repair the Casino-Murwillumbah line, and build the missing link from NSW to Qld.

Direct involvement of the federal government now seems essential if our public transport needs are to be addressed. This would be possible under Section 51 of the Constitution.

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 51

Legislative powers of the Parliament [see Notes 10 and 11]

(xxxiii) the acquisition, with the consent of a State, of any railways of the State on terms arranged between the Commonwealth and the State;

(xxxiv) railway construction and extension in any State with the consent of that State;

Lismore City Council recently restated their unanimous support for the restoration of the Casino to Murwillumbah line and have written to the state and federal governments. NOROC recently passed a similar motion of support and have sent a letter to the state government.

To present a unified front it is important that Tweed Council also write to state and federal members expressing their support for a restoration of rail services for all residents of the north coast whose lives are affected by the distinct lack of public transport available in this region.

I, Cr Katie Milne move that Tweed Shire Council:

1. confirms its support for commuter rail services on the Casino-Murwillumbah rail line and the construction of a rail link to the Gold Coast;
2. writes to local Federal and State Members of Parliament informing them of this council resolution and urging them to fully support and commit funding to the establishment of commuter rail services between Casino and Coolangatta.

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

1 [GM-CM] Disposal of Council Land by Public Tender - Wollumbin Street, Murwillumbah

REASON FOR CONFIDENTIALITY:

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES

2 [CNR-CM] Purchase of Lot 25 in DP 615931 at Eviron - For Landfill & Future Quarry Operations

REASON FOR CONFIDENTIALITY:

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

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

3 [CNR-CM] Land Acquisition – Lot 1 in DP 248515 and Part Lot 1 in DP 774820 Eviron - For Landfill & Quarry Purposes

REASON FOR CONFIDENTIALITY:

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

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

4 [CNR-CM] Sale of Lot B in DP 27680 No. 2 Mayal Street Murwillumbah

REASON FOR CONFIDENTIALITY:

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- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

