



TWEED SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

Tuesday 27 January 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:

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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 17 December 2008 and the Extraordinary Council Meeting held 13 January 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 17 December 2008 (DW 1954077)
 2. **Confidential Attachment** - Minutes of the Confidential Council Meeting held 17 December 2008 (DW 1953882)
 3. Minutes of the Extraordinary Council Meeting held 13 January 2009 (DW 1965632)
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SCHEDULE OF OUTSTANDING RESOLUTIONS

2 Schedule of Outstanding Resolutions

FOR COUNCILLOR'S INFORMATION:

12 August 2008

OPERATIONS COMMITTEE

O20 [CNR-OC] Tweed River Estuary Recreational Boating Study

O 228 COMMITTEE DECISION:

Administrator Boyd
Administrator Payne

RECOMMENDED that the Tweed River Estuary Recreational Boating Study 2008 be received and noted and further considered by the new Council.

Current Status: Workshop scheduled for 3 February 2009.

30 October 2008

OPERATIONS COMMITTEE

O11 [EO-OC] Chinderah Bay Drive - Chinderah

O 21 COMMITTEE DECISION:

RECOMMENDED that:

1. A workshop be scheduled to discuss the LES for Chinderah.
2. The Tweed River Committee be requested to consider revetment of the river bank at Chinderah in the 2009/10 Tweed River Committee budget.

Current Status: Workshop scheduled for 3 February 2009.

ORDERS OF THE DAY**4 [NOM-CM] Aboriginal Flag and Torres Strait Islander Flag****42 COUNCIL DECISION:**

All Councillors attend a Cultural Awareness Workshop to be conducted by the Local Government and Shires Associations.

Current Status: A workshop is to be organised.

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 Council Meeting of 17 February 2009.

P7 [PR-PC] Development Application DA08/0929 for Construction of a Storage Depot Comprising the Erection of a New Shed and Associated Works at Lot 1 DP 1057594, Fernvale Road, Fernvale**P 16 COMMITTEE DECISION:**

Cr W Polglase
Cr P Youngblutt

RECOMMENDED that this item be deferred.

Current Status: To Council Meeting of 17 February 2009.

OPERATIONS COMMITTEE

O11 [EO-OC] Renaming of Part of Public Road, Condong Street, Kunghur

O 49 COMMITTEE DECISION:

**Cr J van Lieshout
Cr D Holdom**

RECOMMENDED that this item be deferred for further investigation.

Current Status: To be reported to a future Council Meeting.

16 December 2008

PLANNING COMMITTEE

P13 [PR-PC] Development Application DA08/0931 for Boat Tours on Tweed River at Tumbulgum, Tweed Heads South and Murwillumbah

P 33 COMMITTEE DECISION:

**Cr K Milne
Cr B Longland**

RECOMMENDED that DA08/0931 for boat tours on Tweed River at Tumbulgum, Tweed Heads South and Murwillumbah be:-

1. Re-advertised to 14 January 2009 for the community to comment on the revised attributes of the application
2. Deferred for consideration to the next meeting of the Planning Committee to be held on 27 January 2009

Current Status: To be reported to Council Meeting of 17 February 2009.

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MAYORAL MINUTE**3 [MM] Documents Signed by Mayor****ORIGIN:****Human Resources & Risk****Cr J van Lieshout**

18 December 2008 Floodplain Management Program Grant Funding Acceptance
08 January 2009 Restriction as to User - Lot 9 DP 1039569 Fraser Drive, Tweed Heads South
15 January 2009 Request-Acquisition of Crown Land - Cudgera Creek, Hastings Point

RECOMMENDATION:

That the report on documents signed by the Mayor for period 18 December 2008 to 15 January 2009 be received and noted.

4 [MM] LGSA Tourism Conference 2009

Councillors,

The Fifth Annual Local Government Tourism Conference "Creating a Strong Foundation in Tourism" will be held at Kiama from 10 to 12 March 2009.

This conference is a great opportunity to listen to experts and peers and to find out about how other councils are engaging and managing their tourism industry.

There is diversity in the presentations across the conference which is seen as being beneficial to Council.

RECOMMENDATION:

That the Mayor be authorised to attend the Fifth Annual Local Government Tourism Conference "Creating a Strong Foundation in Tourism" to be held in Kiama from 10 to 12 March 2009.

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ORDINARY ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

5 [GM-CM] Councillor Information Seminar

ORIGIN:

General Manager

SUMMARY OF REPORT:

The Department of Local Government has requested that a report be prepared for the first Council Meeting in 2009 which will indicate attendance by Councillors at Councillor Information Seminars and any feedback from them in relation to the seminars attended.

RECOMMENDATION:

That Council:-

1. Notes the attendance of:

Mayor	Joan van Lieshout
Deputy Mayor	Barry Longland
Councillors	Dot Holdom
	Katie Milne
	Warren Polglase
	Kevin Skinner
	Phil Youngblutt

at the 2008 Councillor Information Seminar presented by the Department of Local Government held in Lismore on Wednesday 19 November 2008.

2. Refers the feedback comments from Councillors the Department of Local Government.

REPORT:

Council was represented at the 2008 Councillor Information Seminar delivered by the Department of Local Government, held in Lismore on Wednesday 19 November 2008 by:

Mayor	Joan van Lieshout
Deputy Mayor	Barry Longland
Councillors	Dot Holdom
	Katie Milne
	Warren Polglase
	Kevin Skinner
	Phil Youngblutt

Councillors provided the following comments in relation to the Seminar:

"I found the seminar in Lismore to be very informative. It was well presented and gave me a better understanding of the requirements of being a good councillor."

"I found the seminar at Lismore a reasonable overview of the Code of Conduct and Meeting Practice. The time given for the presentations was short, and therefore, lacking in the detail that might have been provided by more case studies and group discussion that would have helped tease out the issues in a more valuable way."

"It was useful to learn of the availability of staff from the Department who can give advice to councillors if required."

"Overall I found the seminar most helpful in brushing up my skills pertaining to ethical decision making. I am especially appreciative of the refreshment to my understanding of Conflict of Interest and Code of Conduct."

"I believe that it is abundantly clear that we all need to understand our roles and responsibilities not only to the people that we represent but as members of the Corporate Body of the Council."

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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6 [GM-CM] Corporate Relations Strategy

ORIGIN:

Communications & Marketing

SUMMARY OF REPORT:

As an organisation, it is important that Tweed Shire Council continues to grow and develop. In August 2007 an initial audit of Council's 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.

Over the last year management has undertaken a review of a number of areas of its operations and corporate relations is one of those.

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.

At its highest level, the Corporate Relations Strategy is intended to provide an integrated and coordinated approach to Council's management of relationships with its customers and community. It provides strategic direction and identifies key actions to be taken over the next two to three years.

The three areas considered as the basis of those relationships are marketing communication, public participation and customer service. While each can be seen as a discrete function, they are interdependent in that they support each other in achieving the strategy's objectives and together, contribute to achieving the overall goal of improving relations between Council and the community.

This report recommends that Council adopts and implements the strategies as outlined in both the report and attached version of the Corporate Relations Strategy.

RECOMMENDATION:

That Council:-

- 1. Adopts the Corporate Relations Strategy in principle for the organisation to implement the strategic direction and key actions to be taken over the next two to three years.**

2. **Proceeds to unite all operations under a “One Council - One Brand” strategy applying the logo as the sole landmark for all departments, activities, assets, services, products, facilities.**
3. **Pursues the feasibility of establishing some form of permanent community resource for ongoing feedback and comment to Council.**
4. **Endorses the establishment of 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, subject to funding availability.**
5. **Gives consideration in its 09/10 budget deliberations to the allocation of funds to commence implementation of the Corporate Relations Strategy.**

REPORT:

At its highest level, the Corporate Relations Strategy is intended to provide an integrated and coordinated approach to Council's management of relationships with its customers and community.

The three areas considered as the basis of those relationships are marketing communication, public participation and customer service. While each can be seen as a discrete function, they are interdependent in that they support each other in achieving the strategy's objectives and together, contribute to achieving the overall goal of improving relations between Council and the community.

Specifically, the Corporate Relations Strategy provides:

- the overall corporate relations objectives
- a "whole-of-Council" approach to the organisation's marketing communication, public participation and customer service
- a basis and structure for effective and efficient resource allocation
- direction to improve organisational culture, capacity and capability
- recommended process and system improvements
- a flexible and achievable program that can be regularly monitored to ensure it is on track and adapts to emerging issues.

In doing so, it identifies specific strategies and actions in the following areas:

- External communication
- Branding and corporate identity
- Reputation and issues management
- Web site and intranet operations
- Internal Communication
- Customer service, both as a function and a philosophy
- Public Participation planning and management
- Conduct of community consultation
- Staff skilling, training and support

It is not a tactical plan for individual projects and activities, but provides the framework and approach within which these can be developed.

Corporate Vision, Mission and Values

Council's identity is the sum total of what the organisation says and does, its values, behaviours and aspirations, its services and products, and is represented internally and externally by its brand.

A strong and unambiguous identity is essential to guide staff in the way they work, the way they treat each other and the community, and to understand how their performance contributes to “something greater”.

Corporate Vision: “The Tweed will be recognised for its desirable lifestyle, strong community, unique character and environment, and the opportunities its residents enjoy.”

Corporate Mission: “Working with community and partners, provide leadership in facilitating and delivering services that manage growth sustainably, create opportunity, and enhance the value of our civic and natural assets for this and future generations.”

Corporate Values: Transparency, customer focus, fairness, reliability, progressiveness, value for money, collaboration.

Stakeholders: Internal stakeholders for this strategy are Mayor and Councillors, management and staff (indoor and outdoor). External stakeholders include ratepayers, customers, citizens, media organisations, other government agencies, business, industry, professional, and service and community groups.

Brand and Marketing Positioning

For Council, as for any organisation, particularly one with such a diverse range of products, services, operations, customers and staff, it is a central marketing requirement that the organisation has a strong and explicit brand.

Internally, the brand represents Council's identity. Externally, the brand represents Council's image, which is the sum total of the community's perceptions of, and experiences with the organisation, its services and products.

For an organisation to be successful there should be a close alignment between identity (what Council thinks of itself) and image (what the community thinks of Council).

A strong brand can be seen as a corporate asset, its value being the extent to which the community supports, accepts, adopts and works with the organisation's corporate agenda. This helps develop trust in Council as a civic leader engaging with, serving, and responding effectively to its community. With that trust, Council can better achieve its vision.

It enables them to recognise the scope and value of Council's products and services, and (ideally) perceive that they are delivered in an effective, integrated manner.

For staff, with their individual work unit responsibilities and goals, it unites and brings an organisational focus on whom and what they are working for. Further, a strong and recognisable brand that is held in good repute will help Council attract skilled staff in an increasingly competitive market.

Managing the brand closely and consistently, therefore, has significant implications:

- It presents Council as a unified organisation, implying the integration of activities that customers expect and avoiding perceptions of service fragmentation.
- It helps ensure that the community recognises Council and its work at a glance, ensuring it does not go unnoticed or attributed elsewhere.
- It assists people in understanding what Council is doing with their money through clear and immediate identification with the entity to which they pay their rates, fees and charges.
- It provides leverage for the promotion of Council initiatives, providing them with a level of awareness and credibility they might not otherwise attract.
- It assists in lengthening the lifespan of communication initiatives. Activity aligned with a well-recognised logo and visual consistency will usually be retained longer, recalled faster.
- Along with its visual standards, it ensures a uniform, professional standard of presentation so that image does not oscillate between conflicting positions or standards.
- It connects staff as members of the same family and helps eliminate “them and us” tendencies.
- It stands as a reminder to staff of the service promise made to customers.
- It focuses Council’s efforts and achievements in competitive marketplaces, for example, in attracting good, skilled staff.

While corporate values guide Council’s actions and behaviours, Brand Values – which are drawn from the corporate set – represent the main qualities Council would like people to observe in its work performance.

The November 2007 Corporate Management Team workshop considered this and a decision was made that they should mirror the corporate values and be expressed through the Market Positioning Statement.

Therefore, the market positioning for this strategy is that:

“Council would like the community to think of it as an organisation that is transparent, customer-focused, collaborative, fair, reliable, gives value for money and is progressive in its thinking.”

Goal

The overall goal of the Corporate Relations Strategy is to improve relationships between Council, its community and customers, thereby increasing levels of participation, satisfaction and support for the activities Council undertakes on their behalf.

Principles

The broad principles that inform the objectives of this strategy are based on commitments made in Council’s Communication and Customer Service Policies. They are that:

- Council recognises its obligation to provide the community with clear, accurate and timely information about its plans, decisions, policies, procedures, services and products.

- Council supports the right of citizens to participate in decision making that affects their future and, to that end, will ensure that their concerns and needs are known and considered.
- 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.

Objectives

1. A predominantly positive image of Council among its customers and community.
2. A well-informed community that recognises the scope and purpose of Council activities, services and products
3. A community that has the information to make knowledgeable decisions, form considered views and become more self-sufficient.
4. An engaged community that participates productively in Council decision-making.
5. An effective and efficient approach to managing customer enquiries, requests and transactions at the first point of contact.
6. Greater professional capability and capacity among staff.
7. Improved internal culture of communication and collaboration.
8. Relevant policies, processes and technology to support improved performance, productivity and efficiency.
9. More appropriate and effective use of financial resources, staff time and skills.

Communications and Marketing

Council recognises that communication is everybody's business and is integral to the organisation's success.

- Council recognises its obligation to provide the community with clear, accurate and timely information about its plans, decisions, policies, procedures, services and products.
- Council values its staff and seeks to develop their skills and to support and guide them with effective systems, policies, processes and structures.

As there are natural synergies between the three topic areas (Marketing Communication, Public Participation and Customer Service), some strategies, particularly in Organisational Capability, will support multiple objectives and relate to more than one topic area.

Policy Strategies

1. Unite all operations under a “One Council - One Brand” strategy applying the logo as the sole landmark for all departments, activities, assets, services, products, facilities.
2. Develop supporting policies to reflect Council’s communication commitment and principles and to support corporate image.

Community Strategies

3. Evaluate activity and performance through regular research on community interests, needs, attitudes and satisfaction.
4. Protect reputation and support service delivery in the event of a crisis or issue impacting Council operations, the community’s safety, or their perceptions of the organisation.
5. Increase residents’ knowledge and understanding of Council’s services, products, decisions and practices.
6. Re-develop Council’s web site to position as its major communication channel and source of information.
7. Engage the media as partners in and a valuable avenue for the provision of information to the community.
8. Increase Council profile as leaders in, and active members of the community.

Organisational Development Strategies

9. Build staff skills to improve organisational communication capability.
10. Provide the systems, processes and tools to support staff development, skills and commitment.
11. Develop culture and system of internal communication to improve staff satisfaction, knowledge and understanding of Council activities.

Public Participation

In the context of this document, Public Participation is regarded as a set of actions and efforts, underpinned by a philosophy and set of values that connect Council and the community in decision-making about policy, program and service issues.

Public participation contributes to developing Community Engagement, wherein citizens are actively involved in the social, political and civic life of their community. Active involvement by citizens is regarded as a hallmark of a healthy community.

For practical purposes, the key stages can be described as:

Information sharing: where the community and stakeholders receive balanced, accurate and relevant information on decisions, policies, plans and strategies. It is often used when Council has already made a decision or when there is only one way that Council believes it can progress a project.

Community consultation: where an active two-way communication relationship exists between Council and the community. At this level, Council seeks feedback on proposals to identify important community issues and perspectives that can influence and assist decision making - actions that have been identified as a significant factor in building local trust in a council. Information sharing is a prerequisite for consultation, which is the main focus of this document.

Public participation: where a collaborative relationship/partnership exists between Council and the community, facilitating involvement in shaping decisions that affect community life. Information sharing and consultation are elements of participation, which also involves forums such as workshops, advisory and steering committees.

Many factors limit the level of involvement possible: State or National legislation may prescribe specific activities; project characteristics may determine what can or should be done.

For Tweed, like many councils, the focus is on information and consultation and, in some cases, participation. At no point do these replace the democratic process of decision-making by elected representatives who make the final determinations. They are part of the process and support councillors in their role.

Benefits of effective consultation:

To Council:

- Builds greater support for resulting plans and policies; reduces potential for conflict at late stage of projects
- Identifies challenges and opportunities not previously considered
- Provides access to local knowledge about what is likely to work and what is not
- Improves communication and transparency
- Builds respect for Council by showing interest in, and acting on what citizens think and feel
- Builds confidence, respect and support for professional staff
- Informed and active electorate can defend democratic processes and help ensure opportunistic and “nimby” views do not prevail
- Promotes community development and connections
- Increases participation in strategic policy development, not just “backyard” issues.

To the community:

- Shows that their opinions matter and they can be involved in decisions that affect them
- Contributes local expertise and knowledge to a topic
- Enhances Council accountability
- Develops understanding of Council activities and processes
- Improves access to Council decision makers

- Builds knowledge and skills, enabling more effective participation in community life
- Individual and group empowerment and confidence – strengthens community networks
- Community equipped – informed and active – to defend democratic processes and ensure limited views do not prevail.

Strategies

1. Develop a Public Participation protocol that provides clear and comprehensive direction to all staff involved.

Organisational Capability Strategies

2. Centralise the management and coordination of Council's Public Participation program for greater consistency, effectiveness and utilisation of skills.
3. Develop cross-departmental knowledge, expertise and involvement in public participation.
4. Consolidate the conduct of consultation activities within Council and external specialists.
5. Ensure awareness, consistency and importance of consultation planning within Council.

Community Strategies

6. Establish a community resource for ongoing feedback and comment to Council.
7. Build awareness of, and interest in participation through alternative channels.
8. Review current approach to providing input and feedback; making submissions and comments – particularly on development issues.

Customer Service/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.

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.

The Corporate Relations Report, the internal Administrative Review and initial recommendations of the 10 Year Business Plan have all raised the need for Council to develop an effective customer service solution.

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

This strategy does not detail current limitations, which have already been identified, but outlines the benefits, requirements and steps that should now be taken toward developing a full service customer contact centre.

It should be noted that establishment costs are significant and while many benefits and efficiencies will be realised in the short term, they will continue accruing over time.

Contact Centre

Within three years, 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.

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.

Recommendations made in this report represent a significant development in Council operations with implications for its people, processes, planning, and culture.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Sufficient funds are available in the current budget to immediately implement the branding strategy ‘One Council-One Brand’.

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. Costing to establish the contact centre is approximately \$450,000.

POLICY IMPLICATIONS:

As a result of the Corporate Relations Strategy, the current Media Policy will be updated to reflect new media requirements for Council and presented at the next Council meeting for adoption.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Summary – Corporate Relations Strategy (DW1968973)
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REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

7 [TCS-CM] Code of Meeting Practice - Version 1.8

ORIGIN:

Human Resources & Risk

SUMMARY OF REPORT:

As an outcome of the Council resolution of 16 December 2008:-

"That the business papers be delivered to Councillors on the Wednesday before the meeting"

appropriate clauses of the Code of Meeting Practice have been updated to accommodate this requirement.

The clauses that have been updated are 2.3, 3.6, 3.19 and 5.4.

RECOMMENDATION:

That the Code of Meeting Practice, version 1.8, be adopted.

REPORT:

As per summary of report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Should the recommendation be adopted the Code of Meeting Practice, version 1.8 attached to this report, will be placed on Council's Intranet and Internet policies page.

UNDER SEPARATE COVER:

1. Draft Code of Meeting Practice v1.8 (DW 1968378).
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8 [TCS-CM] Tweed Shire Council's Code of Conduct (Version 1.5)

ORIGIN:

Corporate Compliance

SUMMARY OF REPORT:

Council at its meeting of 15 July 2008 resolved to adopt the Model Code of Conduct for Local Councils in NSW as its Code of Conduct.

During October 2008, the Department of Local Government released guidelines for the Model Code of Conduct for Local Councils in NSW. The guidelines provided information on good practice suggestions and relevant case studies/examples.

Council's Code of Conduct has been reviewed, resulting in appropriate good practice suggestions being incorporated in the revised Code. The suggestions are:

Clause 6.10 - Lobbying

Councillors and staff should be aware that they are at some time likely to be lobbied by a wide range of people including individuals, organisations, companies and developers. Appropriate lobbying of councillors is a normal part of the democratic system and that councillors have a representative role in considering the views of their constituents and communicating with them.

Examples of inappropriate and or unlawful Councillor Conduct that could occur during lobbying:

- Disclosing confidential information, including legal advice;
- Accepting a political donation in return for a favourable exercise of discretion during decision-making; and
- Giving an understanding to an interested party prior to consideration of all the information relevant to a decision.

Clause 6.11

Councillors should exercise judgement when deciding whether to be involved in private meetings with people seeking to influence a council decision. Suspicions of inappropriate lobbying can occur when lobbying is not open to public scrutiny. (ICAC, 2006, *Lobbying local government councillors*)

Clause 6.12

You must ensure transparency when being lobbied by:

- Keeping a record of the meeting and completing a file note on the appropriate form;
- Holding meetings in locations such as council offices;
- Having other people present; and
- Making sure that any information obtained when being lobbied is available to council staff and other councillors.

Refer to Case Studies Examples of Good Practice for “Lobbying” (commencing Page 12 Guidelines for the Model Code of Conduct for Local Councils in NSW – October 2008).

Clause 6.13 - Appointments to other organisations

Councillors and staff who are appointed by council as a member of another body or organisation must comply with the codes of conducts of the body or organisation and council.

Clause 6.14 - Alcohol and other drugs

Council officials must not be intoxicated or drug affected when performing their official duties.

Intoxication by alcohol or being drug affected is an unsafe personal condition and is proven to be a hindrance to the performance of official duties. A person, so affected, cannot provide the high standard of service required and is impaired in their ability to make decisions. It may also bring into question the validity of decisions made while under the influence of alcohol or other drugs. Such a person could also expose others to an unacceptable level of risk.

Clause 7.29 - Caucus votes

Binding caucus votes on matters is inconsistent with the obligation of each councillor to consider the merits of the matter before them. Political group meetings must not be used to decide how councillors should vote on matters like development applications, where there are specific statutory considerations for each decision maker to consider.

CLAUSE 8.1 - TOKEN GIFTS AND BENEFITS

Generally speaking, token gifts and benefits (value less than \$20) include:

- 8.1 E) COUNCILLORS AND DESIGNATED PERSONS MUST DISCLOSE IN ACCORDANCE WITH THIS POLICY A DESCRIPTION OF ANY GIFT OR GIFTS TOTALLING A VALUE EXCEEDING \$20 ON ANY ONE OCCASION AND A VALUE EXCEEDING A CUMULATIVE VALUE OF \$100 PER ANNUM MADE BY THE SAME PERSON DURING A PERIOD OF 12 MONTHS OR LESS. (REQUIRED TO BE INCLUDED IN THE DISCLOSURE OF INTERESTS RETURNS – SECTION 449)

Council has enhanced the previous Model Codes by including Clauses 9.9 and 10.22 as follows:

Clause 9.9 - Meetings with Developers and Consultants

9.9.1 Council Officers shall record in their electronic calendar all meetings and appointments with proponents or interested parties relating to any development, rezoning proposal or sale of Council property, excluding general and counter enquiries. The record is to include those invited or present, the details of where the meeting is held and the subject of the meeting.

9.9.2 Councillors shall record details of all meetings, phone calls and other correspondence with developers, objectors or their agents. This record will be in the form of a file note, the details of which must be circulated to all Councillors within five (5) business days of the contact. The appropriate file note must also be registered in Council's Corporate Records Management system within five (5) business days of the contact.

Clause 10.22 - Public comment by Council Officials

Councillors and staff must ensure that they fully understand the requirements/delegations under which they are permitted to make public comments prescribed in Councils Media Policy. If in any doubt authorisation should be obtained from the General Manager.

Public comments refer to:

- Speaking engagements; and
- Expressing either council or personal views verbally (including on radio and television) and in writing in the public domain.

Furthermore, an appendix to the Code of Conduct has been prepared which details a number of the case studies/examples contained in the Guidelines for the Model Code of Conduct for Local Councils in NSW.

RECOMMENDATION:

That Council adopts the following enhancements, including the Case Studies Examples of Good Practice, to the Code of Conduct:

Clause 6.10 - Lobbying

Councillors and staff should be aware that they are at some time likely to be lobbied by a wide range of people including individuals, organisations, companies and developers. Appropriate lobbying of councillors is a normal part of the democratic system and that councillors have a representative role in considering the views of their constituents and communicating with them.

Examples of inappropriate and or unlawful Councillor Conduct that could occur during lobbying:

- ***Disclosing confidential information, including legal advice;***
- ***Accepting a political donation in return for a favourable exercise of discretion during decision-making; and***
- ***Giving an understanding to an interested party prior to consideration of all the information relevant to a decision.***

Clause 6.11

Councillors should exercise judgement when deciding whether to be involved in private meetings with people seeking to influence a council decision. Suspicions of inappropriate lobbying can occur when lobbying is not open to public scrutiny. (ICAC, 2006, Lobbying local government councillors)

Clause 6.12

You must ensure transparency when being lobbied by:

- ***Keeping a record of the meeting and completing a file note on the appropriate form;***
- ***Holding meetings in locations such as council offices;***
- ***Having other people present; and***

- ***Making sure that any information obtained when being lobbied is available to council staff and other councillors.***

Refer to Case Studies Examples of Good Practice for “Lobbying” (commencing Page 12 Guidelines for the Model Code of Conduct for Local Councils in NSW –October 2008).

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Councillors and staff who are appointed by council as a member of another body or organisation must comply with the codes of conducts of the body or organisation and council.

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Intoxication by alcohol or being drug affected is an unsafe personal condition and is proven to be a hindrance to the performance of official duties. A person, so affected, cannot provide the high standard of service required and is impaired in their ability to make decisions. It may also bring into question the validity of decisions made while under the influence of alcohol or other drugs. Such a person could also expose others to an unacceptable level of risk.

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Binding caucus votes on matters is inconsistent with the obligation of each councillor to consider the merits of the matter before them. Political group meetings must not be used to decide how councillors should vote on matters like development applications, where there are specific statutory considerations for each decision maker to consider.

CLAUSE 8.1 - TOKEN GIFTS AND BENEFITS

Generally speaking, token gifts and benefits (value less than \$ 20) include:

- 8.1 E) ***COUNCILLORS AND DESIGNATED PERSONS MUST DISCLOSE IN ACCORDANCE WITH THIS POLICY A DESCRIPTION OF ANY GIFT OR GIFTS TOTALLING A VALUE EXCEEDING \$20 ON ANY ONE OCCASION AND A VALUE EXCEEDING A CUMULATIVE VALUE OF \$100 PER ANNUM MADE BY THE SAME PERSON DURING A PERIOD OF 12 MONTHS OR LESS. (REQUIRED TO BE INCLUDED IN THE DISCLOSURE OF INTERESTS RETURNS – SECTION 449)***

Clause 9.9 - Meetings with Developers and Consultants

9.9.1 Council Officers shall record in their electronic calendar all meetings and appointments with proponents or interested parties relating to any development, rezoning proposal or sale of Council property, excluding general and counter enquiries. The record is to include those invited or present, the details of where the meeting is held and the subject of the meeting.

9.9.2 Councillors shall record details of all meetings, phone calls and other correspondence with developers, objectors or their agents. This record will be in the form of a file note, the details of which must be circulated to all Councillors within five (5) business days of the contact. The appropriate file note must also be registered in Council's Corporate Records Management system within five (5) business days of the contact.

Clause 10.22 - Public comment by Council Officials

Councillors and staff must ensure that they fully understand the requirements/delegations under which they are permitted to make public comments prescribed in Councils Media Policy. If in any doubt authorisation should be obtained from the General Manager.

Public comments refer to:

- **Speaking engagements; and**
- **Expressing either council or personal views verbally (including on radio and television) and in writing in the public domain.**

REPORT:

As per summary of report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Strengthens the model code to incorporate good practice guidelines and case studies.

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. Tweed Shire Council's Code of Conduct, Version 1.5 (DW1969236)
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REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

9 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 11 December 2008

VENUE:

Council Chambers

TIME:

Commencing at 9.00am

PRESENT:

Committee Members: Mr John Zawadzki (Chairman), Cr Barry Longland (Deputy Mayor), Mr Mike Baldwin, Roads and Traffic Authority, Sgt Justin Lavin, NSW Police, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore. Sgt Rod Golden NSW Police

Informal: Mr Ray Clark, Mr Paul Brouwer, Cr Kevin Skinner, Ms Sandra Zietlow (Minutes Secretary).

APOLOGIES:

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 11 November 2008 be adopted as a true and accurate record of proceedings of that meeting.

SCHEDULE OF OUTSTANDING RESOLUTIONS

[LTC] Schedule of Outstanding Resolutions

B1 [LTC] Kyogle Road

From Meeting held 18/9/08, 16/10/08 and 13/11/08 (Item B1)

ORIGIN:

Planning & Infrastructure

FILE NO: DW1886479; Traffic Committee; Safety; Speed Zones; Kyogle Road

SUMMARY OF REPORT:

"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.

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

B1 [LTC] Heffron Street, Tweed Heads - Tweed River High School

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

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

SUMMARY OF REPORT:

"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).

RECOMMENDATION TO COMMITTEE:

That this item be placed on the Schedule of Outstanding Resolutions.

RECOMMENDATION TO COUNCIL:

That this item be placed on the Schedule of Outstanding Resolutions.

FOR VOTE - Unanimous"

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

Nil.

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 [LTC] Pioneer Parade, Banora Point

ORIGIN:

Planning & Infrastructure

FILE NO: DW 1929859; Traffic Committee; Traffic - Safety; Traffic - Safety; Traffic - School Zones; Pioneer Parade; School - Banora Point Primary

SUMMARY OF REPORT:

A request has been received for the provision of a crossing supervisor in Pioneer Parade adjacent to the Banora Point Primary School.

"Our P & C and teaching staff remain increasingly concerned about the safety of students attending our school and believe a crossing supervisor would alleviate much of this."

Council officers are currently undertaking traffic counts along Pioneer Parade. Council officers will report to the meeting.

Counts were conducted at the School on the 5 December 2008 which showed that in the morning 86 children crossed at the crossing and 338 vehicles drove past the crossing and in the afternoon 114 children crossed and 210 vehicles drove past the crossing.

RECOMMENDATION TO COMMITTEE:

That this matter be referred to the Roads & Traffic Authority of NSW for further consideration.

RECOMMENDATION TO COUNCIL:

That this matter be referred to the Roads & Traffic Authority of NSW for further consideration.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B2 [LTC] Local Traffic Committee 2009 Meeting Schedule

ORIGIN:

Planning & Infrastructure

FILE NO: Traffic Committee

SUMMARY OF REPORT:

The following dates are proposed for Local Traffic Committee meetings in 2009 (Thursdays):-

12 February
12 March
16 April
14 May
11 June
9 July
13 August
10 September
15 October
12 November
10 December

RECOMMENDATION TO COMMITTEE:

That the following dates be approved for Local Traffic Committee meetings for 2009 from 9:00am to 12:00 noon:-

12 February
12 March
16 April
14 May
11 June
9 July
13 August
10 September
15 October
12 November
10 December

RECOMMENDATION TO COUNCIL:

That the following dates be approved for Local Traffic Committee meetings for 2009 from 9:00am to 12:00 noon:-

12 February
12 March
16 April
14 May
11 June
9 July
13 August
10 September
15 October
12 November
10 December

FOR VOTE - Unanimous

B3 [LTC] Eastlakes Drive, South Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: DW 1940108; 1868753; Eastlakes Drive; Soorley Street; Minjungbal Drive; Shallow Bay Drive; Traffic - Committee; Safety; Speed Zones

SUMMARY OF REPORT:

Request received in relation to the following:-

"Traffic volumes in Shallow Bay Dv turning into Eastlakes have increased substantially with the closure of entry from the south into Soorley Street from Minjungbal Drive.

There is a high propensity for traffic to cross the double lines at the sharp turn into Eastlakes causing a significant safety issue.

Speed calming measures in Shallow Bay approaching the corner are recommended by residents.

Residents of Eastlakes Drive near this corner are seeking an extra mirror to assist with the safe use of their driveways."

At the Local Traffic Committee meeting held 21 August 2008 the following was recommended and resolved by Council at its meeting held 2 September 2008:-

"A signed petition by residents of Eastlakes Drive has been received requesting the reduction of speed limit, installation of a convex mirror, traffic calming devices and a footpath in Eastlakes Drive and traffic calming device in Shallow Bay Drive.

The issues of traffic calming devices and the provision of a footpath are being considered by Council officers.

The Committee suggested that the footpath be listed for consideration by Council in a future Works Program.

A convex mirror is not recommended to be installed in this instance as the distance between the convex mirror and the driveway is excessive (approx 30 metres).

The speed limit is 50kph on Eastlake Drive and the 85th percentile speed in Eastlakes Drive was 46kph in June 2007 as measured from a speed survey. A reduction in this limit is not considered warranted.

RECOMMENDATION TO COMMITTEE:

That :-

- 1. The requests of the petitioners be noted.*
- 2. A convex mirror not be installed.*
- 3. A reduction in speed limit is not supported.*

RECOMMENDATION TO COUNCIL:

That:-

- 1. The requests of the petitioners be noted.*
- 2. A convex mirror on Eastlakes Drive not be installed.*
- 3. A reduction in the speed limit on Eastlakes Drive is not supported.*
- 4. Council officers further investigate alternative safety measures that could be undertaken.*

FOR VOTE - Unanimous"

Since the above matter was considered by the Committee, further speed and volume counts have been undertaken by Council officers. The results of these surveys are as follows (mid October 2008):-

Shallow Bay Drive (west of Trigonie Drive):-
85th percentile speed - 59kph
Average Daily Traffic = 2,023 vpd (c.f. 2,171 - 2006 - count)

Eastlakes Drive (north of Shallow Bay Drive):-
85th percentile speed - 46kph
Average Daily Traffic = 1,594 vpd (c.f. 1,445 - 2007 count)

Council's accident database shows no recorded accidents at this location between 2004 and 2006.

Council officers will soon provide additional delineation to the corner on Eastlakes Drive by:-

1. Installing two additional chevron signs (one additional sign for each approach).
2. Relinemark the centreline as a wide chevron.

Speed calming measures such as speed bumps or intersection deflection treatments come at a cost. There is no funding available within the current Council budget for such treatments. A traffic calming project such as this one would also come at a low priority when considering other projects within the Shire.

RECOMMENDATION TO COMMITTEE:

That:-

1. Council officers investigate colour banding of the road carriageway just prior to the corner on Shallow Bay Drive, centreline delineation with the use of raised markers and linemarking a parking lane on Eastlakes Drive (western side).
2. The request for an extra mirror is not supported as adequate sight distance exists.

RECOMMENDATION TO COUNCIL:

That:-

1. Council officers investigate colour banding of the road carriageway just prior to the corner on Shallow Bay Drive, centreline delineation with the use of raised markers and linemarking a parking lane on Eastlakes Drive (western side).
2. The request for an extra mirror is not supported as adequate sight distance exists.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B4 [LTC] Rob Roy Crescent, Quigan Street, McPhail Avenue, Kingscliff

ORIGIN:

Planning & Infrastructure

FILE NO: DW1909734; 1926304; 1919974; 1915891; Rob Roy Crescent; McPhail Avenue; Quigan Street; Traffic - Safety; Speed Zones; Signs - Traffic; Traffic - Directional Signs; Petition; Complaint; Traffic - General; Traffic - Parking Zones; Traffic - Monitoring/Camera; Pedestrian - Safety

SUMMARY OF REPORT:

Requests and Petitions have been received as follows in relation to traffic on Rob Roy Crescent, Quigan Street and McPhail Avenue, Kingscliff:-

Correspondence A - (DW1909734)

1. Change Rob Roy Crescent to 'Residents Only'.
2. Vehicles entering Rob Roy Crescent from Seaview Street in contradiction of 'No Entry' signage.
3. Excessive speeds on Rob Roy Crescent.

Correspondence B - (DW1926304)

1. Excessive traffic on Rob Roy Crescent.
2. Obscured driveways on Rob Roy Crescent, install signage to make drivers aware.
3. Reduce speed limit on Rob Roy Crescent.
4. Divert traffic into Quigan Street.
5. Install additional traffic calming in Rob Roy Crescent.

Correspondence C - (DW1919974)

1. Opposition to any additional traffic calming or changes to Rob Roy Crescent or Quigan Street.

Correspondence D - (DW1915891)

1. Oppose traffic calming in Rob Roy Crescent.
2. Request traffic calming on Quigan Street and McPhail Avenue and intersection of McPhail/Quigan/Rob Roy Crescent.

Background:

- In 1998 Council decision to convert Rob Roy Crescent to one-way downhill.
- Speed surveys conducted in 2001 indicating 85th percentile speed is 38km/h on Rob Roy Crescent.
- Traffic volumes on Rob Roy Crescent were 582 in 2003, 723 in 2005.
- Traffic volumes on Quigan Street were 630 in 2003.
- Current vehicle speed and traffic volumes on Rob Roy Crescent conducted from the 12 & 19 November 2008 show that the 85th percentile speed is 39kph and traffic volumes are now 526vpd.
- The data did indicate that up to 22 vehicle movements per day were in contravention to the one way traffic flow.
- Traffic volumes on Quigan Street for the same period are 807vpd with an 85th percentile speed of 45kph. A directional split of traffic flow shows that 349vpd travel eastbound and 458vpd are westbound.
- No reported crashes in Rob Roy Crescent or Quigan Street from 2003 - 2007.

A speed hump is already in place on Rob Roy Crescent. The measured traffic speeds indicated that further traffic calming is required.

Due to the measured low speeds and low traffic volumes it is recommended that no action be taken.

RECOMMENDATION TO COMMITTEE:

That no action be taken due to measured low speeds, low traffic volumes and no recorded accident history.

RECOMMENDATION TO COUNCIL:

That no action be taken due to measured low speeds, low traffic volumes and no recorded accident history.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B5 [LTC] 'Doctors Only' Allocated Parking - Queen Street, Murwillumbah

ORIGIN:

Planning & Infrastructure

FILE NO: DW1657940; 1598210; 1624392; 1664053; Queen Street; Parking Zones; Traffic - Committee; Car Parks - Murwillumbah; Civic Centre - Murwillumbah

SUMMARY OF REPORT:

At its meeting held 13 September 2007, the Local Traffic Committee resolved:-

"That:-

- 1. "No Parking Tweed Shire Council Authorised Vehicles Excepted 8:00am to 6:00pm Mon-Fri" signage be installed adjacent to the Medical Centre on Queen Street, Murwillumbah.*
- 2. On a separate sign "Doctor Only Parking" wording be installed.*
- 3. Council authorise Doctors of the Queen Street Medical Centre in writing."*

The above resolution followed the loss of 4 'Doctors Only' sign posted spaces within the previous Murwillumbah Civic Centre car park due to the construction of the multi-level car parking complex.

The Murwillumbah car parking complex has now opened and the requirement for the 'permit holders exempt space' in Queen Street requires consideration. For further information, the Minute item is attached to this report (DW1664053). It should be noted that the Medical Centre has the option to lease permanent reserved parking on the 2nd level of the pool car park, but have not shown an interest in this option. (It should be noted 2 other businesses have shown interest in leasing spaces).

The Committee recommended that Council officers advise the medical centre staff of any changes to the no parking zone.

RECOMMENDATION TO COMMITTEE:

That in relation to the existing no parking signage near the medical centre on Queen Street Murwillumbah the previous parking controls be reinstated.

RECOMMENDATION TO COUNCIL:

That in relation to the existing no parking signage near the medical centre on Queen Street Murwillumbah the previous parking controls be reinstated.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

B6 [LTC] Tweed Coast Road, Bogangar

ORIGIN:

Planning & Infrastructure

FILE NO: DW1935668; 1935792; 1935666; Tweed Coast Road; LN 12012; Traffic - Committee; Parking Zones

SUMMARY OF REPORT:

Requests received for Local Traffic Committee guidance in relation to the location of the bollards at 95 Tweed Coast Road, Bogangar (Lot 6 DP 250390).

It appears that insufficient room is available for off-road parking in this area and perhaps with Local Traffic Committee endorsement 'No Parking' signage could be installed over the crest area on the western side of the Coast Road.

It is reported that:-

"The existing bollards on both sides of the roadway clearly define the road over the turning crest of the hill. A kerb and gutter on the low side of the roadway over the crest would improve the situation particularly if Council are planning to reseal the road in the very near future."

The issue is one of recently placed bollards on the western side of Tweed Coast Road in Bogangar which have caused concern amongst residents as they apparently interfere with roadside parking.

Council officers will investigate the issue and report to the meeting.

Council officers advised that although parking may be undesirable at this location, there have been unrecorded accidents and the installation of 'No Parking' signage is not warranted.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That no action be taken.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B7 [LTC] Crabbes Creek Road, Crabbes Creek

ORIGIN:

Planning & Infrastructure

FILE NO: DW1927315; 1928222; Crabbes Creek Road; Traffic - Committee; School; Safety; Speed Zones; Pedestrian Safety

SUMMARY OF REPORT:

Request received for traffic calming devices on Crabbes Creek Road. The request is as follows:-

Crabbes Creek Rd is a "no through" road which is about 5kms long. The only section of straight road in its entire length is the section in the "built up" area which includes the school and playing field, the general store, the community hall and ten houses on small lots one of which is ours. Because of the straight nature of this section people who use this road have a tendency to drive too fast probably due to the fact that the rest of the journey is on bendy sections which keeps the speed that they travel at a much lower pace. We need speed humps in the village.

Despite the fact that there has always been a speed limit in the village of 50kph and a 40kph school zone these speed limits are ignored by almost all traffic and some vehicles travel at speeds of 100kph and even more! To make matters even more dangerous this straight section is oriented in an east west direction which means that the afternoon sun shines directly into a driver's eyes. This coupled with a narrow two lane road formation leads to very dangerous instances where children on bicycles or walking on the verges of the road are put at considerable risk.

Because of the fact that general store, the school and the playing field are situated on this straight section of road this acts as a focal point for the valley's children before and after school and on the weekends and holidays. I am concerned not only for the safety of our own children but also for other families children who walk to school or the store. As there are no footpaths or pedestrian crossing children's lives are put at risk because the children tend to walk at the edge of the road or cross wherever they choose."

In summary, the request is for speed humps to be installed on Crabbes Creek road in the village. Council's traffic data shows:-

- Average daily traffic of 625 vehicles
- 85 percentile vehicle speed of 55kmh just west of the school

There is a children's crossing just east of the school. Council currently has no funds for speed hump installation.

Also, due to the low vehicle volumes and relatively low 85 percentile speed, the installation of speed humps is not recommended.

It is considered that enforcement of the current speed limit would abate community concerns.

RECOMMENDATION TO COMMITTEE:

That due to the low vehicle volumes on Crabbes Creek Road, Crabbes Creek and relatively low 85 percentile speed, the installation of speed humps is not supported and Police be requested to enforce current speed limits.

RECOMMENDATION TO COUNCIL:

That due to the low vehicle volumes on Crabbes Creek Road, Crabbes Creek and relatively low 85 percentile speed, the installation of speed humps is not supported and Police be requested to enforce current speed limits.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

B8 [LTC] Tweed Valley Way between Condong and Chinderah

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

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 Pacific Motorway - Yelgun to Chinderah

ORIGIN:

Planning & Infrastructure

FILE NO: DW1926293; Pacific Motorway - Yelgun to Chinderah; Pollution - Noise;
LN: 43072; Phillip Street; Walsh Street; Rutile Street; Traffic - Committee

SUMMARY OF REPORT:

Request received regarding noise pollution from heavy vehicles on the Chinderah Bypass entering and leaving the new BP Chinderah Service Station. It is reported that:-

"The trucks speed legally at 110kph over Barney's Point Bridge and once over the Wommin Bay Overpass bridge start to work down their gears to enter the BP Service Station and the resulting noise is hideous and unbearable."

RECOMMENDATION TO COMMITTEE:

That this matter be referred to the Roads & Traffic Authority of NSW.

RECOMMENDATION TO COUNCIL:

That this matter be referred to the Roads & Traffic Authority of NSW.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held Thursday 12 February 2009 in the Mt Warning Meeting Room commencing at 9.00am.

There being no further business the Meeting terminated at 11:40am.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 [LTC] Pioneer Parade, Banora Point

As per the Committee's recommendation being:

That this matter be referred to the Roads & Traffic Authority of NSW for further consideration.

B2 [LTC] Local Traffic Committee 2009 Meeting Schedule

As per the Committee's recommendation being:

That the following dates be approved for Local Traffic Committee meetings for 2009 from 9:00am to 12:00 noon:-

*12 February
12 March
16 April
14 May
11 June
9 July
13 August
10 September
15 October
12 November
10 December*

B3 [LTC] Eastlakes Drive, South Tweed Heads

As per the Committee's recommendation being:

That:-

- 1. Council officers investigate colour banding of the road carriageway just prior to the corner on Shallow Bay Drive, centreline delineation with the use of raised markers and linemarking a parking lane on Eastlakes Drive (western side).*
- 2. The request for an extra mirror is not supported as adequate sight distance exists.*

B4 [LTC] Rob Roy Crescent, Quigan Street, McPhail Avenue, Kingscliff

As per the Committee's recommendation being:

That no action be taken due to measured low speeds, low traffic volumes and no recorded accident history.

B5 [LTC] 'Doctors Only' Allocated Parking - Queen Street, Murwillumbah

As per the Committee's recommendation being:

That in relation to the existing no parking signage near the medical centre on Queen Street Murwillumbah the previous parking controls be reinstated.

B6 [LTC] Tweed Coast Road, Bogangar

As per the Committee's recommendation being:

That no action be taken.

B7 [LTC] Crabbes Creek Road, Crabbes Creek

As per the Committee's recommendation being:

That due to the low vehicle volumes on Crabbes Creek Road, Crabbes Creek and relatively low 85 percentile speed, the installation of speed humps is not supported and Police be requested to enforce current speed limits.

B8 [LTC] Tweed Valley Way between Condong and Chinderah

As per the Committee's recommendation being:

That this be investigated further by Council officers.

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 Pacific Motorway - Yelgun to Chinderah

As per the Committee's recommendation being:

That this matter be referred to the Roads & Traffic Authority of NSW.

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10 [SUB-TRC] Minutes of the Tweed River Committee Meeting held Wednesday 10 December 2008

VENUE:

Sustainable Living Centre Kingscliff

TIME:

9.10am

PRESENT:

Cr Kevin Skinner (Chair); Cr Katie Milne; Robert Quirk (NRCMA & NSW Cane Growers' Association); David McPherson (Department of Lands); Martin Dobney (Action Sands Chinderah); Claire Masters (Tweed Landcare Inc); Errol Wright (Tweed River Charter Operators); David Oxenham; Jane Lofthouse, Tom Alletson, (Tweed Shire Council).

INFORMAL:

Lindy Smith; Cathey Philip (Minutes Secretary)

APOLOGIES:

Richard Hagley (Department of Environment & Climate Change); Lance Tarvey (Department of Environment & Conservation); Rhonda James (Caldera Environment Centre); Carl Cormack (NSW Maritime Authority); Bob Loring (Department of Primary Industries - Fisheries); Peter Baker (Tweed Agriculture Representative); Kyle Slabb (Tweed Byron Local Aboriginal Land Council); Sebastien Garcia-Cuenca, Mark Kingston (Tweed Shire Council).

MINUTES OF PREVIOUS MEETING:

Moved: Katie Milne

Seconded: Errol Wright

RESOLVED that the Minutes of Meeting held Wednesday 22 October 2008 be accepted as a true and accurate record of the proceedings of that meeting, with the amendment that the partner for ASS research is University of New South Wales, not Australian National University..

BUSINESS ARISING:

Items from Meeting held 22 October 2008

2. NSW Department of Environment & Climate Change regarding Conditions of Approval & Long Term Monitoring at Tugun Bypass

Tugun Bypass

Refer to Agenda Item 1.

1. Department of Environment & Climate Change regarding the Formation of a Coordinating Group for Land Management at Cobaki Foreshore
Cobaki Broadwater; Estuary Management

Tom Alletson provided an update. Council resolved to sign the Memorandum of Understanding subject to having community representation on the group. An invitation to meet will be sent out to all relevant stakeholders in early 2009.

4. Dredging Stotts Channel

Dredging; Stotts Island Nature Reserve; Wommin Lake

Tom Alletson provided more detail on possible dredging options. There was a discussion on the pros and cons of dredging and the various ways it could be done. This matter will be addressed in the February meeting after Councillors have had time to study the background, with the objective of coming to a decision on whether to proceed with a stage one investigation of the impacts of dredging.

This led to a discussion on the ecological health Kerosene Inlet. Cr Milne asked if dredging was possible and Tom responded advising why it would not be feasible. The process of tidal flushing was discussed, with the importance of maintaining the system of river wall overtopping noted.

Tom will carry out an inspection of the area to ensure that sand bar formation in the river adjacent to Kerosene Inlet will not obstruct tidal exchange. Cr Skinner requested he be able to attend the inspection.

It was also decided to incorporate Kerosene Inlet into the Cudgera Creek Ecological Assessment.

Sally Jacka attended 9.35am

Cr Milne then raised the subject of Wommin Lake. She had been advised that the Chinderah/Yelgun bypass caused a large negative impact on seagrass - 70% lost since bypass went in.

Cr Skinner mentioned the sulphur smell that often comes from the lake and Jane and Tom explained that this was a natural cause due to the mangroves.

The Committee decided that Jane Lofthouse is to contact the Department of Fisheries asking if more monitoring had been done lately and then report back to the next meeting.

6. Sanding Up of Entrance to Anchorage Islands Canal

Canals; Water Quality

The gates were opened in mid-November for a six month trial. Errol Wright advised that this had been a complete success even though only four of the five gates were working. The water is flowing and is crystal clear. Errol also stated that some "V" notches at the top of the weir wall would also be beneficial.

Tom Alletson is to check why the fifth gate not operating and if "V" notches are possible.

CORRESPONDENCE IN:

1. Letter from Minister for Climate Change and the Environment
Government Grants; Coastal Management; Estuary Management

Offer of financial assistance up to \$250,000 for implementation of the Tweed River Estuary Management Plan plus \$50,000 for Coastal Creeks Management Plan.

2. Letter from Minister for Climate Change and the Environment
Environmental Trust Grant; Biodiversity Program

Advising that the Environmental Trust has approved a grant of \$1,710,278 for improving Urban and Peri-Urban Bushland Sustainability in Tweed and Byron Shires.

CORRESPONDENCE OUT:

Nil

David Hannah attended at 10.30am

AGENDA ITEMS:

1. Tugun Bypass

Tugun Bypass

Lindy Smith and David Hannah attended meeting and provided an update on water quality monitoring associated with the Tugun Bypass. Lindy advised that there are discrepancies in the data provided in construction compliance reports and in data she has reviewed.

It was determined that the Tweed River Committee (TRC) should take steps to define long term risk to the marine and estuarine environment related to runoff from the bypass.

It was resolved by the committee that TRC should design and conduct a focused monitoring program that will identify and track the contaminants that are being discharged to the Cobaki Broadwater from surface water drains servicing the Tugun Bypass that are evidently receiving acid sulphate soils runoff.

Jane Lofthouse left at 10.50am

Moved: Robert Quirk

Seconded: Katie Milne

RESOLVED that Tom Alletson, Robert Quirk and Lindy Smith meet with Leigh Sullivan from Southern Cross University to design a process to monitor surface water discharge to the Broadwater, as well as long term ecological impacts and risks to the marine and estuarine environment.

Moved: Robert Quirk

Seconded: Katie Milne

RESOLVED that the following recommendation be made to Council.

RECOMMENDATION:

That a letter be forwarded to the Department of Planning expressing concern at the lack of response to Lindy Smith's correspondence relating to discrepancies in data reporting on the Tugun Bypass, and requesting that information be provided to Council outlining how the matter has been investigated as a matter of urgency.

On behalf of the committee Claire thanked Lindy for all the work and time she has voluntarily committed to this issue.

David Hannah left at 11.55am

2. River Bank Revetment, Chinderah

Riverbank Erosion; Budd Park

An assessment on the current program was provided and followed by a lengthy discussion regarding the river banks at Chinderah and Budd Park, Murwillumbah.

David advised the committee that \$1.3m was being made available to Tweed Shire Council by the Federal Government and this money was to be distributed over various Council projects and is to be spent before September 2009.

It is considered by committee that any Federal money granted to the Tweed River Committee should be allocated to Budd Park and not to Chinderah due to timeframe.

Moved: Claire Masters

Seconded: Robert Quirk

RESOLVED that the Tweed River Committee commence design, planning and interim works to restrict vehicular access to the sandy beach adjacent to the Chinderah Hotel following consultation with NSW Fisheries and allocate a budget item for foreshore stabilisation and enhancement works for Chinderah in 2009/2010 budget.

David Oxenham left at 10.40am

3. Community Representatives on Council Committees

Committees of Council

Tom advised that Council will be calling for community representatives for each committee of Council early in 2009.

Jane returned at 12.18pm

GENERAL BUSINESS:

4. Program Update

Tweed River Committee

Tom provided a detailed update of future programs hoping to be undertaken using money budgeted to the Tweed River Committee.

5. NSW DPI/Fisheries

Clarrie Hall Dam; Noxious Pests

Jane advised of a noxious fish species (Green Perra) that has been found at base of the dam wall at in Doon Doon Creek.

6. Moorings Tweed River

Tweed River; Boating; Pontoons; Jetties

Jane advised that NSW Maritime has increased the number of moorings at the golf course to 12 and are not putting any new moorings in Boyd's Bay for 12 months. There is a long standing commitment to Council that there will be no moorings west of Boyd's Bay Bridge.

7. Pat Smith Park

Pat Smith Park

Councillors Skinner and Milne advised of information that had been sent to them regarding improvement of Pat Smith Park.

Tom will advise the committee of a costing and recommendation after liaising with Recreation Services.

The committee agreed that it should only provide ecological restoration.

8. Boyd's Bay Marina

Boyd's Bay Marina; Development - General; Boating

Cr Milne inquired if Department of Lands could provide information to the Tweed River Committee regarding a proposed marina at Boyd's Bay. David McPherson will investigate and report back to the next meeting. Cr Milne has concerns and commented on results she has of a survey carried out when the marina at Chinderah was being considered. A copy of this survey is to be provided to committee members.

NEXT MEETING:

The next meeting of the Committee is to be held on 25 February 2009 at the Canvas & Kettle Meeting room commencing at 9.00 am.

The meeting closed at 1.05pm.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

1. Tugun Bypass

Tugun Bypass

As per the Committee's recommendation being:

"That a letter be forwarded to the Department of Planning expressing concern at the lack of response to Lindy Smith's correspondence relating to discrepancies in data reporting on the Tugun Bypass, and requesting that information be provided to Council outlining how the matter has been investigated as a matter of urgency."

11 [SUBCOM] Sub-Committees/Working Groups for Distribution Only

The following sub-committees/working groups do not require Council endorsement and are distributed for information only.

UNDER SEPARATE COVER

1. Minutes of the Tweed Australia Day Committee Meeting held Monday, 5 January 2009 (DW 1968341)
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ORDERS OF THE DAY

12 [NOM] Removal of Graffiti

NOTICE OF MOTION:

Councillor K Skinner moves:

That:-

1. Council pursues a policy of zero tolerance in the removal of graffiti.
 2. The Roads and Traffic Authority be requested to do the same.
 3. The necessary advertising with a direct council contact be implemented as a matter of course to pursue this major problem in our shire.
-

13 [NOM] Environmental Impact of Power Boating on the Tweed River

NOTICE OF MOTION:

Councillor Barry Longland moves:

That:-

1. A study to establish the environmental impact of power boating on the Tweed River be undertaken in order to inform future Tweed Shire Council policy on this topic.
 2. The study is to involve consultation with key stakeholders and the wider community with the Tweed River Committee having responsibility for the terms of reference, funding and management of the study.
 3. A report on the outcomes with recommendations to be available to Council as soon as possible.
-

14 [NOM] Biodiversity

NOTICE OF MOTION:

Councillor K Milne moves:

That:-this new Council:-

1. Acknowledges that the Tweed Shire is an internationally significant environment, that it has one of the highest vertebrate biodiversity of any region in Australia (TSC Management Plan P.10) and that figures compiled by the Australian Nature Conservation Agencies, State of the Environment Report (1996) suggest that the region supports more species of bird, fish, amphibian, and mammals than Kakadu.
 2. Acknowledges and pledges to uphold their extraordinary duty as co-custodians of this special environment to care for its land and its waterways, by embracing the full spirit of environmental considerations and protections available.
 3. Adopts a policy throughout all departments of leadership in sustainability initiatives, always considering/ attempting more sustainable alternatives and outcomes.
 4. Develops a marketing campaign, strategies and incentives to strongly establish the Tweed as an eco-friendly Shire, and actively entice, encourage and provide incentives for developers, builders, businesses and residents to take a more proactive approach to sustainability.
-

15 [NOM] Eco-friendly Promotion

NOTICE OF MOTION:

Councillor K Milne moves:

That a report be brought forward outlining:-

1. Options for increased signage around the Shire especially at major destinations and high use areas and gateways, relating to information on environmental and cultural aspects and promotion of the Tweed as an eco friendly Shire.
 2. Options/suggestions/ a way forward to further enhance the Tweeds eco friendly image and natural integrity.
-

16 [NOM] Community Consultation

NOTICE OF MOTION:

Councillor K Milne moves:

That in recognition of the value of local knowledge especially in protecting this internationally significant environment, this new Council pledges to maximise community consultation and respect for the visions, ideas and issues raised by the Tweed community.

17 [NOM] Hastings Point Interim Development Controls

NOTICE OF MOTION:

Councillor K Milne moves:

That Council

1. Prepares a new draft DCP to extend the interim development controls, adopted for the south of Hastings Point, to the north of Hastings, north of Cudgera Creek Bridge; and
 2. Further restricts the interim density ratio to no more than two (2) dwellings per site through a new draft Development Control Plan.
-

18 [NOM] Wildlife Signage**NOTICE OF MOTION:**

Councillor K Milne moves that:

1. Council Officers bring forward a report on the occurrences and environmental impacts of native road kill events in the Tweed Shire and the practical, operational and financial aspects and options for installing wildlife awareness signage at strategic hotspot locations throughout the shire.
2. Council submits a motion to the LGSA Division A conference in February to request that the State Government provides greater flexibility to reduce traffic speeds at wildlife road kill hotspots in recognition of the alarming loss of Australia's biodiversity and especially to protect the Tweed and Northern Rivers Region which has the highest vertebrate biodiversity in Australia.

19 [NOM] Cobaki and Kings Forest**NOTICE OF MOTION:**

Councillor K Milne moves that due to the size, complexity and enormous environmental, social and economic significance of the Cobaki Lakes and Kings Forest Developments, Council:-

1. Assists the community by holding a public meeting on each of these developments.
2. Assists the community by holding a community inclusive workshop on each of these developments.
3. Writes to the NSW Minister of Planning to request an extension of the public exhibition period for the Cobaki Lakes and Kings Forest developments for two months to allow for consideration of the size, complexity and enormous social, environmental and economic implications involved in these very sensitive coastal locations, and to allow for Council assisted community consultation on these issues.

20 [NOM] Bay Street**NOTICE OF MOTION:**

I, Cr Milne move that

1. Councils' General Manager and Director of Planning accept the invitation to participate in the public meeting concerning the closing and selling of Bay Street, Tweed Heads scheduled for 31st Jan, provide a presentation on the Bay St and related Jack Evans Boat Harbour and bike track issues, respond to questions raised at this meeting, and
 2. Council hold a community inclusive workshop on these issues.
-

