



AGENDA

OPERATIONS COMMITTEE 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**



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REPORTS THROUGH GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

01 [GM-OC] Donations Policy - Second Round Applications for Financial Assistance 2008/2009

ORIGIN:

General Manager

SUMMARY OF REPORT:

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

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

Second round applications for financial assistance were invited under Council's Donations Policy and closed on 26 February 2009.



RECOMMENDATION:

That Council allocates the second round donations for 2008/2009 under the Donations Policy as follows:-

<u>Applicant</u>	<u>Amount Approved</u>
TwinTowns Friends Association Inc.	\$1,000
Neighbourhood Watch - Area14	\$200
Tweedlesea Seniors Day Club	\$1,000
Westpac Lifesaver Rescue Helicopter	\$1,000
St Vincent de Paul Society	\$500
Kunghur Community Preschool	\$1,000
Uki Sporting Association	\$800
Joey's Pouch Educational Child Care Centre Inc	\$1000
Burringbar District Sports Club	\$500
Murwillumbah Friendship Club	\$1000
Tweed Valley Vehicle Restorers Club	\$200
Tweed Valley Wildlife Carers	\$800
Ukitopia Arts Collective	\$1000
Tweed Palliative Support	\$1000
TOTAL	\$11,000

REPORT:

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

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

The following criteria is required to be used to determine the applications:

- No financial assistance will be given to privately owned businesses/companies.
- Organisations must be Tweed based or the funds are to be used on a service or activity for Tweed.
- No financial assistance will be given to Government Departments or agencies or for support of Government owned facilities.
- The funds are not to be used for a social activity for members of the organisation exclusively.

The 2008/2009 Budget was prepared on the following basis:

\$23,121 Donations Funding

An amount of \$11,548 was allocated in the first round. The amount available for allocation in round 2 is \$11,000. The remaining balance of \$575 is to be reserved in the budget.

The applications received by 26 February 2009 are listed below:

Applicant	Donation Requested	Purpose
Twin Towns Friends Association Inc.	\$2,000	Assistance with administration costs, office consumables, maintenance and running expenses of equipment within the office.
Neighbourhood Watch - Area 14	\$200	Printing & distribution of information leaflets to residents in Area 14.
Tweedlesea Seniors Day Club	\$2,000	Assist with financing bus transport for members to and from their homes to attend Club meetings.
Westpac Life Saver Rescue Helicopter	\$2,000	Assistance with the purchase of a "Borescope" & USB Snap Shot Adaptor.
St Vincent de Paul Society	\$2,000	Construction of shelving racks, purchase of storage containers and plastic covers for storage of resources required to meet demand for assistance and disaster relief.



Joella's Magical Face Painting	\$500	Purchase of face and body paints, glitter, wipes, sponges, brushes, albums for designs, photos and laminating for use at fundraising events.
Tweed Shire Women's Service Inc	\$990	Assist in the purchase of stationery, telephone, advertising, printing of tickets for the Wonders of Women (WOW) Inaugural Ball and WOW Outstanding Achievement Awards.
Kunghur Community Pre-School	\$2,000	Purchase of a stove, cooking utensils and cooking equipment.
Kingscliff Book Group	\$1,500	Hiring of furniture & purchase of refreshments for the launch of the Group's book re - Kingscliff, Cudgen & Chinderah.
Uki Sporting Association	\$800	Improvement of facilities and grounds. The running of events and targeting youth training.
Joey's Pouch Educational Child Care Centre Inc.	\$3,616.40	Purchase of a laptop and projector.
Pacific Coast Christian School	\$2,000	The purchase of a Community Signboard that can celebrate the achievements of the local community and advertise community events that are hosted at the school.
Burringbar District Sports Club	\$1,500	Fencing and a shade sail around the Children's playground area.
Murwillumbah Friendship Club	\$2,251	Purchase of a Sound System.
Banora Point Community Centre	\$20,000	Wages for the Coordinator position for a year to ensure activities continue at current capacity and to establish a wider profile in the local community.
Tweed Valley Vehicle Restorers Club	\$1,500	Upgrading of equipment - Marquee, Tables and purchase of a lockable trailer to store this equipment.
Tweed Valley Wildlife Carers	\$2,000	Construction of two (2) relocatable aviaries.
Bilambil P & C Assoc	\$1,500	Construction weatherproof storage shed
Rotary Club of Tweed Coast	\$1,500	Computer for club records & accounts
Ukitopia Arts Collective	\$2,000	Towards production costs for new youth arts festival
Tweed Palliative Support	\$2,000	Volunteer training course for 20 new carers
TOTAL	\$53,857.40	



Under Council's Donations Policy for 2008/2009 the following amounts were distributed in the first round:

Applicant	Amount Approved
Riding for the Disabled (NSW) Tweed Valley Centre	\$2,000
Murwillumbah Showground Trust	\$2,000
Tweed Gold Coast Family History & Heritage Association	\$1,848
Uki Public Hall & Recreation Reserve Trust	\$1,200
Mt Warning Community Pre School	\$1,500
Crabbes Creek Community Hall Inc	\$2,000
Camp Quality	\$1,000
Total:	\$11,548

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

An amount of \$11,000 is recommended for distribution in the second round.

POLICY IMPLICATIONS:

Donations Policy.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. **Confidential Attachment** - Donations Policy Distribution List (ECM2022344)



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02 [GM-OC] Festivals Policy - Second Round Applications for Financial Assistance 2008/2009

ORIGIN:

General Manager

SUMMARY OF REPORT:

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

The main objective in the Tweed Shire Festivals and Events Strategic Plan 2008-2013 is to increase the quality and effectiveness of all the Tweed Festivals and Events.

The Council recognises the importance of festivals and events to the quality of life offered in the Tweed Shire and their significant economic benefits to tourism and other industries.

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

Second round applications for financial assistance were invited under Council's Festivals Policy and closed on 26 February 2009.

RECOMMENDATION:

That Council allocates the Second Round Donations for 2008/2009 under the Festivals Policy, as follows:-

<u>Applicant</u>	<u>Amount Approved</u>
Murwillumbah Festival of Performing Arts	\$3,599
Cabarita Beach-Pottsville Beach Lions Club Inc.	\$2,000
Nitromax Productions	\$2,000
Burleigh Arts Group (auspice organisation)	\$1,000
Tyalgum Annual Festival of Classical Music	\$5,000
Caldera Environment Centre	\$2,000
Murwillumbah Community Centre	\$2,000
TOTAL	\$17,599

REPORT:

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

The main objective in the Tweed Shire Festivals and Events Strategic Plan 2008-2013 is to increase the quality and effectiveness of all the Tweed Festivals and Events.

Tweed Shire has a diverse range of festivals and events each year that attracts a combined audience of almost 200,000 from the community and visitors to the Tweed.

The Council recognises the importance of festivals and events to the quality of life offered in the Tweed Shire and their significant economic benefits to tourism and other industries.

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

The 2008/2009 Festivals Budget was prepared on the following basis:

\$48,899	General
\$10,000	Wintersun multi-year funding

An amount of \$32,600 was allocated in the first round. The amount available for allocation in round 2 is \$17,599. This amount is made up of a balance of \$16,299 plus a returned amount of \$1,300 from round 1 allocation.

Applicant	Amount	Festival
Gold Coast Chess Club	\$3,000	2009 Oceania Zonal Chess Tournament
Murwillumbah Festival of Performing Arts	\$4,000	Murwillumbah Festival of Performing Arts
Cabarita Beach-Pottsville Beach Lions Club Inc.	\$3,500	Lions Charity Greenback Tailor Fishing Competition
Nitromax Productions	\$2,000	Tweed Coast Extreme 2009
Burleigh Arts Group (auspice organisation)	\$15,000	KAFE Festival (Kingscliff Art, Food and Entertainment)
Tyalgum Annual Festival of Classical Music	\$5,000	Tyalgum Festival of Classical Music
Caldera Environment Centre	\$2,000	World Environment Day
Murwillumbah Community Centre	\$2,000	Belly 2 Big School - Family Fun Day
TOTAL	\$36,500	



Under Council's Festivals Policy for 2008/2009 the following amounts were distributed:

First Round:

Applicant	Amount Approved
Emergency Services Day in the Park Committee	\$1,300
Festival of Speed on Tweed	\$7,000
Tweed Shire Senior Citizens Week Committee	\$7,000
Island Style Promotions on behalf of the Gold Coast Malibu Club	\$2,000
Murwillumbah Community Centre	\$1,300
Tweed Banana Festival	\$7,000
Wollumbin Aboriginal & Torres Strait Islander Community Association	\$7,000
TOTAL	\$32,600

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The 2008/2009 Festivals Budget was prepared on the following basis:

\$48,899	General
\$10,000	Wintersun multi-year funding

An amount of \$32,600 was allocated in the first round. The amount available for allocation in Round 2 is \$17,599. This amount is made up of a balance of \$16,299 plus a returned amount of \$1,300 from Round 1 allocations.

POLICY IMPLICATIONS:

Festivals Policy.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. **Confidential Attachment - Festivals Policy Distribution List (ECM2022334)**



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REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES**O3 [TCS-OC] 2009/2012 Draft Management Plan, 2009/2010 Draft Budget/Fees and Charges****ORIGIN:****Corporate Governance****SUMMARY OF REPORT:**

The 2009/2012 Draft Management Plan is part of the process of providing clear purpose and direction in the management planning of Council's proposed activities, functions and services over the next three years. The Plan includes the 2009/2010 Draft Revenue Policy, Fees and Charges and Budget of \$166.7 million

The Minister for Local Government, under Section 508A of the Local Government Act 1993, determined in 2007 that the percentage by which Tweed Shire Council may increase its general income for 2009/2010 is 9.5% above that for 2008/2009, which includes year four of Council's 7 Year Infrastructure and Services Plan.

The 2009/2010 Draft Budget has an extensive capital works program of \$61.6 million that will support growth and community needs in the Shire.

Council at its meeting of 17 March 2009 resolved that;

1. Council continues the implementation of the approved 7 Year Infrastructure and Services Plan and increases general income in 2009/10 by 9.50%, 2010/11 by 8.50%, 2011/12 by 3.50%(*refer to background of report), 2012/13 by 7.50%; and
2. The 2009/10 Draft Budget include a \$958,530 reduction in service levels as recommended in the report is to be revised as far as projects are concerned; and
3. The Draft 2009/12 Management Plan, Draft 2009/10 Budget and Draft 2009/10 Fees and Charges be prepared for consideration at 21 April 2009 Council meeting.

In accordance with Section 405 of the Local Government Act 1993, Council must give public notice of the preparation of the draft management plan and publicly exhibit the plan for not less than twenty-eight (28) days. This report formalises this requirement.

RECOMMENDATION:

That:

- 1. Council places the 2009/2012 Draft Management Plan, the 2009/2010 Draft Budget, Draft Revenue Policy and Draft Fees and Charges on exhibition for public comment from Thursday 23 April 2009 to Friday 22 May 2009.**
- 2. Copies of the Draft Management Plan, 2009-2010 Draft Budget, Draft Revenue Policy and Draft Fees & Charges be available on Council's website, at the Civic Centre offices and libraries and copies provided to each of the resident, community and business groups detailed in the report.**
- 3. Council invites the resident, community and business groups as reported to participate in a feedback session on Tuesday 5 May 2009.**

REPORT:**1. What is the Management Plan?**

Council's Management Plan is the strategic mechanism within which planning, financial policy making and management takes place.

The Management Plan is Council's primary business planning document.

2. Management Plan - 2009/2012

The Management Plan provides a three-year program aimed at effectively meeting the expected needs of the community. The Plan states Council's vision, mission, projects and initiatives that Council proposes to undertake during 2009/2010 and priorities for 2010/2011 and 2011/2012.

Each project or initiative has attached to it performance management measures and target dates, which will be used to determine how Council is performing during the 2009/2010 component of the plan.

Regular status reports are provided to Council within 8 weeks after the end of each quarter highlighting the extent to which the performance targets set by the Council's current Management plan have been achieved during that quarter.

3. Community Consultation

The next stage of the Management Plan process involves seeking feedback from the community, as to their views on the Draft Plan. To facilitate this process the draft management plan and supporting documents will be placed on public display on Council's website www.tweed.nsw.gov.au, Tweed Heads and Murwillumbah Civic Centres and libraries at Tweed Heads, Murwillumbah and Kingscliff.

To comply with the *Management Planning for NSW Local Government guidelines*, Council will be inviting local Chambers of Commerce, Ratepayers/ Residents Associations/ Community Groups in the Shire, to participate in a feedback session on Tuesday 5 May 2009. To assist in this feedback process, copies of the 2009-2010 Draft Management Plan will be forwarded to each of the following groups:

Banora Point & District Residents Association
Cabarita Beach/Bogangar Residents Association
Caldera Environment Centre
Casuarina Residents Association
Chinderah & District Residents Association
Cudgen Progress Association
Fingal Head Community Association
Friends of Terranora
Hastings Point Residents Association
Kingscliff Ratepayers & Residents Association

Mooball & District Moovers
Murwillumbah & District Chamber of Commerce
Murwillumbah Ratepayers & Residents Association
Pottsville Beach Business Association
Pottsville Community Association
Tweed Coast Chamber of Commerce
Tweed District Residents & Ratepayers Association
Tweed Economic Development Corporation
Tweed Heads Chamber of Commerce
Tweed Landcare
Tweed Tourism
Tyalgum District Community Association
Uki Village & District Residents Association

Ratepayers and residents are encouraged to express their views on the Plan to Council, and are able to seek clarification of issues associated with the various projects and initiatives from the appropriate Council officers.

Submissions received will be considered by Council at its proposed meeting of Thursday 28 May 2009, with the view to finalising and adopting the 2009/2012 Draft Management Plan, 2009/2010 Draft Budget, Draft Revenue Policy and Draft Fees and Charges.

4. Project Highlights from the 2009/2012 Draft Management Plan

Included in the plan, are projects that are scheduled to be delivered or commenced during 2009/2010. A brief summary of some of these projects follows:

Roadworks Projects

Urban Streets - \$ 1,772,000

- *Road reconstruction and/or provision of kerb & guttering in old, narrow urban streets at :*
 - River Street Murwillumbah
 - Broadwater Esplanade Bilambil Heights
 - Byangum Road Murwillumbah
 - Collier Street Cudgen
 - Brisbane Street Murwillumbah
 - Barellan Drive Banora Point.

Rural Roads - \$ 1,323,000

- *Reconstruction of road pavements which are in poor condition at:*
 - Burringbar Road Burringbar
 - Dulguigan Road Dulguigan
 - Tyalgum Road Tyalgum
- *Intersection of Crabbes Creek Road and Tweed Valley Way, complete realignment*
- *Gravel resheeting of unsealed roads*

Piggabeen Bypass - \$700,000

- *Bypass Construction*
Complete construction of Piggabeen village bypass, removing major traffic volume from the village.

Kyogle Road - \$ 550,000

- *Realignment*
Complete realignment of narrow winding blackspot section on Kyogle Road from Clarrie Hall Dam access to Palmers Road.

Kennedy Drive - \$ 1,677,000

- *Widening*
Commence widening to four lanes on Kennedy Drive from Cobaki Creek to the Pacific Highway. Urban growth to the west will result in traffic volumes increasing in the future.

Bridges - \$ 1,805,000

- *Replacement of four timber bridges on Kyogle Road with concrete structures at:*
 - Twin Bridge
 - O'Briens Bridge
 - Snake Creek Bridge
 - Brewer- Charles Bridge

Murwillumbah Drainage - \$ 500,000

- *Extension of Stormwater pipeline*
Stage 2 of the Murwillumbah drainage project, involves the extension of the stormwater pipeline along Wharf and Murwillumbah Streets to Queensland Road. Project will deliver essential upgrades to the stormwater drainage in the CBD, relocate the drainage system from private property onto Council roads and allow future maintenance of the drainage system.

Parks and Recreation Projects**Parks**

- *Parks Maintenance*
In the draft 2009/2010 Budget, the following allocations have been made:
 - \$385,000 replacement of old park furniture, including picnic shelters, BBQ's bins and bollards;
 - \$145,000 replacement of old play equipment;
 - \$300,000 (\$150,000 each) to the embellishment of Chinaman's Gardens Bray Park and Quota Park West Tweed Heads.

Sportsfield

- *Sportsfield Capital Works*
\$1,000,000 has been allocated for sportsfield capital works, providing for the upgrade of sports facilities across the Shire, including new lighting, new and improved amenities, construction of additional fields, and installation of a central irrigation management system.

- *Additional Sportsfields*

It is anticipated that Council will receive an additional 5.4ha of sportsfields (Blackrocks and Terranora) during 2009/2010, plus an additional 9.5ha that will be developed by Council at Depot Road Cudgen and Les Burger Field Cabarita.

A further 4ha of passive open space is expected to be received.

Public Facilities

- *Public Toilets*

\$ 100,000 has been allocated to the on-going public toilets upgrade

Jack Evans Boatharbour

- *Stage 1*

\$ 5,000,000 is included in the 7 Year Infrastructure and Services Plan for proposed harbour and foreshore redevelopments, featuring extensive walkways, cycleways, and opportunities for passive water-based recreation.

Cultural gardens, story boards and space for public, community and performance art that showcases the regions rich local Aboriginal and European heritage.

Planning Projects

Tweed LEP

- *Tweed LEP Stage 1, including Tweed Heads Masterplan area.*

The management plan aims to finalise through gazettal of the Tweed LEP Stage 1, including the Tweed Heads Masterplan area. Stage 1 comprises a rollover of the existing Tweed LEP zone provisions into the 'standard instrument order' format. This will not result in any significant policy changes through zoning amendments, with exception to those being driven by the standard instrument, the inclusion of minor amendments brought about by Council's Cabarita and Murwillumbah Locality Plans and the environmental protection mapping.

The Draft Tweed Heads LEP, DCP and Civic Improvement Plan (prepared by the Department of Planning) will be placed on public exhibition.

- *Commence investigation for Stage 2 LEP after finalisation of Stage 1*

Stage 2 will comprise potentially significant strategic land-use policy changes that will be driven by Council initiated land-use strategies and locality based planning (the background studies), which are currently in preparation.

Implementation of NSW Planning Reforms

- *Introduction of the NSW Housing Code.*

The NSW Housing Code took effect from 27 February 2009 and it seeks the reduction of the need to submit development applications for development activity relating to single dwelling houses and alterations and additions to existing dwelling houses.

As part of the 2009/2012 Management Plan Council will be adapting to these new requirements and will integrate assessment of the Code within Council's development assessment and certification systems.

- *Implementation of E-Planning*

E-Planning relates to utilising web based systems and electronic functions to replace many of the manual, paper-based actions that Council currently utilises for development assessment, including the lodgement, notification, internal and external referral of information and determination of development applications.

The Draft 2009/2012 Management Plan proposes to implement the project in three stages, commencing in July 2009 with an anticipated completion by the end of 2011.

Development Control Plans

- *Completion of a Plan for Hastings Point.*

Consultants have been appointed to undertake as a priority the development of the Hastings Point Locality Plan and Development Control Plan. It is aimed to have the new planning controls in place by the end of 2009.

- *Completion of a Plan for Pottsville*

A draft Development Control Plan was prepared and publicly exhibited in 2008. Council did not advance adopting the Plan, pending investigations of existing parcels of Crown Land and the need to provide any new major retail centre within the existing Pottsville Village.

The Draft Management Plan envisages that the revised draft Plan will be placed on public exhibition culminating in its estimated approval by the end of 2009.

Planning Controls

- *Revisit detailed planning controls for the deferred areas of Tweed Heads, Tweed Heads South and South Murwillumbah.*

The Tweed Heads, Tweed Heads South and South Murwillumbah planning projects have all been impacted by the need to conduct a comprehensive flood risk management study due to concerns for climate change.

The results of Council's flood risk management strategy are expected to be available by late 2009.

It is then proposed to revisit the detailed planning controls for the deferred areas of Tweed Heads, Tweed Heads South and South Murwillumbah.

Implementation of NSW Planning Reforms

- *TEDC'S Telecommunication Infrastructure and Masterplanned Estates Projects.*

Council Officers have been working closely with the Tweed Economic Development Corporation to co-ordinate the production of initial consultants reports to inform the advancement of new planning controls.

The project is aimed at facilitating and guiding the development of more sustainable and economically viable residential and business communities, with an emphasis on identifying suitable sites and new planning controls for co-locating residential, commercial and light industrial development, supported by a network of advanced telecommunications infrastructure, through both private and public investment.

It is expected that the project will be completed throughout 2010.

Community & Cultural Projects

Kingscliff Amenities Hall

- *Undertake major refit of Kingscliff Hall*
Council will be embarking on a major refit of the hall, with funds allocated from the 7 Year Infrastructure and Services Plan. The refit will comprise a painting and refurbishment program, making the facility more attractive and further enhance its use.

Youth

- *Youth Activities*
Funds have been allocated in the 7 Year Infrastructure & Services Plan to support the activities and involvement with the youth of the Shire. The Youth Development Officer has developed an exciting and challenging program for 2009/2010.

Tweed River Art Gallery

- *Gallery Program*
An exciting program of temporary exhibitions will be undertaken along with the Gallery Portrait collection. The program has a focus supporting the endeavours of the region's arts workers.

Cultural Development

- *2009-2013 Cultural Plan*
Council's Cultural Development Officer will be conducting a series of workshops which will culminate in the development of the new 2009-2013 Cultural Plan. The previous plan was instrumental in the Shire being awarded the honour of being the 5th City of the Arts. The new plan will continue and build upon some aspects of the plan.

Natural Resources Management Projects

- *Waterways Projects*
The Cobaki and Terranora Broadwaters Management Plan review and Ecological Health Assessment have been completed. The focus of the Tweed Estuary Management Program will be to develop strategies and actions to reduce nutrient pollution coming from rural catchments and urban stormwater, particularly the Western Drainage Scheme. Riparian rehabilitation projects across the catchment continue to be a priority with grant funded projects targeting specific weeds and high priority sections of river bank.
- *Coastal Zone*
Protection of Kingscliff foreshore assets to commence through the construction of a seawall in front of the Cudgen Headland Surf Life Saving Club. Construction of an extension to the stormwater pipe onto Duranbah Beach to reduce erosion of the beach.
- *Biodiversity*
Identification, auditing and development of management plans for public bushland to sustainably enhance and manage these areas. Continuation of the Indian Myna control program.
- *Sustainable Agriculture*
Develop and commence implementation of a Sustainable Agriculture Strategy for Tweed Shire. Continue successful programs for improved management of floodplain agricultural lands.
- *Sustainability and Climate Change*
Supporting the community initiated Sustainability Street project. Developing the water and energy consumption reporting system for council assets and commence implementation of the climate change adaptation report.

Economic Development Projects

Tweed Tourism

- *Tourism Promotion*
Council has committed to a funding agreement with Tweed Tourism to undertake the tourism promotion of the Tweed and to operate the Visitor Information Centres. In 2009/2010, it is proposed to allocate:
 - \$120,000 - Marketing
 - \$331,644 - Administration & Tweed Heads & Murwillumbah Visitor Information Centre Operations
 - \$25,000 - Kingscliff Visitor Information Centre Operations

Tourism Promotion

- *World Heritage Rainforest Centre*
An allocation of \$ 100,000 is proposed to progress redevelopment of the World Heritage Rainforest Centre at Budd Park (Alma Street Murwillumbah).

Tweed Economic Development Corporation

- *Business/Economic Development Promotion*
Council has committed to a funding agreement with Tweed Economic Development Corporation to undertake the promotion of business development and economic developments in the Tweed. In 2009/2010, it is proposed to allocate:
 - \$76,673 - Projects
 - \$359,926 - Administration
 - \$2,191 - Economic Model Maintenance

Miscellaneous Programs

- *Murwillumbah Saleyards Upgrade*
Funds are proposed to be allocated for the progressive upgrade of the sale yards facilities, including replacement of the wooden yards, with steel construction.
- *Murwillumbah CCTV*
Construction of the Murwillumbah CCTV will be completed from Federal Government Grants, including \$100,000 from the Federal Local Community Infrastructure Grants Program.
- *Tweed Heads Visitor Information Centre*
Construction of the Tweed Heads Visitor Information Centre will be completed from Federal Government Grants, including \$300,000 from the Federal Local Community Infrastructure Grants Program.

Governance Projects

Information Technology

- *Property & Rating Request Management System(CRM)*
A new Customer Request Management System will be implemented, to enable Council to comply with legislation and provide integration with its Property & Rating and Asset Management Systems to achieve greater operational efficiencies and reporting benefits.
- *Subdivision Unit Mobile Solution.*
Council's current mobile solution, which was successfully deployed to the Regulatory Services Unit in 2008, will be extended to include the Subdivision Unit. The extension will provide access to Council's Field Officers via a Telstra Connect IP service, which will achieve greater operational efficiencies.

Corporate Governance

- *Integrated Planning and Reporting*

Council will commence implementation of the Department of Local Government Integrated Planning and Reporting Guidelines, which are required to be operating from the commencement of the next local government electoral term in September 2012.

The guidelines will have an impact on how council currently prepares and delivers its management plan, annual report and other council plans.

Waste Management Projects

Council is planning to secure the long term waste disposal and treatment needs by conducting necessary environmental investigations and investing in infrastructure at Council land holdings in Eviron Road. In 2009/2010 environmental investigations are expected to continue with the Environmental Assessment addressing the Director General's requirements for the Eviron Road Quarry and Landfill Part 3a major project application. Investigations and detailed planning will also commence in 2009/2010 into landfill engineered design work and quarry planning. Work will commence on associated infrastructure on the Eviron Road site which will include power and a haul road linking the current Stotts Creek Resource Recovery site with the Eviron Road land holdings.

Three new contracts for the provision of waste management services in the 2009/2010 financial year will be negotiated. The Contracts will provide for the collection, processing, recycling and disposal of waste, recyclables and green waste from domestic households and public place bins.

On the education front, Council will be introducing a new multi bin system to all households. A significant communications plan is being developed for implementation in the coming financial year, which will include concept design, development and production of promotional materials.



Water Supply and Wastewater Projects

The following major Water Supply and Wastewater projects will commence either the detailed design or construction phase in 2009/10 with expected completion date as detailed.

Water Supply Projects	Target Completion	
Bray Park Water Treatment Plant Augmentation completion	2010	\$4,000,000
Tyalgum Water Treatment Plant upgrade	2010	\$1,420,000
Banora Pt Reservoir Rehabilitation	2010	\$800,000
Hospital Hill Reservoir Rehabilitation	2010	\$500,000
Walmsleys Road Reservoir No. 2	2011	\$1,800,000
Kennedy Drive, Bypass to Boyds Bay, 450mm Trunk upgrade	2011	\$700,000
Walmsleys Res to Piggabeen Road Trunk Main New	2011	\$600,000
North Arm Road Trunk Main Duplication	2011	\$1,000,000
Koala Beach Reservoir No.2 and Trunk main	2012	\$2,100,000
WPS No. 1 upgrade	2012	\$2,850,000

Wastewater Projects	Target Completion	
Gravity sewer relining Annual Program	2010	\$800,000
Old Kingscliff WWTP demolition, decontamination	2010	\$5,200,000
Banora Pt WWTP Biosolids Systems upgrade	2010	\$1,600,000
Banora Point WWTP outfall upgrade	2011	\$3,800,000
Banora Point WWTP Augmentation to 18 ML/d	2011	\$32,800,000
Burringbar Sewerage scheme	2011	\$5,820,000
Hastings Pt WWTP Effluent Quality Upgrade	2011	\$5,000,000
SRM 1023 North Arm Road – Duplication	2011	\$541,000
SPS 2052 Piggabeen Road Regional New	2011	\$1,115,000
SRM Diversions to SPS 2052 Piggabeen Road Regional New	2011	\$500,000
Effluent Reuse Projects	2012	\$2,100,000
SRM 3037 Terranora Area E Regional - New	2012	\$1,433,000
SPS 3037 Terranora Area E Regional - New	2012	\$100,000
SRM 4025 Coast Rd Sub Regional New	2012	\$625,000

5. Service Level Reductions

The Minister for Local Government has approved the following increases in general income from the 7 Year Infrastructure and Services Plan.

	2009/10	2010/11	2011/12	2012/13
Special Variation – 7 Year Plan	6.00 %	5.00 %	4.00 %	4.00 %
Special Variation – Base Budget	3.50 %	3.50 %	3.50 %	3.50 %
Total 7 year plan approval	9.50 %	8.50 %	7.50 %	7.50 %

It is important to note that any increases to future budgets cannot exceed this approval without the consent of the Minister. For example, the 2009/10 base budget cannot be greater than 3.50% and any increase to the 7 Year Plan component cannot exceed 6.00%.

Significant increases have needed to be absorbed into the 2009/2010 budget including:- Award increases in staff salaries, insurance, electricity and street lighting costs, debt servicing of capital works commenced up to June 2009 and a reduction in income associated with development.

As the maximum approved rate increase to the base budget is 3.50% a reduction to levels of service of \$709,787 has been made to provide a balanced budget result for 2009/10.

These reductions are in the following areas:-

<u>Activity/Program</u>	<u>Reduction</u>
Footpaths	54,655 <i>Reduction in program</i>
Urban Road Construction	214,102 <i>Reduction in program</i>
Sportsfields	15,000 <i>Murwillumbah Cricket Wickets</i>
	47,530 <i>Reduce sportsfields capital works program (lighting & amenities upgrades)</i>
Planning Reforms	90,000 <i>Reduction in planned Tweed LEP Stage 2 investigations, such as a new locality plan for Kingscliff, affordable housing, industrial DCP, and review of heritage controls.</i>
Tweed River Committee	91,000 <i>Reduction in the number of new programs, to be determined by the Tweed River Committee</i>



Cultural programs	3,750	<i>Museums and Heritage</i>
	5,000	<i>Cultural Development Fund</i>
	650	<i>Art Exhibitions</i>
	5,700	<i>Art Gallery Operating Expenses</i>
	750	<i>Public Art Maintenance</i>
	3,000	<i>Arts Northern Rivers</i>
 Community Programs	750	<i>Youth Support</i>
	7,500	<i>Access Funding</i>
 Waterways Program	6,000	<i>Coastal management planning</i>
	4,400	<i>Phosphorous Action Plan</i>
	160,000	<i>Reduction of Indoor staff positions</i>
	<hr/>	
	709,787	

Contribution to Regional Library

Council has received a request from Richmond Tweed Regional Library to increase regional library contribution by \$25,406 above the original 3.90% increase.

This amount has tentatively been included in the draft Budget, however it is considered that the Richmond Tweed Regional Library should consider a reduction in levels of service as all councils are required to do when operating costs are greater than the allowable rate increase, and as illustrated in Tweed Council having to reduce levels of service by \$709,787.

6. 7 Year Infrastructure and Services Plan

The 2009/2012 Draft Management Plan and Draft 2008/2009 Budget incorporates projects due to be delivered in Year 4 of the 7 Year Infrastructure and Services Plan. The Plan commenced in 2006/2007 and the Minister for Local Government on 15 August 2007 gave approval for a special variation to general income under Section 508A of the Local Government Act 1993 for years 2008/2009 to 2012/2013 for a structured increase above the Ministerial allowable increase in General Income.

2009/10	9.50%
2010/11	8.50%
2011/12	7.50%
2012/13	7.50%

As part of the Draft Management Plan and Budget process, Council has reviewed the 7 Year Infrastructure and Services Plan in relation to project costs and project timing.

The following summarises the major program changes made as a result of this review.

Project/Service	Action	Project \$
Murwillumbah Museum	Deferred to 2010/11	\$1,000,000
Tweed Heads Museum	Deferred to 2010/11	\$3,000,000
Community Centre Murwillumbah	Deferred to 2010/11	\$1,000,000
Kingscliff Community Centre	Deferred to 2011/12	\$1,500,000
Economic Development	Defer pt to 2010/11	\$400,000
Condong Boating Facility	Deferred to 2011/12	\$425,000
Coastline Management Plan	Program delayed 1 year	\$6,000,000
West Kingscliff Drain	Increase in costs 2009/10	\$800,000
Tweed Heads Masterplan (Jack Evans Boatharbour)	Increase in costs 2009/10	\$5,000,000
Coastal landscape strategy	Deferred to 2010/11	\$4,000,000
Extension to Rural Road Network	Deferred to 2012/13	\$350,000
Council Offices	Deferred to 2012/13	\$5,832,376
Tweed Coast Depot	Deferred to 2012/13	\$5,500,000

The deferral of projects is primarily due to either projects awaiting grant funding, insufficient Section 94 Developer Contributions collected for the projects to proceed and the planning of projects and ability to deliver has been delayed.

7. Legal Requirements

Section 402 of the Local Government Act 1993, provides that during each year a Council must prepare a draft Management plan with respect to:

- Council's activities for at least the next three years; and
- The Council Revenue Policy for the next year.

The Act further provides that the draft Management Plan must contain the following statements with respect to the Council's activities for the period to which it relates: -

- A statement of the principal activities that the Council proposes to conduct;
- A statement of the objectives and performance targets for each of its principal activities;
- A statement by which the Council proposes to achieve these targets
- A statement of the manner in which the Council proposes to assess its performance in respect to each of its principal activities; and
- Statements with respect to such other matters as may be prescribed by the regulations.

The act requires the statement of principal activities to include the following particulars: -

- Capital works projects to be undertaken;
- Services to be provided;
- Asset replacement programs to be implemented;
- Sales of assets;
- Activities of a business or commercial nature;

- Human Resource activities (such as training programs);
- Activities to properly manage, develop, protect, enhance and conserve the environment in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- Activities in response to and to address priorities identified in, the Council's current comprehensive report as to the state of the environment and any other relevant reports;
- Programs to be undertaken by the Council to implement its equal employment opportunity plan; and
- Details of access and equity strategies identified in the Social Plan and other plans that are integral to social justice and which enhance community wellbeing.

Section 405 of the Local Government Act 1993 requires Council to give public notice of its draft Management Plan and place on exhibition for not less than twenty-eight (28) days.

Council, in accordance with Section 406 of the Local Government Act 1993 must, prior to 30 June 2009, adopt the Management Plan for 2009/2012.

8. Budget Overview

The intention of the Local Government Act is that financial planning is an integral part of the Management Plan and Council must show how it proposes to fund the activities it plans to undertake.

The draft Management Plan includes details of sources, amounts and the basis of calculation of proposed revenue to be raised in the next year (s.404). These details are supported by a detailed estimate of Council's income and expenditure (s.404(1)). A general estimate of income and expenditure for the second and subsequent years covered by the Management Plan has also been prepared (s.404(4)).

9. The Budget Summary

The budget provides information on the types of services that Council proposes to provide during the 2009/2010 financial year and at what level.

As a financial plan, the budget outlines how much the Council services will cost and how they will be funded. The budget includes appropriations from operational funds for capital projects and the cost impact of the maintenance of these projects is reflected in the document.

10. Council's Financial Plan (2009/2010)

The Minister for Local Government, under Section 508A of the Local Government Act 1993, determined in 2007 that the percentage by which Tweed Shire Council may increase its general income for 2009/2010 is 9.5% above that for 2008/2009, which includes year four of Council's 7 Year Infrastructure and Services Plan.

The budget as presented is balanced. If any surplus funds become available from operations during the year, they will be applied to increase the level of accumulated funds or to offset increased expenditure in other operations.

11. Budget Format

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

The Financial Strategies segment of the strategic component of the Management Plan outlines the key financial strategies, which have been incorporated into the development of the budget. Such strategies include: -

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

12. Revenue Policy

1. The Local Government Act insists upon greater reliance on user charges and less reliance on rates.
2. Council's Revenue Policy aims to balance these considerations with its community service obligations.

The Revenue Policy for a charge or fee identifies: -

- Cost relating to a particular service or function of local government;
- Any revenue which may be earmarked for that service or function; and
- Options for recovering the cost of a service or function.

Council exists to provide services for the benefit of the local community; therefore it should operate in an efficient manner. The provision of services must take account of a number of major characteristics of local government including: -

- A large part of its revenue comes from ratepayers who understandably expect a certain level and quality of service for payment of rates;
 - Local Government policies, budget and pricing;
 - Local Government receives grants from other tiers of government which often prescribes policies and pricing practices;
 - Commonwealth and State Legislation are prescriptive in certain areas in relation to the powers of local government; and
 - A responsibility of allocating revenues in the most efficient and effective manner.
-



Variation to General Income for 2009/2010

Proposed 2009/2010 Rate Structure (Minimum Rates)

	2009/10 \$	2008/09 \$
Ordinary Rate:-		
Residential	747.10	682.30
Business	798.40	729.16
Farmland	747.10	682.30
Sewerage Charge	527.00	509.00
Water Access Charge	102.00	98.00
Domestic Waste Garbage Charges	192.80	186.30
Landfill Management Charge	25.00	23.00
Minimum Rate	1,591.90	1498.60
Pensioner Rebate	425.00	425.00
Net Pensioner Minimum Rate	1,166.90	1073.60

13. Fees and Charges

What services can be charged for?

The following questions are addressed when considering the level of fees and charges covered in the Revenue Policy:

- Which groups (persons or entities) will benefit from the service?
- Can this target group be charged for the service?
- Should this target group be charged for the service?
- How will the target group be charged?
- Will the target group pay, or will other groups be forced to subsidise the provision of the service?

Fees and Charges have been increased by 3.5% except for statutory charges set by the State Government. A complete list of the Draft Fees and Charges for 2009/2010 is an attachment to this report and are recommended for placement on public exhibition.

New Fees and Charges

Non- Residential Sewerage Access Charge

Council is proposing to adopt the following changes to the non-residential sewerage access charge:

- a) a minimum non-residential sewerage access charge equivalent to the residential sewerage access charge.

- b) non- residential sewerage access charge for assessments with a 20mm water service or smaller equivalent to the residential sewerage access charge.
- c) non-residential sewerage access charge for assessments with a larger than 20mm water service be calculated by multiplying the residential sewerage access charge by the ration of the water meter's cross sectional area to that of a 20mm water meter's cross sectional area.
- d) the following Table of Consumption Factors to be further applied to the calculation of the non-residential sewerage access charge. For details of this charge refer to the draft Revenue Policy.
- e) the Table of Consumption Factors in item (d) above remains equal to the Table of Consumption Factors used for the calculation of the water supply access charge for non-residential assessments.

The increase in charges are proposed to be phased in equally over three years commencing in 2009/2010.

14. Conclusion

In preparing the Budget, every effort has been made to address the objectives and strategies of the Draft Management Plan and is presented after much review by Council's senior officers.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

In accordance with Section 402 of the Local Government Act 1993 preparation of the Draft Management Plan.

A balanced budget of \$166.7 million with a Capital Works Program of \$61.6 million.

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. Draft 2009/2012 Management Plan (ECM 2028108)
 2. Draft 2009/2010 Budget (ECM 2027978)
 3. Draft 2009/2010 Fees and Charges (ECM 2026116)
 4. Draft Revenue Policy and Statement (ECM 2027360).
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O4 [TCS-OC] Financial Assistance Grant

ORIGIN:

Financial Services

SUMMARY OF REPORT:

Council has received correspondence from Sutherland Shire Council seeking Tweed Shire Council's support in calling for a review of the distribution methodology of the Financial Assistance Grant.

RECOMMENDATION:

That Council writes to the NSW Premier, the Local Government & Shires Association and the NSW Local Government Grants Commission supporting a review of the distribution methodology used for the allocation of the Financial Assistance Grant.

REPORT:

Council has received correspondence from Sutherland Shire Council (copy included in this report) seeking Tweed Shire Council's support in calling for a review of the distribution methodology of the Financial Assistance Grant.

In summary the report provided suggests increasing the share of funding available for the minimum allocation based on population from 30% to 50% of the total State allocation.

Sutherland Shire
COUNCIL Administration Centre
4-20 Eton Street, Sutherland
NSW 2232 AustraliaPlease reply to:
General Manager,
Locked Bag 17,
Sutherland NSW 1499
Australia

Tel 02 9710 0333

Fax 02 9710 0265

DX4511 SUTHERLAND

Email ssc@nsw.gov.au
www.sutherland.nsw.gov.au

ABN 52 018 204 808

Office Hours
8.30am to 4.30pm
Monday to FridayMr G Thomas – 9710 0334
File Ref: GS/06/829649 (RJH:FN)

16 March 2009

Mr Michael Rayner
General Manager
Tweed Shire Council
PO Box 816
Murwillumbah NSW 2484GOVERNMENT
GRANTS - GENERAL

LOCAL GOVT GRANTS
TWEED SHIRE COUNCIL
FILE No. Commission
Doc. No.
REC'D 19 MAR 2009
ASSIGNED TO: RAYNER, M.
HARD COPY IMAGE

Dear Mr Rayner

Financial Assistance Grants Allocations

At the Council's meeting of 23 February 2009 a report was considered concerning the current methodology and distribution of funds under the Commonwealth Government Financial Assistance Grants and distribution of those funds through the NSW Local Government Grants Commission.

You may not be aware that for many years this Council has been concerned at the means by which Commonwealth Financial Assistance Grants funding has been calculated and distributed across NSW.

Our concern with the current methodology behind the distribution of untied funding under the Commonwealth Financial Assistance Grants scheme has, on numerous occasions, resulted in written representations being made to higher levels of government.

The detail of Council's objections and the reason for our concern have been included in the report considered by Council and a copy of that report is provided herewith. Central to our concern is the commitment of only 30% of the total pool of funds available to our State for allocation to each council of a minimum amount on a per capita basis. Currently this sees approximately 1 council in 8 in receipt of that minimum amount of \$18.47 per head of population.

Additionally, the "Effort Neutrality Principle" utilised to assist in determining grants allocated whilst ignoring the relative efficiency of an organisation or its underlying financial strength, we feel, ignores the "needs based" assessment of grant allocations.

In summary the report provided suggests increasing the share of funding available for the minimum allocation based on population from 30% to 50% of the total State allocation. This new per capita amount would be allocated to all councils categorised by the Local Government Remuneration Tribunal as Level 2 or higher as we consider all such councils are similarly disadvantaged with ageing infrastructure a feature. The resulting "reductions" in grants would be redistributed to the Level 3 and 4 councils to assist with meeting infrastructure spending requirements.

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- 2 -

This process would lead to a redistribution of funding across the State with all but 12 councils (of 155) receiving increased General Purpose Grants.

Based on this methodology, your council would be advantaged as outlined in the report.

It would be appreciated if you would support this review of the methodology and convey this to the NSW Premier, the Local Government & Shires Associations and the NSW Local Government Grants Commission.

Yours sincerely



J W Rayner
General Manager

Finance Resources and Management

16/02/2009 FIN125-09
Local Government Financial Assistance Grants
File Number: GS/06/829649
Director: Corporate Services (GMT)
Report Item

REPORT IN BRIEF

Purpose

To outline the methodology and distribution of the national and state local government financial assistance grants program and comment on how this relates to this Council.

Summary

This report has been prepared as a result of a council resolution Mayoral Minute 06/08-09, resolution 8 that states:

"8. That a briefing be provided for councillors in the Finance Resources and Management Committee regarding Financial Assistance Grants".

It is considered that the subject matter is far too detailed to only provide a briefing on the subject and this detailed report gives a reference document to stimulate discussion.

Local government financial assistance grants (FAG) are general purpose grants that are paid to local councils under the provisions of the Commonwealth Local Government (Financial Assistance) Act 1995. The Commonwealth distributes the grants to a Local Government Grants Commission (LGGC) set up in each state, the ACT and the Northern Territory.

The NSW LGGC is responsible for making recommendations on the allocation of the grants in NSW to the NSW Minister for Local Government. When accepted by the Minister they are referred to the Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government for final approval.

The Commonwealth Act prescribes the general principles that must be applied in each state, the main principles are to apply a methodology to distribute the general purpose grant on a needs basis (horizontal equalisation) and any council policies and practices should be ignored (effort neutrality). Each state has similar methodologies that adhere to the general principles.

The NSW LGGC distributes the grants in NSW by the same components received from the Commonwealth, that is by the general purpose and local roads components. The distribution methodology follows the Commonwealth guidelines for the general purpose component, this is assessed for councils by an expenditure and revenue allowance and applying the method called the effort neutral principle.

FIN125-09

Sutherland is greatly financially disadvantaged by this methodology whereby Blacktown Council with the highest NSW population (284,692) receives \$13.759 million of the general purpose grant, some three and half times more than Sutherland Shire with the second highest population in NSW (213,917) only receiving \$3.95 million.

Council has objected to the methodology for over a decade with no changes being applied. The NSW LGGC claims they will review the method if a majority of councils apply. This does not happen as those being advantaged by the method do not want a change, hence a majority is unlikely to be obtained.

REPORT IN FULL

Background

Local government financial assistance grants (FAG) are general purpose grants that are paid to local councils under the provisions of the Commonwealth Local Government (Financial Assistance) Act 1995. The Commonwealth distributes the grants to a local Government Grants Commission set up in each state, the ACT and the Northern Territory.

The commonwealth distributes the grants by two components, they are:

- a general purpose component is distributed based on each state's share of the national population. This is around 70% of the total sum to be distributed, and
- a local roads component is distributed based on a historical formula and this accounts for about 30% of the total sum to be distributed.

Grants are distributed on an estimates basis for population and CPI and if projections are not realised then the following year adjustments are made. Grants are unconditional and can be spent in any way a council decides.

Once NSW receives its share of the grants it is then channelled through the NSW Local Government Grants Commission (LGGC) to local councils. The LGGC has traditionally 4 members nominated by the NSW Minister for Local Government and appointed for terms up to five years (members may be re-appointed). At least 2 members must be persons who are, or have been, associated with NSW local government, including councillors. Another member, the deputy chairperson, must be an officer of the NSW Department of Local Government (DLG).

The NSW LGGC is responsible to the NSW Minister for Local Government for making recommendations on the allocation of the grants in NSW. When accepted by the Minister they are referred to the Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government for final approval.

National Grant Allocations in 2008-09

In summary the 2008-09 distribution of national grants is:

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- the estimated national entitlement is \$1.872 billion,
- the general purpose component is \$1.296 billion (69% of total)
- the local roads component is \$575 million (31% of total)
- based on population NSW received \$424.02 million of the general purpose component (32.7% of the national pool)
- based on a historical fixed share NSW received \$166.89 million for the local roads component (29% of the national funds)

National Principles for Distribution of Grants by the States

The Commonwealth Local Government (Financial Assistance) Act 1995 governs the way in which the grants are to be distributed by the States and sets out the 6 national principles to be adhered to in the allocation process. The six principles are:

- **Horizontal Equalisation**
The general financial assistance component is distributed using a horizontal equalisation or needs based approach, which aims to compensate Councils with below average revenue raising capacity and above average costs of service provision.
- **Effort Neutrality**
In assessing grant levels for individual Councils, the Commission takes no account of the policies and practices of those Councils. Thus individual policy on rate setting, service provision and standards, and levels of debt and reserves have no impact on the grant outcomes.
- **Minimum Grant**
The minimum grant entitlement is the amount that Councils would be entitled to if 30% of the general financial assistance component was distributed between Councils on a per capita basis.
- **Other Grant Support**
Other relevant grant support provided to Councils to meet any of the expenditure needs assessed is taken into account using the inclusion approach.
- **Aboriginal and Torres Strait Islanders**
Financial assistance is allocated to Councils in a way, which recognises the needs of Aboriginal and Torres Strait Islander people within their boundaries.
- **Council Amalgamation (New Principle in 2006-07)**
Where two or more local governing bodies are amalgamated into a single body, the general purpose grant provided to the new body for each of the four years following amalgamation, should be the total of the amounts that would have been provided to the former bodies in each of those years if they had remained separate entities.

Distribution of Grants in NSW

The NSW LGGC distributes the grants in NSW by the same components received from the Commonwealth, that is by the general purpose and local roads components. However, the

FIN125-09

distribution methodology is based on the distribution principles set down by the Commonwealth Act.

The grant distribution is as follows:

- the general purpose component attempts to measure the extent of relative disadvantage between councils. This approach considers the extent of cost disadvantage in the provision of services (**called expenditure allowances**) and an assessment of the relative capacity of councils to raise revenue (**called revenue allowances**). It attempts to do this by also excluding any consideration of council policies and practices (**called the effort neutral principle**). This methodology will be expanded upon later in the report.
- the local roads component is assessed on the basis of council's proportion of the state's population and the lengths of local roads and bridges. This formula was developed by the NSW Roads and Traffic Authority.

Regardless of the general purpose distribution method all councils are entitled to a minimum amount, for 2008-09 this amount is \$18.47 per capita. The minimum amount is calculated by taking 30% of the general purpose pool of funds and dividing it by the total state population. This council has been on the per capita minimum since 1996/97 and has never been allocated any higher amount.

NSW Grant Allocations in 2008-09

Appendix A shows all FAG allocations for NSW councils.

The summary below shows how the Sutherland Shire fairs in NSW compared with the top 10 (including Sutherland) most populated local councils in relation to the general purpose component of the grant. A total of 155 councils received the FAG in 2008-09. The figures quoted relate to the general purpose components shown in Appendix A and have not been adjusted by the CPI adjustment as they are all relative anyway.

Council	Population Estimate 30/6/07	Pop'n Rank in NSW	% NSW Total Pop'n	General Purpose Grant \$	% of NSW Total	Per Capita Amount \$
ALL NSW	6,888,501	-	-	424,015,792	-	\$61.55
Blacktown	284,692	1	4.13%	13,759,651	3.24%	\$48.33
Sutherland Shire	213,917	2	3.10%	3,950,244	0.93%	\$18.47
Wollongong	195,766	3	2.84%	11,818,627	2.78%	\$60.37
Lake Macquarie	193,092	4	2.80%	11,561,045	2.73%	\$59.98
Fairfield	187,362	5	2.71%	8,499,344	2.00%	\$45.36
Bankstown	179,657	6	2.60%	4,527,767	1.07%	\$25.20
Penrith	177,686	7	2.57%	8,809,562	2.07%	\$49.58
Liverpool	172,932	8	2.51%	5,789,456	1.36%	\$33.48
Sydney City	168,682	9	2.45%	3,774,626	0.89%	\$22.38
Baulkham Hills	168,026	10	2.44%	3,102,810	0.73%	\$18.47
Above 10 councils as a whole	1,941,814		28.15%	75,613,134	17.83%	\$38.93

From the above table it can be seen:

- that the ten councils above make up over 28% of the population in NSW,
- Sutherland Shire is the second most populated making up 3.1% of the total NSW population,
- Sutherland Shire and Baulkham Hills only receive the minimum per capita grant of \$18.47 and are clearly financially disadvantaged compared to the other councils shown
- Sutherland Shire receives over \$40 per capita less than Wollongong and Lake Macquarie, and over \$30 per capita less than three other councils.
- Sutherland Shire receives \$18.47 per capita compared to the top 10 populated council average of \$38.93 per capita.

This is a large discrepancy when one considers the population of the community that the Sutherland Shire Council must service.

The grants are distributed quarterly to councils commencing around mid-August each year.

How come Sutherland Shire is so behind in the general purpose FAG funds?

As stated earlier the general purpose distribution by the NSW LGGC is based on a equalisation method which is very complex and analytical using:

- expenditure allowances
- revenue allowances, and
- the effort neutral principle

This report will not attempt to outline this complicated methodology as some aspects still confuse very experienced staff today, however the major aspects are discussed.

Expenditure Allowances

The expenditure allowances cover about 20 functional areas of expenditure including libraries, health, building control, recreation, roads etc. A mathematical formula is applied to specific statistics collected for each area to attempt to measure councils' extent of relative disadvantage because of issues beyond their control. It covers assessments on criteria like non-english speaking users and residents, population distribution, duplication of facilities, family compositions and so on. The result is an attempt to measure how much more it costs a council above what is regarded as the standard cost to deliver that service, in other words the potential additional costs to council because of the disability calculated. The more disabilities the greater the chance of more funds in the overall calculation.

The expenditure allowances disregard capital expenditure. What councils spend on capital infrastructure is not considered in any assessment.

Sutherland Shire does not score highly enough in the expenditure areas and criteria prescribed to be regarded as a disadvantaged council. Many submissions from Council to the Commonwealth and NSW LGGC have pointed out that Sutherland has other disabilities incurring costs above other councils that are not recognised in the prescribed criteria. Disabilities to expenditure include roads and services to support the Royal National Park,

beaches, Kurnell oil refinery, ANSTO Nuclear Reactor, Lucas Heights Waste & Recycling site and now a desalination plant. The submissions have not been accepted and made no difference to the expenditure allocation.

Revenue Allowances

This allowance attempts to assess a ranking of councils in terms of their relative capacity to raise revenue. This calculation is based on a theoretical capacity to raise revenue by comparing land values per property to a state standard and applying the state standard rate-in-the-dollar. To assess a councils revenue raising capacity solely by reference to land values is a very crude methodology.

This is the main area where Sutherland suffers in the distribution of the grant because of its relatively high land values compared to other councils in the Sydney metropolitan area and regional areas. Councils with low land values are assessed as disadvantaged (positive allowance), whilst councils like Sutherland Shire with high values are assessed as advantaged (negative allowance). This negative allowance predominately presents Sutherland as a "well off" council compared to others and defaults to receiving the per capita minimum grant each year.

For over the past decade Sutherland has argued this is a flawed assumption as council's rate revenue raising is limited to rate pegging therefore land values do not reflect a council's capacity to raise revenue. On this basis Sutherland has asked for reviews to be conducted, in particular with regards to this allowance. The respective authorities have always been willing to review the methodology if a majority of councils are in agreement. The issue is that those councils currently being advantaged by the method will not support a review, why should they?

Effort Neutrality Principle

The final part of the assessment is the effort neutrality principle. This principle ignores council policies, decisions and practices to suggest all councils are assessed as equal before the two allowances are calculated. This then ignores council rating increases, financial and entrepreneurial policies and current financial position. So financial strength is ignored, the level of built up reserves is also ignored and councils that continually raise rates above the rate pegging limit are not tested for efficiency measures. Sutherland has always seen this as a contradiction to the objective of the FAG, that is to provide financial assistance to councils that may be disadvantaged in delivering services to the community.

Let us compare some financial indicators and results between the two most populated councils in NSW, Blacktown and Sutherland:

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	Sutherland	Blacktown
FAG – General Purpose component 2008-09	\$3.95 m	\$13.759 m
* All figures below are as at 30/6/08		
Net Operating Surplus for year ended	\$281k	\$68.4 m
Revenues from Ordinary Activities	\$168.2 m	\$253 m
Capital Grants & Contributions received	\$9.2 m	\$60.9 m
Total Cash Assets & Investments	\$96.6 m	\$227.8 m
Loan Indebtedness (external)	\$27.9 m	Nil
Debt Service Ratio	3.7%	Nil
Unrestricted Current Ratio	1.45:1	6.35:1
Rates & Annual Charges Coverage Ratio	61.6%	46.6%
Real Estate Development Inventories	\$5 m	\$21 m
Total External & Internal Restrictions (Reserves)	\$108.2 m	\$212 m
Unexpended Grants	\$1.875 m	\$14.6 m
Domestic Waste Management Reserve	\$1.385 m	\$21.44 m
Infrastructure Sinking Fund – Future Works	\$3.74 m	\$23.2 m
Land Projects Fund – Property Fund	\$4.2 m	\$21.95 m

It is difficult from the comparisons above to suggest that Blacktown receiving a \$13.759 million grant is 3 and a half times more disadvantaged than Sutherland receiving only \$3.95 million.

Sutherland is regarded, as our external auditor states, to be in a sound and stable financial position. Blacktown is without doubt one of the wealthiest councils in NSW, maybe Australia, however they still receive the highest NSW grant allocation. Their Unrestricted Current Ratio of 6.35 is unheard of even amongst the major corporations of business.

The effort neutrality principle that ignores the underlying financial strength of a council would appear to ignore the overall objective of the FAG principles including "needs based" assessment of allocations.

Infrastructure Renewal

Council is aware of our own problems in allocating enough resources to infrastructure renewal / maintenance to prevent the need for wholesale replacement across asset types. There is generally not enough funding available to do all we would prefer to do. Difficult choices are made.

The Independent Inquiry into the Financial Stability of NSW Local Government initiated by the Local Government and Shires Associations, had as a major finding that there is a huge infrastructure renewal backlog of over \$6 billion (as at 2005) which was then estimated to grow to almost \$21 billion in 15 years.

In November 2008, the Federal Minister for Infrastructure, Transport, Regional Development and Local Government, when speaking of the then forthcoming meeting in Canberra between Government representatives and Mayors and Shire Presidents from across the nation made many relevant points, including:-

FIN125-09

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"The Australian Council of Local Government will allow for regular dialogue between the Commonwealth and local communities on issues of national significance, including climate change; the growth of our cities; regional development; improving efficiency and financial sustainability of local government; and constitutional recognition for local government.

And the quality of local facilities – community halls, libraries, parks, swimming pools and roads – as well as services such as childcare and aged care affect all Australians where they live.

This week's meeting will also see the further development of the Rudd Government's Regional and Local Community Infrastructure Program. This initiative will help deliver the local infrastructure which has a direct impact on the quality of life within local communities.

The building of community infrastructure also creates local jobs and stimulates local economies, consistent with the Government's determination to deliver continued economic growth through our economic security strategy.

We have made the development of nation building infrastructure a top priority and central to our economic agenda. We understand the critical role it plays in driving higher productivity and greater long term prosperity.

But this is not economic reform for its own sake; it is a means to an end.

We are moving quickly to implement our agenda and begin fixing the infrastructure deficit we inherited, bringing forward the development of an Infrastructure Priority List to next month.

Australia must not only address past failures to adequately invest in rail, road, water, energy and communications infrastructure, but also in the delivery of local community infrastructure to our cities and regional communities."

Conclusion

Clearly a redistribution of FAGs funding on a per capita basis is warranted on the facts. To assist with discussion some comparative figures have been prepared and are included in the following manner:-

- Appendix B - FAG Modelling
- Appendix C - 2008-09 Current Distribution by Per Capita Calculation
- Appendix D - 2008-09 Redistribution on a 50% Calculation Basis by Per Capita Calculation

What is demonstrated is that by the suggested redistribution, 143 of 155 councils are advantaged to undertake improvement of infrastructure.

Report Recommendation:

FIN125-09

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1. That the NSW State Government, through the Premier, be requested to approach the Federal Government to give greater recognition to the need for increased allocations of the Federal Financial Assistance Fund Grants for distribution on a per capita basis.

2. That the Local Government & Shires Associations be requested to undertake consultation across the state based on the modelling prepared with a view to demonstrating the means by which a majority of councils would be benefited by a variation to the level of funds allocated for distribution on a per capita basis.

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*(To view the document: double click on icon and select 'View';
To print document: select 'File', then select 'Print';
To return to report: press 'Escape' button on keyboard)*

**APPENDIX A
NSW Local Government Grants Commission
Schedule of Estimated Entitlements for Financial Assistance Grants -
2008-09**



NSW Local Government Grants Commission Schedule 2008-09.pdf

**APPENDIX B
FAG Modelling**



FAG Modelling.xls

**APPENDIX C
2008-09 Current Distribution by Per Capita Calculation**



2008-09 Current Distribution.xls

**APPENDIX D
Redistribution on a 50% Calculation Basis by Per Capita Calculation**



2008-09 Redistributed on 50% Calculation Basis.xls

Committee Recommendation:

1. That the NSW State Government, through the Premier, be requested to approach the Federal Government to give greater recognition to the need for increased allocations of the Federal Financial Assistance Fund Grants for distribution on a per capita basis.
2. That the Local Government & Shires Associations be requested to undertake consultation across the state based on the modelling prepared with a view to demonstrating the means by which a majority of councils would be benefited by a variation to the level of funds allocated for distribution on a per capita basis.
3. That Council seek a delegation to the Federal Minister for Local Government, The Hon Anthony Albanese and the Prime Minister, The Hon Kevin Rudd, regarding the need to investigate a new methodology for the distribution of Federal Financial Assistance Fund Grants.

Council Resolution:

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1. That the NSW State Government, through the Premier, be requested to approach the Federal Government to give greater recognition to the need for increased allocations of the Federal Financial Assistance Fund Grants for distribution on a per capita basis.
2. That the Local Government & Shires Associations be requested to undertake consultation across the state based on the modelling prepared with a view to demonstrating the means by which a majority of councils would be benefited by a variation to the level of funds allocated for distribution on a per capita basis.
3. That a delegation be sought with the Federal Minister for Local Government, The Hon Anthony Albanese and the Prime Minister, The Hon Kevin Rudd, regarding the need to investigate a new methodology for the distribution of Federal Financial Assistance Fund Grants.
4. That a delegation from Sutherland Shire Council seek an interview with Hon. Senator Michael Forshaw to seek his assistance.
5. That the community be informed through our communication channels of Council's concern with the Federal Assistance Grant Program.

FIN125-09

NSW LOCAL GOVERNMENT GRANTS COMMISSION

SCHEDULE OF ESTIMATED ENTITLEMENTS FOR FINANCIAL ASSISTANCE GRANTS – 2008-09

Local Governing Body	Estimated Resident Pop. as at 30-6-2007*	General Purpose Component	Local Roads Component	Total 2008-09 Estimated Entitlement	Plus 2007-08 CPI/Pop. adjustment	Total 2008-09 Payments
Albury (C)	49,321	4,541,919	1,053,199	5,595,118	58,335	5,653,453
Armidale Dumaresq	24,684	2,664,637	1,081,534	3,746,171	39,272	3,785,443
Ashfield (M)	41,833	1,021,563	249,359	1,270,922	13,254	1,284,176
Auburn	70,986	2,030,048	481,160	2,511,208	25,332	2,536,540
Ballina (S)	40,932	2,101,985	987,451	3,089,436	33,518	3,122,954
Balranald (S)	2,514	1,367,777	1,009,864	2,377,641	24,746	2,402,387
Bankstown (C)	179,657	4,527,767	1,263,759	5,791,526	58,880	5,850,406
Bathurst Regional	37,686	3,771,932	1,478,327	5,250,259	53,708	5,303,967
Baulkham Hills (S)	168,026	3,102,810	1,540,620	4,643,430	47,797	4,691,227
Bega Valley (S)	32,655	4,335,723	1,502,594	5,838,317	59,706	5,898,023
Bellingen (S)	13,071	2,076,871	673,156	2,750,027	28,719	2,778,746
Berrigan (S)	8,446	2,407,014	1,050,643	3,457,657	35,561	3,493,218
Blacktown (C)	284,692	13,759,651	2,401,587	16,161,238	173,951	16,335,189
Bland (S)	6,385	2,741,288	2,263,898	5,005,186	52,436	5,057,622
Blayney (S)	6,972	1,276,059	641,725	1,917,784	20,167	1,937,951
Blue Mountains (C)	76,088	6,159,897	1,133,418	7,293,315	77,435	7,370,750
Bogan (S)	3,012	1,418,224	1,122,342	2,540,566	26,690	2,567,256
Bombala	2,635	893,797	553,619	1,447,416	14,946	1,462,362
Boorowa	2,342	663,902	521,982	1,185,884	12,333	1,198,217
Botany Bay (C)	37,813	792,764	230,487	1,023,251	11,194	1,034,445
Bourke (S)	3,091	1,990,955	1,458,406	3,449,361	36,704	3,486,065
Brewarrina (S)	1,944	1,266,028	992,409	2,258,437	23,839	2,282,276
Broken Hill (C)	20,074	3,770,535	416,916	4,187,451	43,146	4,230,597
Burwood	32,860	606,802	207,227	814,029	8,296	822,325
Byron (S)	30,866	1,411,984	914,859	2,326,843	25,240	2,352,083
Cabonne (S)	12,940	1,962,407	1,603,873	3,566,280	37,533	3,603,813
Camden	52,142	1,387,446	638,087	2,025,533	22,036	2,047,569
Campbelltown (C)	147,460	7,538,046	1,325,263	8,863,309	95,458	8,958,767
Canada Bay (C)	70,619	1,304,069	464,411	1,768,480	18,378	1,786,858
Canterbury (C)	137,755	4,063,115	873,260	4,936,375	50,627	4,987,002
Carrathool (S)	2,915	1,791,990	1,762,191	3,554,181	37,444	3,591,625
Central Darling (S)	1,987	1,980,626	1,213,376	3,194,002	33,830	3,227,832
Cessnock (C)	48,985	4,575,886	1,318,605	5,894,491	62,288	5,956,779
Clarence Valley	50,596	6,785,423	2,529,537	9,314,960	99,560	9,414,520
Cobar (S)	5,143	2,170,521	1,313,293	3,483,814	36,062	3,519,876
Coffs Harbour (C)	68,992	4,503,759	1,545,259	6,049,018	65,337	6,114,355
Conargo (S)	1,736	1,059,328	988,545	2,047,873	21,089	2,068,962
Coolamon (S)	4,155	1,495,584	995,667	2,491,251	26,280	2,517,531
Cooma-Monaro (S)	10,142	2,094,652	875,404	2,970,056	30,611	3,000,667
Coonamble (S)	4,263	1,600,463	1,130,135	2,730,598	28,692	2,759,290

Schedule of Estimated Entitlements: 2008-09 Financial Assistance Grants

NOTE: The estimated grant entitlements are based on Australian Government estimates of the annual CPI and the States' population shares. Adjustments are made to the following year's payments.

NSW LOCAL GOVERNMENT GRANTS COMMISSION

SCHEDULE OF ESTIMATED ENTITLEMENTS FOR FINANCIAL ASSISTANCE GRANTS – 2008-09

Local Governing Body	Estimated Resident Pop. as at 30-6-2007*	General Purpose Component	Local Roads Component	Total 2008-09 Estimated Entitlement	Plus 2007-08 CPI/Pop. adjustment	Total 2008-09 Payments
Cootamundra (S)	7,527	1,577,409	567,426	2,144,835	22,042	2,166,877
Corowa (S)	11,434	2,424,578	1,129,722	3,554,300	37,062	3,591,362
Cowra (S)	12,924	2,344,977	1,118,698	3,463,675	36,050	3,499,725
Deniliquin	7,673	1,732,917	211,595	1,944,512	19,912	1,964,424
Dubbo (C)	39,787	4,437,325	1,421,824	5,859,149	60,867	5,920,016
Dungog (S)	8,413	1,154,272	690,639	1,844,911	19,513	1,864,424
Eurobodalla (S)	36,771	4,320,204	1,245,823	5,566,027	59,851	5,625,878
Fairfield (C)	187,362	8,499,344	1,377,674	9,877,018	105,143	9,982,161
Forbes (S)	9,727	2,654,781	1,539,671	4,194,452	44,092	4,238,544
Gilgandra (S)	4,625	1,348,656	1,027,797	2,376,453	24,957	2,401,410
Glen Innes Severn	9,042	2,030,818	1,042,154	3,072,972	31,865	3,104,837
Gloucester (S)	4,971	995,255	699,386	1,694,641	17,406	1,712,047
Gosford (C)	162,388	6,374,038	1,862,486	8,236,524	90,085	8,326,609
Goulburn Mulwaree	27,327	2,723,071	1,256,391	3,979,462	42,040	4,021,502
Great Lakes	34,359	4,417,056	1,277,235	5,694,291	61,140	5,755,431
Greater Hume (S)	10,206	2,717,417	1,532,939	4,250,356	43,486	4,293,842
Greater Taree (C)	47,242	4,018,071	2,021,418	6,039,489	63,881	6,103,370
Griffith (C)	24,937	2,205,498	1,195,400	3,400,898	34,786	3,435,684
Gundagai (S)	3,813	861,056	631,170	1,492,226	15,567	1,507,793
Gunnedah (S)	11,968	2,170,092	1,203,796	3,373,888	35,114	3,409,002
Guyra (S)	4,411	1,111,587	738,153	1,849,740	19,476	1,869,216
Gwydir (S)	5,407	1,697,542	1,542,655	3,240,197	34,246	3,274,443
Harden (S)	3,683	1,209,096	654,821	1,863,917	21,220	1,885,137
Hawkesbury (C)	62,211	2,925,283	1,395,240	4,320,523	47,011	4,367,534
Hay (S)	3,476	1,374,695	624,227	1,998,922	20,547	2,019,469
Holroyd (C)	95,130	2,559,043	722,222	3,281,265	33,325	3,314,590
Hornsby (S)	158,285	2,922,930	1,264,790	4,187,720	44,167	4,231,887
Hunters Hill (M)	14,031	259,101	121,441	380,542	4,006	384,548
Hurstville (C)	77,684	1,434,533	503,495	1,938,028	20,318	1,958,346
Inverell (S)	16,246	2,923,971	1,591,298	4,515,269	47,085	4,562,354
Jerilderie (S)	1,677	909,185	779,174	1,688,359	17,525	1,705,884
Junce (S)	6,051	1,440,889	702,085	2,142,974	22,630	2,165,604
Kempsey (S)	28,566	3,338,971	1,393,249	4,732,220	50,112	4,782,332
Kiama (M)	20,095	816,528	379,884	1,196,412	13,018	1,209,430
Kogarah (M)	55,861	1,031,544	383,500	1,415,044	15,216	1,430,260
Ku-ring-gai	106,807	1,972,325	884,672	2,856,997	30,658	2,887,655
Kyogle	9,686	2,033,400	1,289,261	3,322,661	34,364	3,357,025
Lachlan (S)	6,814	3,210,623	2,672,699	5,883,322	60,471	5,943,793
Lake Macquarie (C)	193,092	11,581,045	2,197,690	13,778,735	144,296	13,923,031
Lane Cove (M)	32,047	591,789	217,771	809,560	8,666	818,226

Schedule of Estimated Entitlements: 2008-09 Financial Assistance Grants

NOTE: The estimated grant entitlements are based on Australian Government estimates of the annual CPI and the States' population shares. Adjustments are made to the following year's payments.

NSW LOCAL GOVERNMENT GRANTS COMMISSION

SCHEDULE OF ESTIMATED ENTITLEMENTS FOR FINANCIAL ASSISTANCE GRANTS – 2008-09

Local Governing Body	Estimated Resident Pop. as at 30-6-2007*	General Purpose Component	Local Roads Component	Total 2008-09 Estimated Entitlement	Plus 2007-08 CPI/Pop. adjustment	Total 2008-09 Payments
Leeton (S)	11,683	2,200,211	799,423	2,999,634	30,577	3,030,211
Leichhardt (M)	51,855	1,029,936	342,685	1,372,621	14,814	1,387,435
Lismore (C)	44,668	4,376,801	1,574,945	5,951,746	62,028	6,013,774
Lithgow (C)	20,694	2,893,044	966,083	3,859,127	39,094	3,898,221
Liverpool (C)	172,932	5,789,456	1,550,451	7,339,907	80,287	7,420,194
Liverpool Plains (S)	7,849	1,636,340	1,060,845	2,697,185	28,096	2,725,281
Lockhart (S)	3,288	1,555,238	1,225,036	2,780,274	29,314	2,809,588
Lord Howe Island (Bd)	364	149,240	0	149,240	1,574	150,814
Maitland (C)	66,530	4,875,789	980,366	5,856,155	61,146	5,917,301
Manly	39,677	732,686	255,158	987,844	10,352	998,196
Marrickville	76,284	2,652,629	476,963	3,129,592	34,413	3,164,005
Mid-Western Regional	22,093	3,182,229	1,831,088	5,013,317	51,689	5,065,006
Moree Plains (S)	14,300	2,580,886	2,227,518	4,808,404	49,527	4,857,931
Mosman (M)	28,152	519,863	193,075	712,938	7,625	720,563
Murray (S)	6,941	1,707,390	1,176,238	2,883,628	29,503	2,913,131
Murrumbidgee (S)	2,571	825,416	470,515	1,295,931	13,251	1,309,182
Muswellbrook (S)	16,039	2,133,123	705,262	2,838,385	29,326	2,867,711
Nambucca (S)	18,735	2,178,236	915,853	3,094,089	32,642	3,126,731
Narrabri (S)	13,503	3,013,359	1,781,921	4,795,280	49,260	4,844,540
Narrandera (S)	6,166	1,999,292	1,181,027	3,180,319	33,497	3,213,816
Narromine (S)	6,717	2,019,158	1,083,218	3,102,376	32,523	3,134,899
Newcastle (C)	150,357	10,208,230	1,463,998	11,672,228	126,245	11,798,473
North Sydney	62,842	1,160,457	377,422	1,537,879	16,082	1,553,961
Oberon	5,278	1,126,488	782,171	1,908,659	20,252	1,928,911
Orange (C)	37,333	3,203,771	806,206	4,009,977	41,599	4,051,576
Palerang	13,419	1,415,067	1,024,134	2,439,201	25,679	2,464,880
Parkes (S)	14,836	2,988,081	1,521,330	4,509,411	46,885	4,556,296
Parramatta (C)	157,775	5,351,060	1,233,794	6,584,854	66,910	6,651,764
Penrith (C)	177,686	8,809,562	1,790,538	10,600,100	111,242	10,711,342
Pittwater	56,920	1,051,100	482,915	1,534,015	16,523	1,550,538
Port Macquarie-Hastings	72,440	5,142,172	2,074,027	7,216,199	74,773	7,290,972
Port Stephens	64,698	3,646,180	942,789	4,588,969	48,872	4,637,841
Queanbeyan (C)	38,593	2,162,151	701,211	2,863,362	29,982	2,893,344
Randwick (C)	128,435	2,371,713	749,655	3,121,368	33,015	3,154,383
Richmond Valley	22,471	2,928,373	1,195,636	4,124,009	43,343	4,167,352
Rockdale (C)	98,070	1,810,986	646,781	2,457,767	25,692	2,483,459
Ryde (C)	102,609	1,894,804	730,477	2,625,281	27,322	2,652,603
Shellharbour (C)	64,296	3,364,921	671,816	4,036,737	41,885	4,078,622
Shoalhaven (C)	92,880	7,025,863	2,475,118	9,500,981	103,895	9,604,876
Silverton (VC)	57	25,023	0	25,023	264	25,287

Schedule of Estimated Entitlements: 2008-09 Financial Assistance Grants

NOTE: The estimated grant entitlements are based on Australian Government estimates of the annual CPI and the States' population shares. Adjustments are made to the following year's payments.

NSW LOCAL GOVERNMENT GRANTS COMMISSION

SCHEDULE OF ESTIMATED ENTITLEMENTS FOR FINANCIAL ASSISTANCE GRANTS – 2008-09

Local Governing Body	Estimated Resident Pop. as at 30-6-2007*	General Purpose Component	Local Roads Component	Total 2008-09 Estimated Entitlement	Plus 2007-08 CPI/Pop. adjustment	Total 2008-09 Payments
Singleton (S)	23,258	1,895,281	943,463	2,838,744	29,785	2,868,529
Snowy River (S)	7,727	1,834,941	687,373	2,522,314	25,636	2,547,950
Strathfield (M)	34,580	638,564	220,974	859,538	8,644	868,182
Sutherland Shire (S)	213,917	3,950,244	1,645,557	5,595,801	59,367	5,655,168
Sydney (C)	168,682	3,774,628	941,147	4,715,775	47,312	4,763,087
Tamworth Regional	56,532	6,035,563	3,187,280	9,222,843	97,965	9,320,808
Temora (S)	5,986	1,531,667	942,767	2,474,434	25,895	2,500,329
Tenterfield (S)	6,834	2,107,675	1,285,512	3,393,187	35,504	3,428,691
Tibooburra (VC)	128	56,192	0	56,192	593	56,785
Tumbarumba (S)	3,672	1,064,211	454,992	1,519,203	15,667	1,534,870
Tumut (S)	11,238	2,035,726	625,103	2,660,829	27,289	2,688,118
Tweed (S)	84,325	6,024,412	2,109,196	8,133,608	85,722	8,219,330
Upper Hunter (S)	13,594	2,129,469	1,485,267	3,614,736	38,096	3,652,832
Upper Lachlan (S)	7,329	1,618,517	1,420,175	3,038,692	31,254	3,069,946
Uralla (S)	5,987	1,151,046	741,684	1,892,730	19,879	1,912,609
Urana (S)	1,286	883,602	684,044	1,567,646	16,536	1,584,182
Wagga Wagga (C)	60,857	5,922,715	2,464,209	8,386,924	86,460	8,473,384
Wakool (S)	4,416	1,664,536	1,121,546	2,786,082	28,838	2,814,920
Walcha	3,304	766,498	682,400	1,448,898	15,379	1,464,277
Walgett (S)	7,078	2,644,977	1,612,217	4,257,194	44,200	4,301,394
Warren (S)	2,812	1,003,793	788,418	1,792,211	18,761	1,810,972
Warringham	140,917	2,602,209	1,048,133	3,650,342	38,764	3,689,106
Warrumbungle (S)	10,093	3,158,780	1,889,263	5,048,043	52,717	5,100,760
Waverley	65,108	1,620,865	350,738	1,971,603	21,545	1,993,148
Weddin (S)	3,762	1,247,507	777,360	2,024,867	21,080	2,045,947
Wellington	8,250	1,991,936	1,059,261	3,051,197	31,980	3,083,177
Wentworth (S)	7,149	2,431,167	1,551,641	3,982,808	41,612	4,024,420
Willoughby (C)	68,387	1,262,852	475,298	1,738,150	17,658	1,755,808
Wingecarribee (S)	44,862	2,377,807	1,359,876	3,737,683	40,597	3,778,280
Wollondilly (S)	41,831	1,604,523	1,054,043	2,658,566	28,776	2,687,342
Wollongong (C)	195,768	11,818,627	1,795,761	13,614,388	147,181	13,761,569
Woollahra (M)	53,990	996,993	334,737	1,331,730	13,911	1,345,641
Wyong (S)	143,988	7,616,578	1,769,169	9,385,747	100,459	9,486,206
Yass Valley	14,112	1,504,923	1,000,569	2,505,492	26,882	2,532,374
Young (S)	12,535	1,944,282	997,908	2,942,190	30,434	2,972,624
NSW Total	6,888,501	424,015,792	166,893,787	590,909,579	6,217,022	597,126,601

* Population Source: Australian Bureau of Statistics, Regional Population Growth, Australia, 2006-07, Cat. No. 3218.0 (total excludes unincorporated area).

Schedule of Estimated Entitlements: 2008-09 Financial Assistance Grants

NOTE: The estimated grant entitlements are based on Australian Government estimates of the annual CPI and the States' population shares. Adjustments are made to the following year's payments.

APPENDIX B

FINANCIAL ASSISTANCE GRANT MODELLING**GENERAL PURPOSE GRANT ONLY****Modelling is based on following assumptions:**

1. All councils are categorised into the categories used by the LG Remuneration Tribunal. Effectively Category 2 or higher are Sydney Metropolitan councils, Newcastle, Wollongong, Lake Macquarie, Wyong & Gosford, a total of 43 councils. Category 3 & 4 councils are large and small regional and rural communities, a total of 112 councils.
2. The current minimum grant is calculated on 30% of the total general purpose pool, the modelling recalculates this minimum on a
 - 40% calculation
 - 50% calculation
 - 60% calculation
3. The minimum grant is then allocated to all 43 councils grouped in Category 2 or higher.
4. The other councils in Category 3 & 4 are recalculated on the leftover remaining pool based on the 2008-09 percentage they received of the real 2008-09 pool.

Criteria for minimum grant calculation**Result comparison to real 2008/09 grant allocations**

- | | |
|--|--|
| <ul style="list-style-type: none">* On a 40% calculation | <ul style="list-style-type: none">* Minimum is \$24.62 for all Category 2 or higher* 25 category 2 or higher councils benefit, including Sutherland by \$1.316 million* 18 category 2 councils are disadvantaged* 112 category 3 & 4 councils also benefit, all councils go up. Rural councils.* It shifts \$39.4 million from metro councils to Rural councils. |
| <ul style="list-style-type: none">* On a 45% calculation | <ul style="list-style-type: none">* Minimum is \$27.70 for all Category 2 or higher* 29 category 2 or higher councils benefit, including Sutherland by \$1.975 million* 14 category 2 councils are disadvantaged* 112 category 3 & 4 councils also benefit, all councils go up. Rural councils.* It shifts \$24.8 million from metro councils to Rural councils. |
| <ul style="list-style-type: none">* On a 50% calculation | <ul style="list-style-type: none">* Minimum is \$30.78 for all Category 2 or higher* 31 category 2 or higher councils benefit, including Sutherland by \$2.634 million* 12 category 2 councils are disadvantaged* 112 category 3 & 4 councils also benefit, all councils go up. Rural councils.* It shifts \$10.5 million from metro councils to Rural councils. |
| <ul style="list-style-type: none">* On a 60% calculation | <ul style="list-style-type: none">* Minimum is \$36.93 for all Category 2 or higher* 34 category 2 or higher councils benefit, including Sutherland by \$3.95 million* 9 category 2 councils are disadvantaged* All 112 category 3 & 4 councils also are disadvantaged, all councils go down. Rural councils.* It shifts \$18.4 million from the rural councils to Metro councils. |

2008-09 CURRENT DISTRIBUTION				
Local Governing Body	Council Category	Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009
				Estimated General Purpose
Central Darling (S)	4	996.79	1,987	1,980,626
Urana (S)	4	687.09	1,286	883,602
Brewarrina (S)	4	651.25	1,944	1,266,028
Bourke (S)	4	644.11	3,091	1,990,955
Carrathool (S)	4	614.75	2,915	1,791,990
Conargo (S)	4	610.21	1,736	1,059,328
Balranald (S)	4	544.06	2,514	1,367,777
Jerilderie (S)	4	542.15	1,677	909,185
Lockhart (S)	4	473.00	3,288	1,555,238
Lachlan (S)	4	471.18	6,814	3,210,623
Bogan (S)	4	470.86	3,012	1,418,224
Tibooburra (VC)	NC	439.00	128	56,192
Silverton (VC)	NC	439.00	57	25,023
Bland (S)	4	429.33	6,385	2,741,288
Cobar (S)	4	422.03	5,143	2,170,521
Lord Howe Island (Bd)	NC	410.00	364	149,240
Hay (S)	4	395.48	3,476	1,374,695
Wakool (S)	4	376.93	4,416	1,664,536
Coonamble (S)	4	375.43	4,263	1,600,463
Walgett (S)	4	373.69	7,078	2,644,977
Coolamon (S)	4	359.95	4,155	1,495,584
Warren (S)	4	356.97	2,812	1,003,793
Wentworth (S)	4	340.07	7,149	2,431,167
Bombala	4	339.20	2,635	893,797
Weddin (S)	4	331.61	3,762	1,247,507
Harden (S)	4	328.29	3,683	1,209,096
Narrandera (S)	4	324.24	6,166	1,999,292
Murrumbidgee (S)	4	321.05	2,571	825,416
Gwydir (S)	4	313.95	5,407	1,697,542
Warrumbungle (S)	4	312.97	10,093	3,158,780
Tenterfield (S)	4	308.41	6,834	2,107,675
Narromine (S)	4	300.60	6,717	2,019,158
Gilgandra (S)	4	291.60	4,625	1,348,656
Tumbarumba (S)	4	289.82	3,672	1,064,211
Berrigan (S)	4	284.99	8,446	2,407,014
Boorowa	4	283.48	2,342	663,902
Forbes (S)	4	272.93	9,727	2,654,781
Greater Hume (S)	4	266.26	10,206	2,717,417
Temora (S)	4	255.87	5,986	1,531,667
Guyra (S)	4	252.00	4,411	1,111,587
Murray (S)	4	245.99	6,941	1,707,390
Wellington	4	241.45	8,250	1,991,936
Junee (S)	4	238.12	6,051	1,440,889
Snowy River (S)	4	237.47	7,727	1,834,941
Walcha	4	231.99	3,304	766,498
Deniliquin	4	225.85	7,673	1,732,917
Gundagai (S)	4	225.82	3,813	861,056
Glen Innes Severn	4	224.60	9,042	2,030,818
Narrabri (S)	4	223.16	13,503	3,013,359
Upper Lachlan (S)	4	220.84	7,329	1,618,517
Oberon	4	213.43	5,278	1,126,488

2008-09 CURRENT DISTRIBUTION				
Local Governing Body	Council Category	Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009
				Estimated General Purpose
Corowa (S)	4	212.05	11,434	2,424,578
Kyogle	4	209.93	9,686	2,033,400
Cootamundra (S)	4	209.57	7,527	1,577,409
Liverpool Plains (S)	4	208.48	7,849	1,636,340
Cooma-Monaro (S)	4	206.53	10,142	2,094,652
Parkes (S)	4	201.41	14,836	2,988,081
Gloucester (S)	4	200.21	4,971	995,255
Uralla (S)	4	192.26	5,987	1,151,046
Leeton (S)	4	188.33	11,683	2,200,211
Broken Hill (C)	3	187.83	20,074	3,770,535
Blayney (S)	4	183.03	6,972	1,276,059
Cowra (S)	4	181.44	12,924	2,344,977
Gunnedah (S)	4	181.32	11,968	2,170,092
Tumut (S)	4	181.15	11,238	2,035,726
Moree Plains (S)	4	180.48	14,300	2,580,886
Inverell (S)	4	179.98	16,246	2,923,971
Bellingen (S)	4	158.89	13,071	2,076,871
Upper Hunter (S)	4	156.65	13,594	2,129,469
Young (S)	4	155.11	12,535	1,944,282
Cabonne (S)	4	151.65	12,940	1,962,407
Mid-Western Regional	4	144.04	22,093	3,182,229
Lithgow (C)	4	139.80	20,694	2,893,044
Dungog (S)	4	137.20	8,413	1,154,272
Clarence Valley	3	134.11	50,596	6,785,423
Muswellbrook (S)	4	133.00	16,039	2,133,123
Bega Valley (S)	3	132.77	32,655	4,335,723
Richmond Valley	4	130.32	22,471	2,928,373
Great Lakes	3	128.56	34,359	4,417,056
Eurobodalla (S)	3	117.49	36,771	4,320,204
Kempsey (S)	3	116.89	28,566	3,338,971
Nambucca (S)	4	116.27	18,735	2,178,236
Dubbo (C)	3	111.53	39,787	4,437,325
Armidale Dumaresq	3	107.95	24,684	2,664,637
Tamworth Regional	3	106.76	56,532	6,035,563
Yass Valley	4	106.64	14,112	1,504,923
Palerang	4	105.45	13,419	1,415,067
Bathurst Regional	3	100.09	37,686	3,771,932
Goulburn Mulwaree	3	99.65	27,327	2,723,071
Lismore (C)	3	97.99	44,668	4,376,801
Wagga Wagga (C)	3	97.32	60,857	5,922,715
Cessnock (C)	3	93.41	48,985	4,575,886
Albury (C)	3	92.09	49,321	4,541,919
Griffith (C)	3	88.44	24,937	2,205,498
Orange (C)	3	85.82	37,333	3,203,771
Greater Taree (C)	3	85.05	47,242	4,018,071
Singleton (S)	4	81.49	23,258	1,895,281
Blue Mountains (C)	3	80.96	76,088	6,159,897
Shoalhaven (C)	3	75.64	92,880	7,025,863
Maitland (C)	3	73.29	66,530	4,875,789
Tweed (S)	3	71.44	84,325	6,024,412
Port Macquarie-Hastings	3	70.99	72,440	5,142,172

2008-09 CURRENT DISTRIBUTION				
Local Governing Body	Council Category	Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009
				Estimated General Purpose
Newcastle (C)	S2	67.89	150,357	10,208,230
Coffs Harbour (C)	3	65.28	68,992	4,503,759
Wollongong (C)	S2	60.37	195,768	11,818,627
Lake Macquarie (C)	1	59.98	193,092	11,581,045
Port Stephens	3	56.36	64,698	3,646,180
Queanbeyan (C)	3	56.02	38,593	2,162,151
Wingecarribee (S)	3	53.00	44,862	2,377,807
Wyong (S)	1	52.90	143,988	7,616,578
Shellharbour (C)	3	52.33	64,296	3,364,921
Ballina (S)	3	51.35	40,932	2,101,985
Campbelltown (C)	1	51.12	147,460	7,538,046
Penrith (C)	1A	49.58	177,686	8,809,562
Blacktown (C)	1A	48.33	284,692	13,759,651
Hawkesbury (C)	3	47.02	62,211	2,925,283
Byron (S)	3	45.75	30,866	1,411,984
Fairfield (C)	1	45.36	187,362	8,499,344
Kiama (M)	4	40.63	20,095	816,528
Gosford (C)	1	39.25	162,388	6,374,038
Wollondilly (S)	3	38.36	41,831	1,604,523
Murrumbidgee (S)	2	34.77	76,284	2,652,629
Parramatta (C)	S2	33.92	157,775	5,351,060
Liverpool (C)	1	33.48	172,932	5,789,456
Canterbury (C)	2	29.50	137,755	4,063,115
Auburn	2	28.60	70,986	2,030,048
Holroyd (C)	2	26.90	95,130	2,559,043
Camden	2	26.61	52,142	1,387,446
Bankstown (C)	1	25.20	179,657	4,527,767
Waverley	2	24.90	65,108	1,620,865
Ashfield (M)	2	24.42	41,833	1,021,563
Sydney (C)	S1	22.38	168,682	3,774,628
Botany Bay (C)	2	20.97	37,813	792,764
Leichhardt (M)	2	19.86	51,855	1,029,936
Hunters Hill (M)	2	18.47	14,031	259,101
Mosman (M)	2	18.47	28,152	519,863
Lane Cove (M)	2	18.47	32,047	591,789
Burwood	2	18.47	32,860	606,802
Strathfield (M)	2	18.47	34,580	638,564
Pittwater	2	18.47	56,920	1,051,100
Manly	2	18.47	39,677	732,686
North Sydney	1	18.47	62,842	1,160,457
Kogarah (M)	2	18.47	55,861	1,031,544
Canada Bay (C)	2	18.47	70,619	1,304,069
Hurstville (C)	1	18.47	77,684	1,434,533
Rockdale (C)	2	18.47	98,070	1,810,986
Willoughby (C)	1	18.47	68,387	1,262,852
Ryde (C)	1	18.47	102,609	1,894,804
Warringah	1	18.47	140,917	2,602,209
Woollahra (M)	2	18.47	53,990	996,993
Ku-ring-gai	2	18.47	106,807	1,972,325
Randwick (C)	1	18.47	128,435	2,371,713
Baulkham Hills (S)	1	18.47	168,026	3,102,810

2008-09 CURRENT DISTRIBUTION				
Local Governing Body	Council Category	Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009
				Estimated General Purpose
Hornsby (S)	1	18.47	158,285	2,922,930
Sutherland Shire (S)	1	18.47	213,917	3,950,244
TOTAL		61.55	6,888,501	424,015,792

Notes:

* **Population Source:** Australian Bureau of Statistics, *Regional Population Growth, Australia, 2006-07, Cat. No. 3218.0* (total excludes unincorporated area).

** **Estimated grant entitlements** are based on Commonwealth estimates of the annual CPI and the States' shares of the national population. Adjustments will be made to the following year's payment instalments.

Minimum Grant Calculation: 424,015,792.00 multiplied by 30%
 On current 30% method
 Equals = 127,204,737.60 30% of funding
 127,204,737.60
 6,888,501.00
 Equals = 518.47 per capita minimum

Minimum Grant Council Share
 21 councils on minimum grant received 332,218,374.00 Average \$1,534,208.29
 This represents a % of the total pot of: 7.60%
 134 councils received higher than min grant 391,797,418.00 \$2,923,861.33
 92.40%

APPENDIX D
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2008-09 RE-DISTRIBUTED ON A 50% CALCULATION BASIS

Local Governing Body	Council Category	Current Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009		PROPOSED 50% PER CAPITA BASIS	
				Current General Purpose	Nett Impact	NEW PER CAPITA CALCULATION	PROPOSED AMOUNT
CATEGORY 3 & 4							
Central Durling (S)	4	996.79	1,987	1,980,626	1,035.69	2,057,921	77,295
Urana (S)	4	687.09	1,286	883,602	713.91	918,085	34,483
Brewarrina (S)	4	651.25	1,944	1,266,028	676.66	1,315,435	49,407
Bourke (S)	4	644.11	3,091	1,990,955	669.25	2,068,653	77,698
Carrathool (S)	4	614.75	2,915	1,791,990	638.74	1,861,923	69,933
Conargo (S)	4	610.21	1,736	1,059,328	634.03	1,100,669	41,341
Bairanald (S)	4	544.06	2,514	1,367,777	565.30	1,421,155	53,378
Jerilderie (S)	4	542.15	1,677	909,185	563.31	944,666	35,481
Lockhart (S)	4	473.00	3,288	1,555,238	491.46	1,615,932	60,694
Lachlan (S)	4	471.18	6,814	3,210,623	489.57	3,335,919	125,296
Bogan (S)	4	470.86	3,012	1,418,224	489.23	1,473,571	55,347
Tibooburra (VC)	NC	439.00	128	56,192	456.13	58,385	2,193
Silverton (VC)	NC	439.00	57	25,023	456.13	26,000	977
Bland (S)	4	429.33	6,385	2,741,288	446.09	2,848,268	106,980
Cobar (S)	4	422.03	5,143	2,170,521	438.50	2,255,226	84,705
Lord Howe Island (Bd)	NC	410.00	364	149,240	426.00	155,064	5,824
Hay (S)	4	395.48	3,476	1,374,695	410.92	1,428,343	53,648
Wakool (S)	4	376.93	4,416	1,664,536	391.64	1,729,495	64,959
Coonamble (S)	4	375.43	4,263	1,600,463	390.08	1,662,922	62,459
Walgett (S)	4	373.69	7,078	2,644,977	388.27	2,748,198	103,221
Coolamon (S)	4	359.95	4,155	1,495,584	374.00	1,553,950	58,366
Warren (S)	4	356.97	2,812	1,003,793	370.90	1,042,966	39,173
Wentworth (S)	4	340.07	7,149	2,431,167	353.34	2,526,044	94,877
Bombala	4	339.20	2,635	893,797	352.44	928,678	34,881
Weddin (S)	4	331.61	3,762	1,247,507	344.55	1,296,191	48,684
Harden (S)	4	328.29	3,683	1,209,096	341.10	1,256,281	47,185
Narrandera (S)	4	324.24	6,166	1,999,292	336.90	2,077,315	78,023
Murrumbidgee (S)	4	321.05	2,571	825,416	333.58	857,628	32,212
Gwydir (S)	4	313.95	5,407	1,697,542	326.20	1,763,789	66,247
Warrumbungle (S)	4	312.97	10,093	3,158,780	325.18	3,282,053	123,273
Tenterfield (S)	4	308.41	6,834	2,107,675	320.45	2,189,928	82,253
Narromine (S)	4	300.60	6,717	2,019,158	312.34	2,097,956	78,798
Gilgandra (S)	4	291.60	4,625	1,348,656	302.98	1,401,288	52,632

APPENDIX D
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2008-09 RE-DISTRIBUTED ON A 50% CALCULATION BASIS

Local Governing Body	Council Category	Current Per Capita Calculation \$	ERP (Prelim.) 30/6/2007*	2008-2009		PROPOSED 50% PER CAPITA BASIS		
				General Purpose	Current	NEW PER CAPITA CALCULATION	PROPOSED AMOUNT	Nett Impact
Tumbarumba (S)	4	289.82	3,672	1,064,211	301.13	1,105,742	41,531	
Berrigan (S)	4	284.99	8,446	2,407,014	296.11	2,500,949	93,935	
Boorowa	4	283.48	2,342	663,902	294.54	689,811	25,909	
Forbes (S)	4	272.93	9,727	2,654,781	283.58	2,738,385	103,604	
Greater Hume (S)	4	266.26	10,206	2,717,417	276.65	2,823,465	106,048	
Temora (S)	4	255.87	5,986	1,531,667	265.86	1,591,441	59,774	
Guyra (S)	4	252.00	4,411	1,111,587	261.84	1,154,967	43,380	
Murray (S)	4	245.99	6,941	1,707,390	255.59	1,774,022	66,632	
Wellington	4	241.45	8,250	1,991,936	250.87	2,069,672	77,736	
Junee (S)	4	238.12	6,051	1,440,889	247.42	1,497,120	56,231	
Snowy River (S)	4	237.47	7,727	1,834,941	246.74	1,906,550	71,609	
Walcha	4	231.99	3,304	766,498	241.04	796,411	29,913	
Demighin	4	225.85	7,673	1,732,917	234.66	1,800,545	67,628	
Gundagai (S)	4	225.82	3,813	861,056	234.63	894,659	33,603	
Glen Innes Severn	4	224.60	9,042	2,030,818	233.36	2,110,072	79,254	
Narrabri (S)	4	223.16	13,503	3,013,359	231.87	3,130,957	117,598	
Upper Lachlan (S)	4	220.84	7,329	1,618,517	229.46	1,681,680	63,163	
Oberon	4	213.43	5,278	1,126,488	221.76	1,170,450	43,962	
Corowa (S)	4	212.05	11,434	2,424,578	220.33	2,519,198	94,620	
Kyogle	4	209.93	9,686	2,033,400	218.12	2,112,754	79,354	
Cootamundra (S)	4	209.57	7,527	1,577,409	217.75	1,638,968	61,559	
Liverpool Plains (S)	4	208.48	7,849	1,636,340	216.61	1,700,199	63,859	
Coonamburra (S)	4	206.53	10,142	2,094,652	214.59	2,176,397	81,745	
Parkes (S)	4	201.41	14,836	2,988,081	209.27	3,104,692	116,611	
Gloucester (S)	4	200.21	4,971	995,255	208.03	1,034,095	38,840	
Uralla (S)	4	192.26	5,987	1,151,046	199.76	1,195,966	44,920	
Leeton (S)	4	188.33	11,683	2,200,211	195.68	2,286,075	85,864	
Broken Hill (C)	3	187.83	20,074	3,770,235	195.16	3,917,682	147,447	
Blayney (S)	4	183.03	6,972	1,276,059	190.17	1,325,858	49,799	
Cowra (S)	4	181.44	12,924	2,344,977	188.52	2,436,491	91,514	
Gunnedah (S)	4	181.32	11,968	2,170,092	188.40	2,254,781	84,689	
Tumut (S)	4	181.15	11,238	2,035,726	188.22	2,115,171	79,445	
Moose Plains (S)	4	180.48	14,300	2,580,886	187.52	2,681,606	100,720	
Inverell (S)	4	179.98	16,246	2,923,971	187.00	3,038,080	114,109	

2008-09 RE-DISTRIBUTED ON A 50% CALCULATION BASIS

Local Governing Body	Council Category	Current Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009		PROPOSED 50% PER CAPITA BASIS	
				General Purpose	Current	NEW PER CAPITA CALCULATION	PROPOSED AMOUNT
Bellingen (S)	4	158.89	13,071	2,076,871	165.09	2,157,922	81,051
Upper Hunter (S)	4	156.65	13,594	2,129,469	162.76	2,212,572	83,103
Young (S)	4	155.11	12,535	1,944,282	161.16	2,020,158	75,876
Cabonne (S)	4	151.65	12,940	1,962,407	157.57	2,038,991	76,584
Mid-Western Regional	4	144.04	22,093	3,182,229	149.66	3,306,417	124,188
Lithgow (C)	4	139.80	20,694	2,893,044	145.26	3,005,946	112,902
Dungog (S)	4	137.20	8,413	1,154,272	142.56	1,199,318	45,046
Clarence Valley	3	134.11	50,596	6,785,423	139.34	7,050,227	264,804
Maswellbrook (S)	4	133.00	16,039	2,133,123	138.19	2,216,369	83,246
Bega Valley (S)	4	132.77	32,655	4,335,723	137.96	4,504,926	169,203
Richmond Valley	3	130.32	22,471	2,928,373	135.40	3,042,654	114,281
Great Lakes	3	128.56	34,359	4,417,056	133.57	4,589,433	172,377
Eurobodalla (S)	3	117.49	36,771	4,320,204	122.07	4,488,802	168,598
Kempsey (S)	3	116.89	28,566	3,338,971	121.45	3,469,276	130,305
Nambucca (S)	4	116.27	18,735	2,178,236	120.80	2,263,243	85,007
Dubbo (C)	3	111.53	39,787	4,437,325	115.88	4,610,493	173,168
Armidale Dumaresq	3	107.95	24,684	2,664,637	112.16	2,768,626	103,989
Tamworth Regional	3	106.76	56,532	6,035,563	110.93	6,271,103	235,540
Yass Valley	4	106.64	14,112	1,504,923	110.80	1,563,653	58,730
Palerang	4	105.45	13,419	1,415,067	109.57	1,470,291	55,224
Bathurst Regional	3	100.09	37,686	3,771,932	103.99	3,919,133	147,201
Goulburn Mulwaree	3	99.65	27,327	2,723,071	103.54	2,829,340	106,269
Lismore (C)	3	97.99	44,668	4,376,801	101.81	4,547,608	170,807
Wagga Wagga (C)	3	97.32	60,857	5,922,715	101.12	6,153,851	231,136
Cosmoack (C)	3	93.41	48,985	4,575,886	97.06	4,754,462	178,576
Albury (C)	3	92.09	49,321	4,541,919	95.68	4,719,169	177,250
Griffith (C)	3	88.44	24,937	2,205,498	91.89	2,291,568	86,070
Orange (C)	3	85.82	37,333	3,203,771	89.17	3,328,800	125,029
Greater Taree (C)	4	85.05	47,242	4,018,071	88.37	4,174,878	156,807
Singleton (S)	4	81.49	23,258	1,895,281	84.67	1,969,245	73,964
Blue Mountains (C)	3	80.96	76,088	6,159,897	84.12	6,400,290	240,393
Shoalhaven (C)	3	75.64	92,880	7,025,863	78.60	7,300,050	274,187
Maitland (C)	3	73.29	66,530	4,875,789	76.15	5,066,069	190,280
Tweed (S)	3	71.44	84,325	6,024,412	74.23	6,259,517	235,105

2008-09 RE-DISTRIBUTED ON A 50% CALCULATION BASIS

Local Governing Body	Council Category	Current Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009		PROPOSED 50% PER CAPITA BASIS		
				Current General Purpose	Nett Impact	NEW PER CAPITA CALCULATION	PROPOSED AMOUNT	Nett Impact
Port Macquarie-Hastings	3	70.99	72,440	5,142,172	73.76	5,342,847	200,675	
Coffs Harbour (C)	3	65.28	68,992	4,503,759	67.83	4,679,520	175,761	
Port Stephens	3	56.36	64,698	3,646,180	58.56	3,788,474	142,294	
Queensbryan (C)	3	56.02	38,593	2,162,151	58.21	2,246,530	84,379	
Wingecarribee (S)	3	53.00	44,862	2,377,807	55.07	2,470,602	92,795	
Shellharbour (C)	3	52.33	64,296	3,364,921	54.38	3,496,238	131,317	
Ballina (S)	3	51.35	40,932	2,101,985	53.36	2,184,016	82,031	
Hawkesbury (C)	3	47.02	62,211	2,925,283	48.86	3,039,443	114,160	
Byron (S)	3	45.75	30,866	1,411,984	47.53	1,467,087	55,103	
Wollondilly (S)	3	38.36	41,831	1,604,523	39.85	1,667,140	62,617	
Kiama (M)	4	40.63	20,095	816,528	42.22	848,393	31,865	
		122.66	2,193,040	268,991,977	127.44	279,489,502	10,497,525	
CATEGORY 2 OR HIGHER								
Newcastle (C)	S2	67.89	150,357	10,208,230	30.78	4,627,988	(5,580,242)	
Wollongong (C)	S2	60.37	195,768	11,818,627	30.78	6,025,739	(5,792,888)	
Lake Macquarie (C)	1	59.98	193,092	11,581,045	30.78	5,943,372	(5,637,673)	
Wyong (S)	1	52.90	143,988	7,616,578	30.78	4,431,951	(3,184,627)	
Campbelltown (C)	1	51.12	147,460	7,538,046	30.78	4,538,819	(2,999,227)	
Penrith (C)	1A	49.58	177,686	8,809,562	30.78	5,469,175	(3,340,387)	
Blacktown (C)	1A	48.33	284,692	13,759,651	30.78	8,762,820	(4,996,831)	
Fairfield (C)	1	45.36	187,362	8,499,344	30.78	5,767,002	(2,732,342)	
Gosford (C)	1	39.25	162,388	6,374,038	30.78	4,998,303	(1,375,735)	
Marrickville	2	34.77	76,284	2,652,629	30.78	2,348,022	(304,607)	
Parramatta (C)	S2	33.92	157,775	5,351,060	30.78	4,856,315	(494,746)	
Liverpool (C)	1	33.48	172,932	5,789,456	30.78	5,322,847	(466,609)	
Canterbury (C)	2	29.50	137,755	4,063,115	30.78	4,240,099	176,984	
Auburn	2	28.60	70,986	2,030,048	30.78	2,184,949	154,901	
Holroyd (C)	2	26.90	95,130	2,559,043	30.78	2,928,101	369,058	
Camden	2	26.61	52,142	1,387,446	30.78	1,604,931	217,485	
Bankstown (C)	1	25.20	179,657	4,527,767	30.78	5,529,842	1,002,075	
Waverley	2	24.90	65,108	1,620,865	30.78	2,004,024	383,159	
Ashfield (M)	2	24.42	41,833	1,021,563	30.78	1,287,620	266,057	

APPENDIX D
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2008-09 RE-DISTRIBUTED ON A 50% CALCULATION BASIS

Local Governing Body	Council Category	Current Per Capita Calculation \$	ERP (Prelim.) 30/6/2007*	2008-2009		PROPOSED 50% PER CAPITA BASIS	
				Current General Purpose	Current Purpose	NEW PER CAPITA CALCULATION	PROPOSED AMOUNT
Sydney (C)	SI	22.38	168,682	3,774,628	30.78	5,192,032	1,417,404
Botany Bay (C)	2	20.97	37,813	792,764	30.78	1,163,884	371,120
Leichhardt (M)	2	19.86	51,855	1,029,936	30.78	1,596,097	566,161
Hunters Hill (M)	2	18.47	14,031	259,101	30.78	431,874	172,773
Mossman (M)	2	18.47	28,152	519,863	30.78	866,519	346,656
Lane Cove (M)	2	18.47	32,047	591,789	30.78	986,407	394,618
Burwood	2	18.47	32,860	606,802	30.78	1,011,431	404,629
Strathfield (M)	2	18.47	34,580	638,564	30.78	1,064,372	425,808
Pittwater	2	18.47	56,920	1,051,100	30.78	1,751,998	700,898
Manly	2	18.47	39,677	732,686	30.78	1,221,258	488,572
North Sydney	1	18.47	62,842	1,160,457	30.78	1,934,277	773,820
Kogarah (M)	2	18.47	55,861	1,031,544	30.78	1,719,402	687,858
Canada Bay (C)	2	18.47	70,619	1,304,069	30.78	2,173,653	869,584
Hurstville (C)	1	18.47	77,684	1,434,533	30.78	2,391,114	956,581
Rockdale (C)	2	18.47	98,070	1,810,986	30.78	3,018,595	1,207,609
Willoughby (C)	1	18.47	68,387	1,262,852	30.78	2,104,952	842,100
Ryde (C)	1	18.47	102,609	1,894,804	30.78	3,158,305	1,263,501
Warringah	1	18.47	140,917	2,602,209	30.78	4,337,425	1,735,216
Woolahra (M)	1	18.47	53,990	996,993	30.78	1,661,812	664,819
Ka-ring-gai	2	18.47	106,807	1,972,325	30.78	3,287,519	1,315,194
Randwick (C)	1	18.47	128,435	2,371,713	30.78	3,953,229	1,581,516
Baulkham Hills (S)	1	18.47	168,026	3,102,810	30.78	5,171,840	2,069,030
Hornsby (S)	1	18.47	158,285	2,922,930	30.78	4,872,012	1,949,082
Sutherland Shire (S)	1	18.47	213,917	3,950,244	30.78	6,584,365	2,634,121
		33.02	4,695,461	155,023,813	30.78	144,526,290	(10,497,525)
TOTAL		61.55	6,888,501	424,015,792	61.55	424,015,792	0

279,489,502

Notes:

* Population Source: Australian Bureau of Statistics, Regional Population Growth, Australia, 2006-07, Cat. No. 3218.0 (total excludes unincorporated areas).

** Estimated grant entitlements are based on Commonwealth estimates of the annual CPI and the States' shares of the national population. Adjustments will be made to the following year's payment instalments.

2008-09 RE-DISTRIBUTED ON A 50% CALCULATION BASIS

Local Governing Body	Council Category	Current Per Capita Calculation \$	ERP (Prelim.) 30/6/2007 *	2008-2009		PROPOSED 50% PER CAPITA BASIS	
				Current General Purpose		NEW PER CAPITA CALCULATION	PROPOSED AMOUNT

Minimum Grant Calculation:
On proposed 50% method $424,015,292.00$ multiplied by 50%

Equals = $212,007,896.00$ 50% of funding
 $\frac{212,007,896.00}{6,888,501.00}$

Equals = $\$30.78$ per capita minimum

Minimum Grant Council Share

43 councils on minimum grant received $\$144,526,289.58$ Average

This represents a % of the total pot of: 34.08% $\$3,361,076.50$

112 councils received higher than min grant $\$279,489,502.42$ $\$2,495,441.99$
 65.91%

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Increase in Financial Assistance Grant to Council.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.



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O5 [TCS-OC] Council Meeting May 2009**ORIGIN:****Corporate Governance****SUMMARY OF REPORT:**

Council at its meeting of 30 October 2008 resolved that:

- b. meetings for 2009 be held on the third Tuesday of each month commencing at 4.30 pm with the first Council Meeting being 20 January 2009.*

In accordance with this resolution the May Council Meeting is scheduled for 19 May 2009. As the advertising period for submissions on the draft management plan is due to conclude on 22 May 2009 it is seen as being opportune to amend the date of the May Council Meeting to enable the Management Plan to be considered and adopted soon after the closing date of submissions on the plan.

The amendment of the May Council Meeting date will not impact on any operational processes and does not affect the minimum number of meetings that Council is required to conduct each year. By amending the meeting date Council will be complying with the requirements of Section 406 of the Local Government Act 1993 in regard to the preparation, exhibition and adoption of the Management Plan.

Should the meeting date be amended the applicable sections of the Code of Meeting Practice relating to notice of the meeting, time of submission of notices of motion and delivery of the business paper will also be amended to apply two days after those shown in the Code.

RECOMMENDATION:

That in accordance with Section 2.1 of the Code of Meeting Practice the date of the May Council meeting be amended from Tuesday 19 May 2009 to Thursday 28 May 2009.

REPORT:

As per summary.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Amendment of the May Council Meeting date will require appropriate media advice in accordance with the requirement of the Code of Meeting Practice to advertise meeting dates.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

O6 [TCS-OC] Monthly Investment Report for Period Ending 31 March 2009

ORIGIN:

Financial Services

SUMMARY OF REPORT:

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

RECOMMENDATION:

That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at 31 March 2009 totalling \$126,132,410.85 be received and noted.

REPORT:

Report for Period Ending 31 March 2009

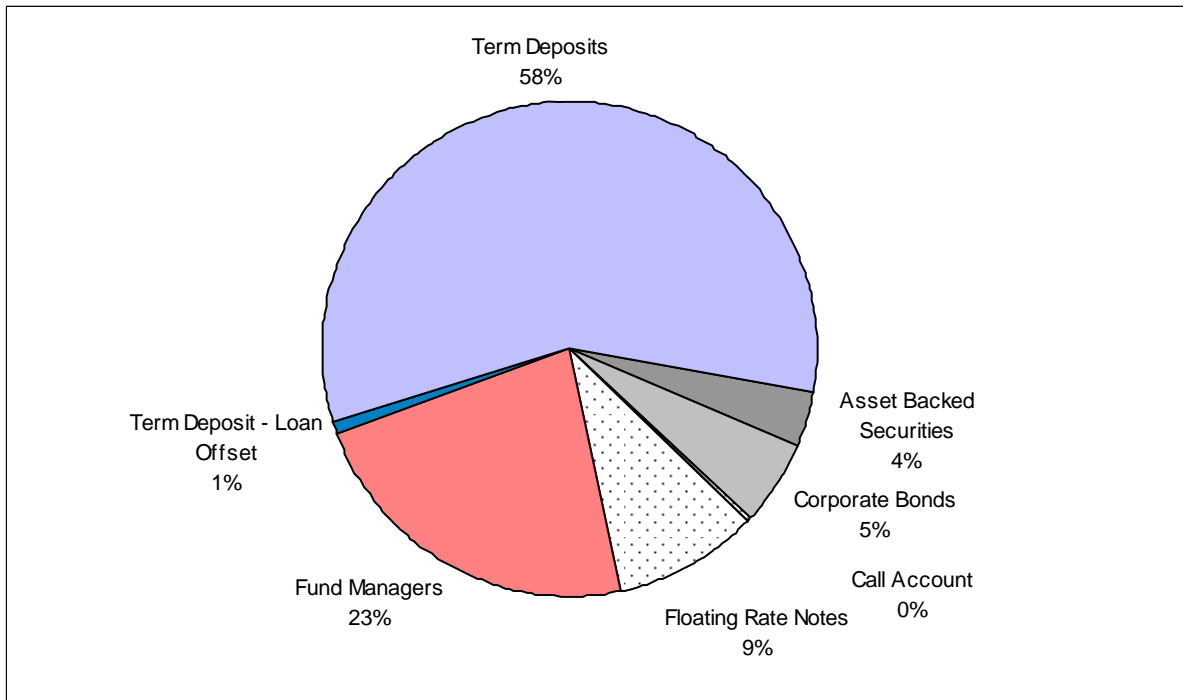
The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested and certification has been made in accordance with Section 625 of the Local Government Act (1993), Cl. 212 of the Local Government (General) Regulations and Council policies. Council had \$126,132,411 invested as at 31 March 2009 and the net return on these funds was \$581,994 or 4.61% annualised for the month.

1 Restricted Funds Summary as at 1 July 2008

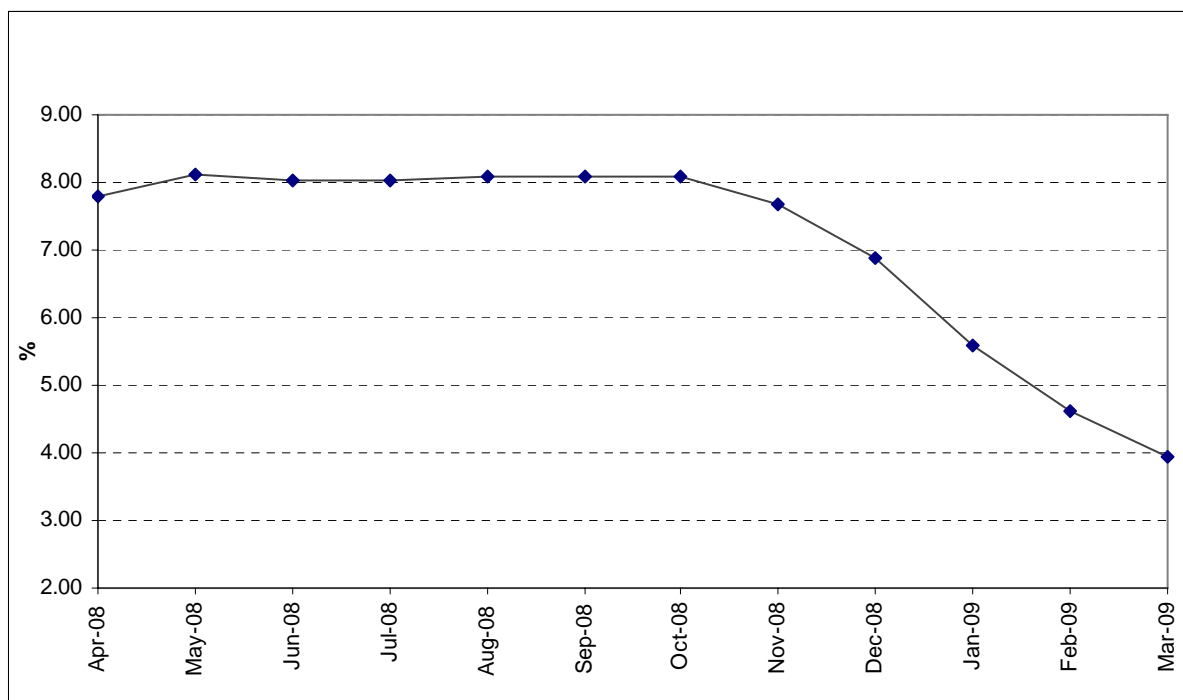
Description	(\$'000)			Total
	General Fund	Water Fund	Sewer Fund	
Externally Restricted	5,682	13,980	14,908	34,570
Crown Caravan Parks	8,732			8,732
Developer Contributions	29,739	19,559		49,298
Domestic Waste Management	8,644			8,644
Grants	3,997			3,997
Internally Restricted	13,816			13,816
Employee Leave Entitlements	3,078			3,078
Grants	307			307
Unexpended Loans	8,960			8,960
Total	82,955	33,539	14,908	131,402



2 Current Investment Portfolio by Category

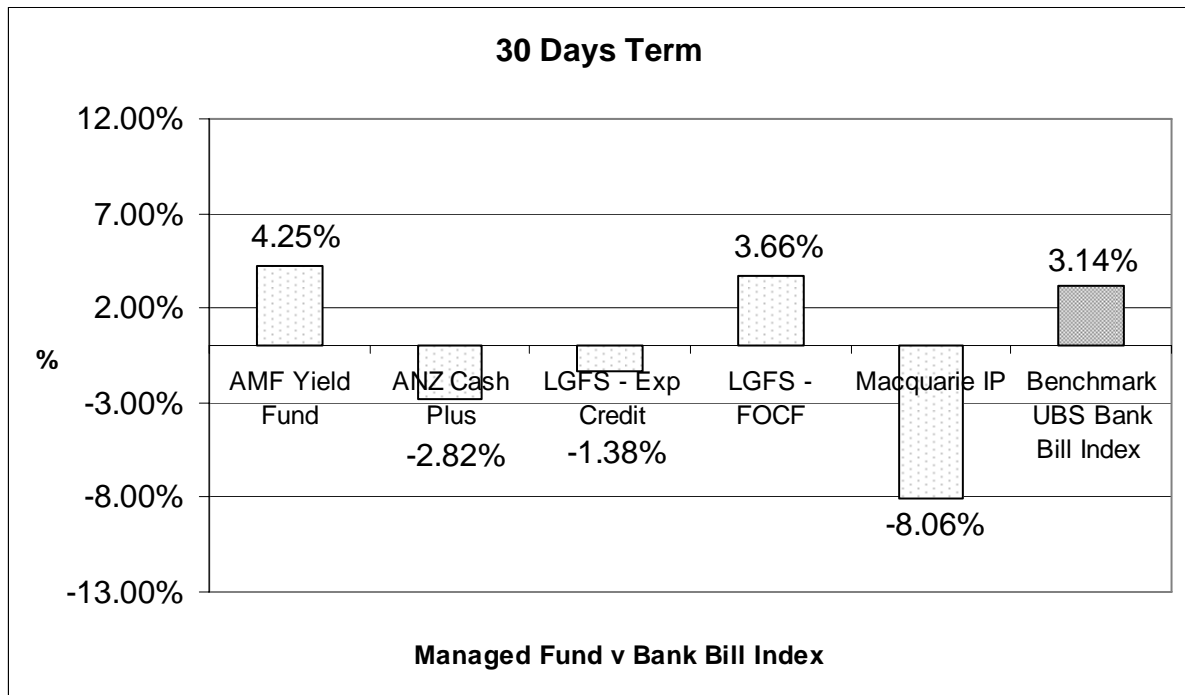


3 Investment Rates - 90 Day Bank Bill Rate



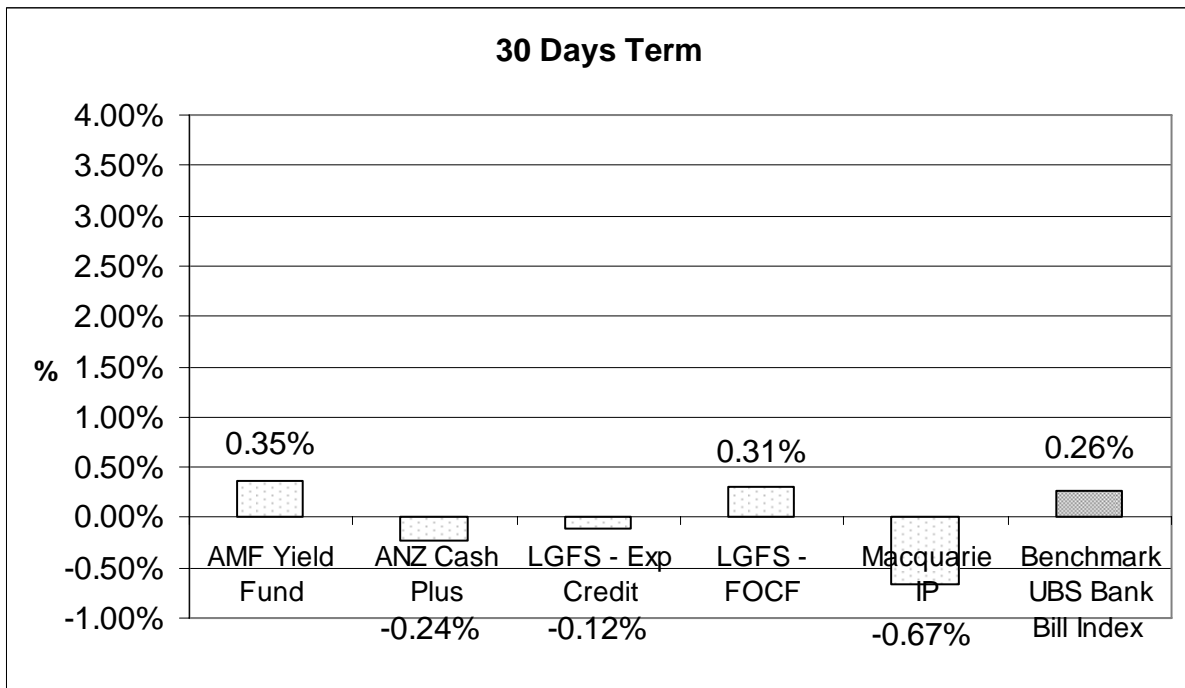
4 Funds Managers Performance for Month

Net of Fees and Change in Capital Value (Annualised)



5 Funds Managers Performance for Month

Net of Fees and Change in Capital Value (Not Annualised)





6 Fund Managers - detailed information							
Fund	Credit Rating	Percentage of Total Fund Managers Current Month	Fund Managers Balance end of Previous month	Fund Managers Balance end of Current month	Distribution for Month/Quarter	Coupon Paid	
AMF Yield Fund	AAA	3.78%	\$1,086,594	\$1,090,427	\$3,833	Monthly	
ANZ Cash Plus	AA	3.09%	\$894,272	\$892,099	\$0	suspended	
LGFS - Exp Credit	n/a	19.10%	\$5,515,201	\$5,508,696	\$17,308	Quarterly	
LGFS - FOCF	AA-	35.11%	\$21,174,454	\$10,124,997	\$44,984	Monthly	
Macquarie IP	A	38.91%	\$10,197,498	\$11,219,438	\$91,042	Quarterly	
Total		100%	\$38,868,020	\$28,835,657	\$157,167		

7 Direct Securities

Investment Type	Final Maturity	Counterparty/ Product Name	Face Value	Market Value	% Return on Face Value	Next Quarterly or Final Coupon
ABS	22/01/2018	Merrill Lynch Puttable Note	2,000,000.00	2,008,860.00	3.06	15,300.00
ABS	22/01/2018	Merrill Lynch Zero Coupon	2,000,000.00	2,587,678.62	7.28	0.00
Fixed Rate Bond	22/04/2013	ANZ	1,000,000.00	1,136,570.00	8.65	432,973.97
Fixed Rate Bond	08/11/2011	ANZ	1,000,000.00	1,063,820.00	5.15	142,930.14
Fixed Rate Bond	02/12/2010	Bank of Queensland	1,000,000.00	1,019,050.00	6.00	112,602.74
Fixed Rate Bond	02/12/2010	Bank of Queensland	500,000.00	512,205.00	5.55	104,157.53
Fixed Rate Bond	02/12/2010	Bank of Queensland	1,000,000.00	1,016,370.00	6.00	112,602.74
Fixed Rate Bond	24/09/2012	Westpac	1,000,000.00	1,057,410.00	4.90	4,295.89
Fixed Rate Bond		Westpac Adelaide	1,000,000.00	1,057,410.00	5.15	96,650.68
FRN	22/05/2009	Bendigo Bank	1,000,000.00	1,000,818.00	3.29	4,295.89
FRN	17/08/2010	ANZ	1,000,000.00	930,499.00	3.36	8,284.93
FRN	20/07/2010	CBA	1,000,000.00	972,999.37	3.92	9,760.68
FRN		CBA	1,000,000.00	993,197.50	4.08	76,569.86
FRN	21/01/2011	CBA	2,000,000.00	1,986,395.00	4.08	20,344.11
FRN	23/11/2012	Deutsche Bank	1,000,000.00	825,432.00	4.09	10,084.93
FRN	24/01/2011	Macquarie/HSBC	2,000,000.00	1,774,700.84	4.06	20,252.86
FRN	08/03/2012	Members Equity	2,000,000.00	1,420,520.00	4.17	28,257.53
FRN	26/11/2010	NAB	2,000,000.00	1,981,194.58	3.56	17,572.44
ABS = Asset Backed Security CDO = Collateralised Debt Obligation FRN = Floating Rate Note		Total	25,500,000.00	23,345,129.91	5.76	



8 Term Deposits

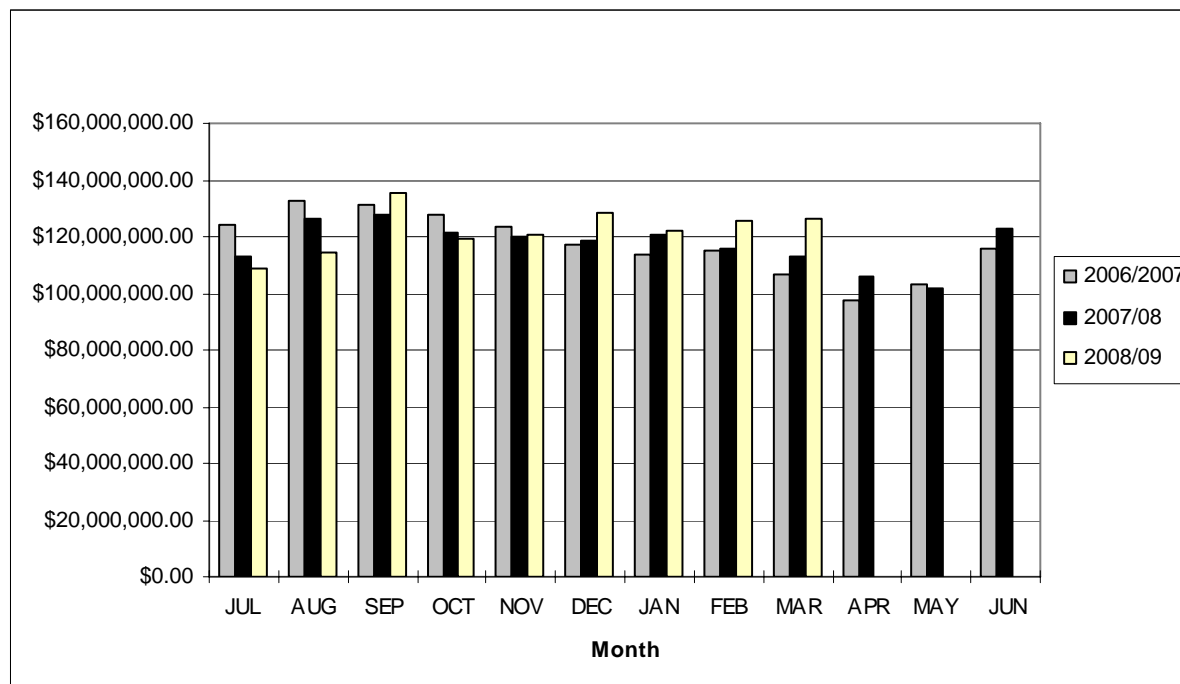
Lodged or Rolled	DUE	Counterparty	PRINCIPAL	TERM	% Yield	INCOME RECEIVABLE
05-Jan-09	06-Apr-09	Adelaide Bendigo Bank	3,000,000.00	91	5.300	39,641.10
19-Feb-09	21-Jul-09	Adelaide Bendigo Bank	1,000,000.00	152	4.250	17,698.63
17-Feb-09	17-Feb-11	Adelaide Bendigo Bank	2,000,000.00	730	4.700	188,000.00
11-Mar-09	11-Aug-09	Adelaide Bendigo Bank	2,000,000.00	153	4.250	35,630.14
17-Dec-08	14-May-09	Bank of Queensland	1,000,000.00	148	5.700	23,112.33
05-Jan-09	27-May-09	Bank of Queensland	5,000,000.00	142	5.700	110,876.71
08-Oct-08	10-Jun-09	Bank of Queensland	1,000,000.00	245	7.700	51,684.93
05-Feb-09	05-Aug-09	Bank of Queensland	3,000,000.00	180	4.900	72,493.15
03-Oct-08	01-Apr-09	Bankwest	3,000,000.00	180	7.800	115,397.26
07-Oct-08	15-Apr-09	Bankwest	4,000,000.00	190	7.400	154,082.19
03-Mar-09	01-Jul-09	Bankwest	2,000,000.00	120	4.000	26,301.37
11-Mar-09	14-Jul-09	Bankwest	4,000,000.00	125	4.150	56,849.32
31-Mar-09	29-Jul-09	Bankwest	6,000,000.00	120	4.300	84,821.92
27-Oct-08	28-Apr-09	CBA	951,625.00	182	5.220	24,769.36
18-Feb-09	20-Apr-09	Citibank	1,000,000.00	90	4.800	11,835.62
27-Jan-09	28-Jul-09	Citibank	1,000,000.00	182	5.080	25,330.41
11-Feb-09	13-May-09	Credit Union Australia	1,500,000.00	91	5.300	19,820.55
17-Feb-09	16-Feb-11	Elders Rural Bank	1,000,000.00	729	4.620	92,273.42
07-Jan-09	07-Apr-09	Heritage Building Society	1,000,000.00	90	5.500	13,561.64
18-Feb-09	19-May-09	IMB	1,000,000.00	90	4.300	10,602.74
12-Nov-08	16-Nov-11	Investec Bank	1,000,000.00	1099	6.880	207,153.97



12-Jan-09	14-Apr-09	LGFS	2,000,000.00	91	4.800	23,934.25
24-Dec-08	23-Apr-09	National Australia Bank	1,000,000.00	120	5.500	18,082.19
17-Dec-08	05-May-09	National Australia Bank	2,000,000.00	139	5.600	42,652.05
05-Mar-09	17-Jun-09	National Australia Bank	2,000,000.00	105	4.200	24,164.38
17-Mar-09	20-May-09	New England Credit Union	1,000,000.00	64	4.000	7,013.70
16-Mar-09	16-Jun-09	St George Bank	2,000,000.00	92	4.350	21,928.77
11-Mar-09	09-Jun-09	Suncorp	1,000,000.00	90	4.500	11,095.89
06-Jan-09	07-Apr-09	Suncorp Metway	2,000,000.00	91	5.500	27,424.66
16-Apr-08	16-Apr-09	Suncorp Metway	1,000,000.00	365	8.390	83,900.00
11-Mar-09	28-May-09	LGFS	5,000,000.00	78	4.190	44,769.86
02-Apr-08	01-Apr-11	Suncorp Metway	3,000,000.00	1095	8.300	747,000.00
12-Nov-08	11-Nov-11	Suncorp Metway	4,000,000.00	1094	6.880	824,846.03
18-Feb-09	19-May-09	Macquarie Bank	2,000,000.00	90	4.400	21,698.63
			73,451,625.00		5.237	

9

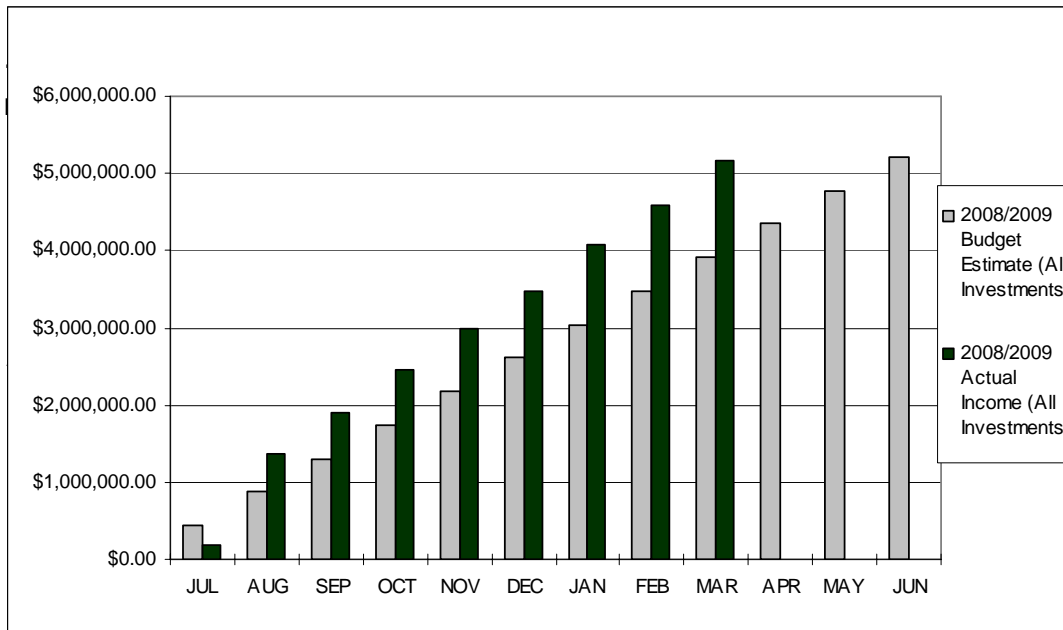
Monthly Comparison of Total Funds Invested





10

Total Portfolio Income Year to Date



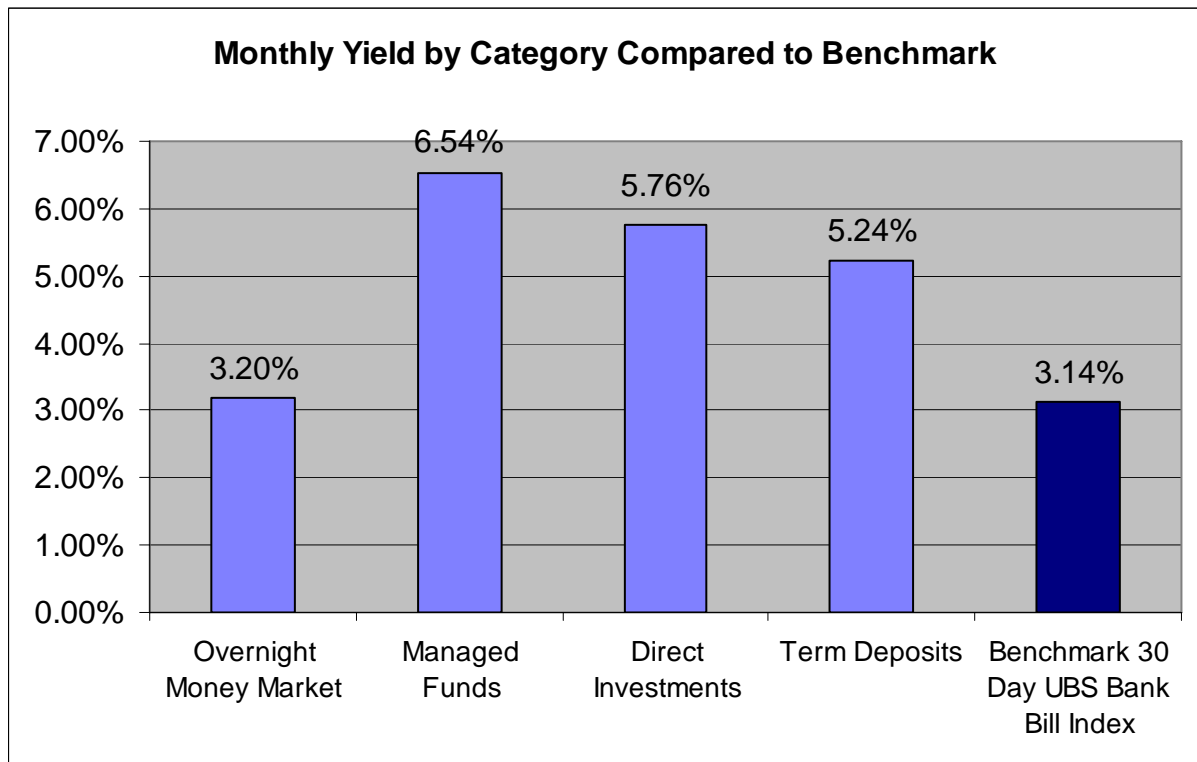
Note: From August 2008 includes net managed funds distributions, term deposit accrued interest & direct security accrued coupons



11

Performance by Category

Category	Face Value	Market Value	Average Yield	Above/(Below) 30 day BBSW Benchmark
Overnight Money Market	\$500,000.00	\$500,000.00	3.20%	0.06%
Managed Funds	\$28,835,655.96	\$28,835,655.96	6.54%	3.40%
Direct Investments	\$25,500,000.00	\$23,345,129.89	5.76%	2.62%
Term Deposits	\$73,451,625.00	\$73,451,625.00	5.24%	2.10%
Benchmark 30 Day UBS Bank Bill Index	\$128,287,280.96	\$126,132,410.85	3.14%	



12

Economic Commentary

Global Economy

The Organisation for Economic Co-operation and Development (OECD) forecast the steepest economic contraction in more than 50 years across its member nations. The combined economy of the world's most industrialised countries will shrink 4.3% in 2009.

The United States economy contracted at a 6.3% annual pace in the December 2008 quarter.

Japan's economy shrank at an annual pace of 12.1% in the December 2008 quarter. The Bank of Japan projects the economy will start recovering in the second half of the 2009 fiscal year. The OECD predicts Japan's economy will contract 6.6% in 2009.

The Government in China is aiming to achieve 8% economic growth for 2009 through tax cuts and spending on roads, railways and houses.

The international Monetary Fund expects New Zealand's economy to shrink by 2% in 2009. The Reserve Bank of New Zealand cut interest rates by 0.5% to a record low 3% in March.

Domestic Economy

The official cash rate was reduced 25 basis points to 3.00% by the Reserve Bank of Australia (RBA) on 7 April. The Reserve Bank of Australia stated "the Board judged that there was scope for a further modest adjustment to the cash rate. The stance of monetary policy, together with the substantial fiscal initiatives, will provide significant support to domestic demand over the period."

Council's Investment Portfolio Performance

A high ratio of Council's total Investment Portfolio was again held in term deposits (58%) during March. Term deposits achieved a moderate average return of 5.24% pa for the month, with minimal capital risk.

Managed Funds average yield for March was 6.54% pa. This favourable figure shows the managed funds produced reasonable monthly/quarterly distributions in March even though the unit price (ie capital price) of some funds continued to fall. An historically low 23% of Council's total investment Portfolio is invested in managed funds.

Council's direct securities investments now consist almost entirely of a mix of floating rate notes and fixed rate bonds. The fixed rate bonds were "locked in" at interest rates of between 5% and 8.65% pa while the floating rate notes track the 90 day bank bill rate plus a margin of between 0.5% and 1%. Direct security type investments represent 18% of Council's total Investment Portfolio.

The reasonable yield on term deposits, fixed bonds and floating rate notes continues to moderate the managed funds volatile monthly returns.

An indication of Portfolio performance is provided by disregarding changes in capital values. For example, Council had **\$126,132,411** invested as at 31 March, 2009 and the net return on these funds was **\$581,994** or **4.61%** annualised for the month.



13

Investment Summary as at 31-Mar-09

GENERAL FUND

COLLATERISED DEBT OBLIGATION COMMERCIAL PAPER CORPORATE BONDS FLOATING RATE NOTES	0.00	
	0.00	
	\$6,862,835.00	
	11,885,756.27	
ASSET BACKED SECURITIES FUND MANAGERS LOAN OFFSET TERM DEPOSITS CALL	4,596,538.62	
	5,070,023.51	
	951,625.00	
	55,500,000.00	
	500,000.00	85,366,778.40

WATER FUND

TERM DEPOSITS FUND MANAGERS	15,000,000.00	
	21,338,154.34	36,338,154.34

SEWERAGE FUND

TERM DEPOSITS FUND MANAGERS	2,000,000.00	
	2,427,478.11	4,427,478.11

TOTAL INVESTMENTS 126,132,410.85

It should be noted that the General Funds investments of \$85 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

All Water and Sewerage Fund investments can only be expended in accordance with Government regulation and Council resolution.

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

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

Chief Financial Officer (Responsible Accounting Officer)

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS

07 [EO-OC] Classification of Land as Operational - Parish of Cudgen

ORIGIN:

Design

SUMMARY OF REPORT:

Council has recently been provided with the Certificates of Title for two parcels, being Lot 1 in DP 133948, Recreation Street, Bogangar, and Lot 19 Section 16 in DP 758571, Yao Street, Kingscliff. These parcels were Crown Land which had previously been vested in Council by the Crown via gazettal however, were never transferred in fee simple.

Both parcels were held under Old System Title and the Registrar-General required that they be converted to Torrens Title to bring them into line with the Registrar-General's records. This has now been completed by the Registrar-General and Certificates of Title issued in the name of Tweed Shire Council.

Both parcels are vacant land, the Yao Street parcel does not appear to have any inherent value as a park but incurs a cost to maintain. The parcel has an area of less than 500 square metres. The Yao Street property is not required by Recreation Services Unit as it is too small to develop and maintain as a park especially as a playground and sportsfields are only 150 metres away.

It is recommended that the Yao Street parcel be made available for sale and as such must be classified as operational to allow a future sale.

The Recreation Street parcel is a residue parcel from a 2 staged subdivision of Crown Land, it is irregular in shape and forms an open space area at the rear of the parcels created. All parcels backing on to the parcel are fenced and it appears there is little or no use of the land, there is no park equipment on the site. It is recommended that this parcel be classified as operational to provide flexibility for any future use of the land

It is now necessary to resolve to classify these parcels as "Operational" pursuant to the provisions of the Local Government Act, 1993

RECOMMENDATION:

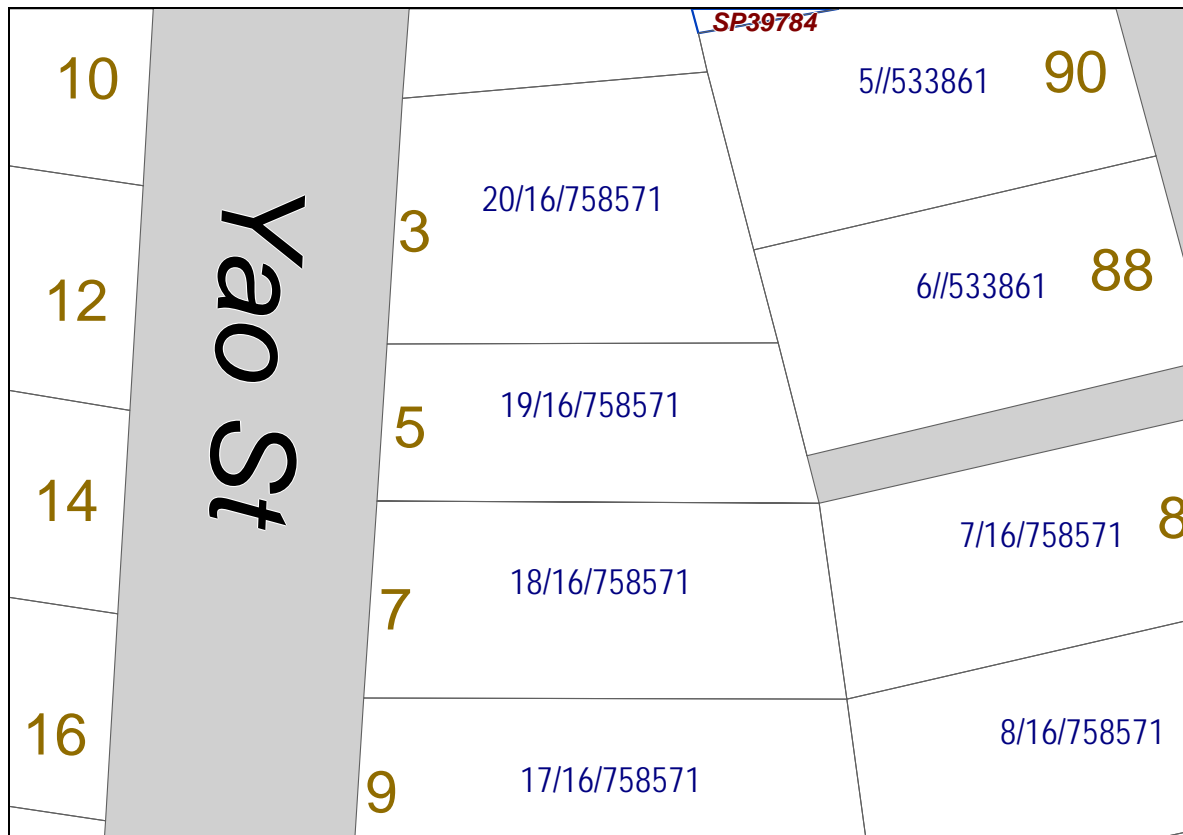
That Lot 1 in DP 133948 and Lot 19 Section 16 in DP 758571 be classified as "Operational" pursuant to Section 31 of the Local Government Act, 1993.

REPORT:

Plan of Lot 1 in DP 133948, Recreation Street, Bogangar:-



Plan of Lot 19 Section 16 DP 758571, Yao Street, Kingscliff



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.



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O8 [EO-OC] Classification of Land as Operational, Murwillumbah

ORIGIN:

Design

FILE NO: DA05/0308

SUMMARY OF REPORT:

Proposed Lots 130 and 131 in an approved Subdivision of Lot 1 in DP 392245, Lot B in DP 368706 and Lot 13 in DP 793985 at Murwillumbah are to be transferred to Council as a Sewer Pump Station site and Drainage Reserve respectively, following registration of the plan of subdivision.

It is therefore necessary to resolve to classify this parcel as “Operational” pursuant to the provisions of the Local Government Act, 1993.

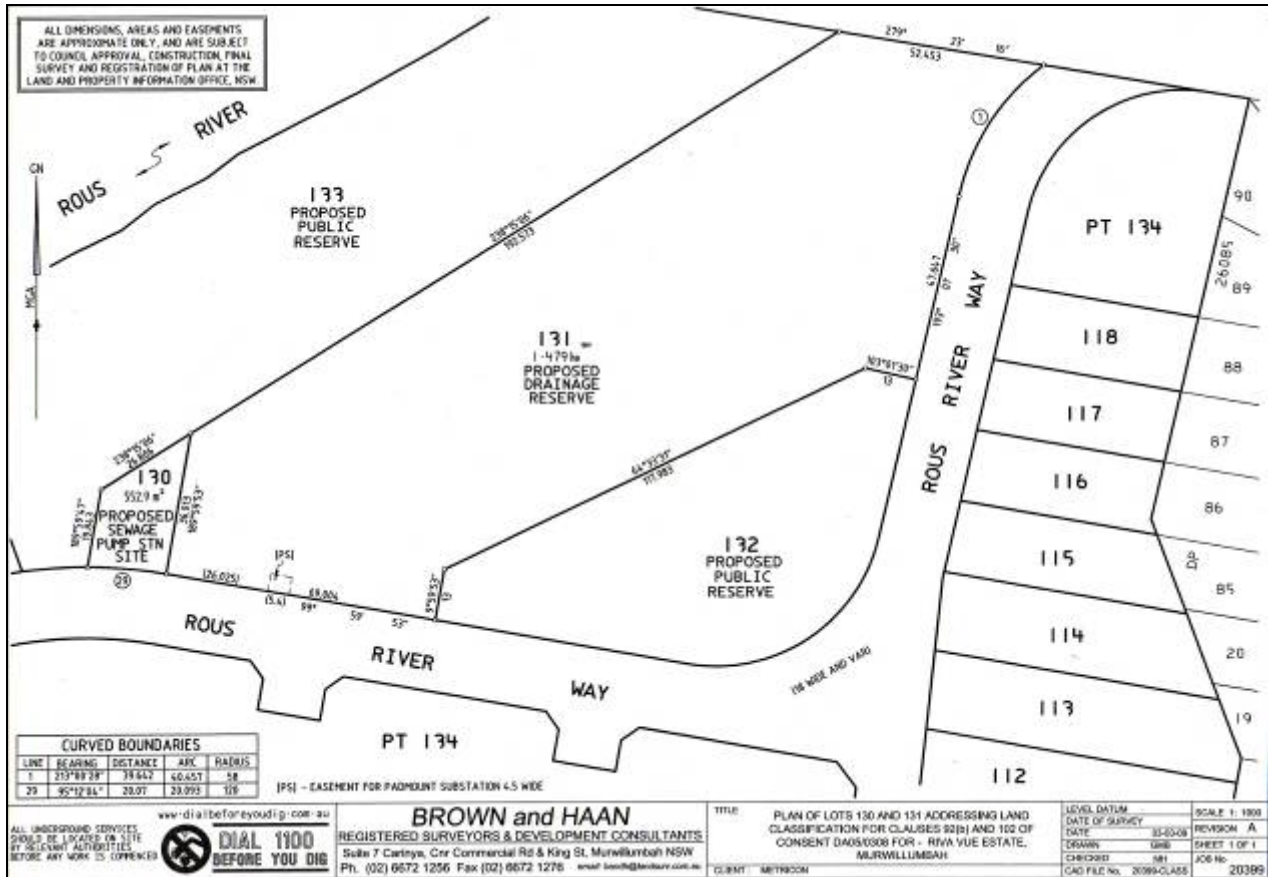
RECOMMENDATION:

That:-

- 1. Council approves the transfer of proposed Lots 130 and 131 in a Subdivision of Lot 1 in DP 392245, Lot B in DP 368706 and Lot 13 in DP 793985 at Murwillumbah as a Sewer Pump Station site and Drainage Reserve respectively; and**
- 2. Proposed Lot 130 and 131 be classified as “Operational” pursuant to Section 31 of the Local Government Act, 1993; and**
- 3. All necessary documentation be executed under the Common Seal of Council.**

REPORT:

As per Summary of Report. A copy of the plan showing proposed Lots 130 and 131 is shown below:-

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

09 [EO-OC] Renaming of Part of Public Road, Condong Street, Kunghur**ORIGIN:****Design****FILE NO: GS5/1 Pt5****SUMMARY OF REPORT:**

Council at its meeting of 15 July 2008, resolved to publicise its intention to rename Condong Street, Kunghur, as "*Pomaderris Place*" and allowed one month for objections to the proposal.

Several objections were received, all of which requested that the road be named "Browns Lane". Firstly Councils policy on naming of public roads, derived from the guidelines set down by Geographical Names Board, notes that name duplication within the local government area should be avoided. Browns Lane is an existing road name within the Tweed Shire and the Department of Lands have advised Council that Browns Lane will not be regarded as an acceptable name due to this fact. Secondly the purpose of renaming Condong Street, Kunghur is to avoid the confusion which has arisen from the duplication of this name within the shire.

Residents of this road were invited to attend a meeting with Council Officers to discuss the renaming of the road and to allow consideration of any alternate names they might propose and subsequent contact was made by Councils Property Technical Officer to all parties concerned.

Based on the discussions held with the Residents of Condong Street Kunghur and the other relevant parties it is suggested that this road be re-named "Bear Lane".

RECOMMENDATION:**That:-**

- 1. Council publicises its intention to re-name Condong Street, Kunghur to "Bear Lane", allowing one month for submissions and/or objections to the proposal; and**
- 2. Council notifies the relevant authorities under the provisions of the Roads (General) Regulation 1994.**

REPORT:

Council at its meeting of 15 July 2008, resolved to publicise its intention to rename Condong Street, Kunghur, as *"Pomaderris Place"* and allowed one month for objections to the proposal.

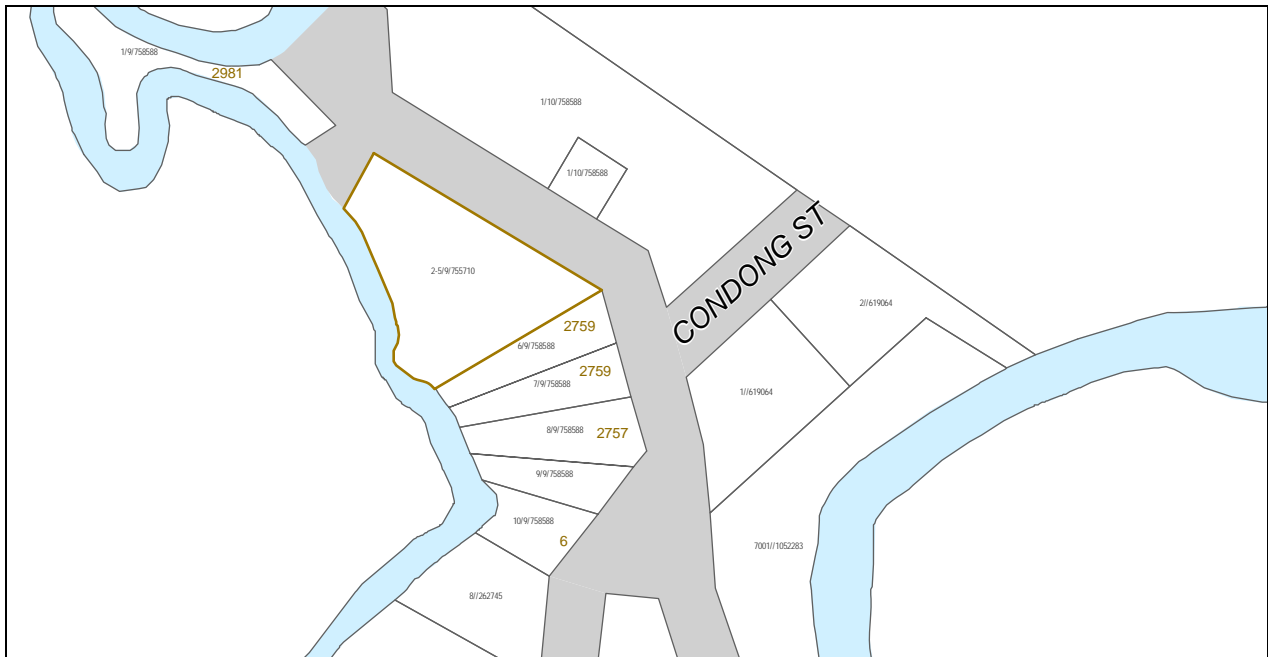
Several objections were received, all of which requested that the road be named "Browns Lane". Firstly Councils policy on naming of public roads, derived from the guidelines set down by Geographical Names Board, notes that name duplication within the local government area should be avoided. Browns Lane is an existing road name within the Tweed Shire and the Department of Lands have advised Council that Browns Lane will not be regarded as an acceptable name due to this fact. Secondly the purpose of renaming Condong Street, Kunghur is to avoid the confusion which has arisen from the duplication of this name within the shire.

Residents of this road were invited in writing to attend a meeting with Council Officers to discuss the renaming of the road and to allow consideration of any alternate names they might propose however no response was received from them in this regard. Each of the residents in Condong Street, Kunghur, as well as those parties who provided an initial objection to Pomaderris Place were then contacted by telephone by Councils Property Technical Officer requesting further consideration be given to the naming of this road.

The residents as well as those original objectors then consulted with each other and provided Council with the name of "Bears Lane" as an alternate to Pomaderris Place. Their representative, Mr Peter Smith advised that the reason for choosing this name is that it is a simpler name than Pomaderris, both for pronunciation and spelling purposes, and also that it reflected the residents opinion of the view from Condong Street of Mount Warning, being "that of a bear laying down".

Based on the discussions held with the Residents of Condong Street Kunghur and the other relevant parties it is suggested that this road be re-named "Bear Lane".

The location plan is shown below for ease of referral.



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Confidential Attachments - Letters of Objection (ECM 2027506).



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O10 [EO-OC] Play Equipment - Barbara Rochester Park - Bogangar

ORIGIN:

Recreation Services

SUMMARY OF REPORT:

Play equipment was installed in Barbara Rochester Park Bogangar in August 2007. Since that time the park has been the subject of consistent and repeated vandalism including graffiti, damaged and destroyed equipment and constant broken glass.

The anti-social behaviour associated with these activities has been of concern to the parks neighbours for some time with numerous correspondences being received resulting in a number of discussions with Council officers.

Whilst the anti-social behaviour that is of concern to the residents is not a matter Council can deal with, the constant, repeated vandalism and resultant safety concerns with the play ground has forced the recommendation for the remaining equipment to be removed until such time as the current situation abates.

RECOMMENDATION:

That the remaining play equipment in Barbara Rochester Park, Bogangar be removed leaving the soft fall zone and edging intact so that the equipment may be reinstated at a future time should there be evidence that the vandalism and anti-social behaviour has abated to an acceptable level.

REPORT:

Play equipment was installed in Barbara Rochester Park Bogangar in August 2007 (Figure 1). Since that time the park has been the subject of consistent and repeated vandalism including graffiti, damaged and destroyed equipment and constant broken glass.

The anti-social behaviour associated with these activities has been of concern to the parks neighbours for some time with numerous correspondences being received resulting in a number of discussions with Council officers.

The attached photos illustrate some of the more recent instances. In addition to the damage illustrated in the photos, at one time a park bench was broken off and placed approximately 3 metres up a tree, a wooden pallet was left under the swings, the swings are regularly broken, graffiti commenced immediately the equipment was installed and broken glass is commonly scattered throughout the soft-fall area and the park. In February of this year a resident witnessed a youth hitting a bubbler with a baseball bat resulting in a fountain of water and the bubbler being destroyed.

These issues render the park unsafe and unusable and also represent an on-going cost to repair and replace broken equipment. Accordingly, it is recommended that the remaining equipment be removed leaving the soft-fall area and edging in place. If at a future time there is evidence that the antisocial activities have abated, Council may consider reinstating the play equipment.

As the offenders also tend to 'hang out' in the trees in the park, one neighbouring resident has requested that Council remove some of the trees. The trees have all been pruned with lower branches removed to open the area up and facilitate better vision through the park. The request to remove trees is not supported.



Figure 1: Location map of Barbara Rochester Park



Figure 2: The 'spinner' was broken and bent. Safety scrim was erected and a replacement spinner ordered.



Figure 3: The spinner in figure 1 had the safety scrim removed/stolen and the remaining pole snapped off prior to being replaced.



Figure 3: On this occasion a mattress was left under the swings. On another occasion a pallet was left under the swings and broken glass and bottles are a regular occurrence. Note that the swings have been removed due to regular vandalism. Also the trees in the background have had their lower limbs pruned to allow greater visibility through the park.



Figure 4: Some of the regular graffiti on the park sign.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. **Confidential Attachments:** Petition and letters (ECM 2027760).



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O11 [EO-OC] Provision of Rubbish Bins in Public Areas

ORIGIN:

Recreation Services

SUMMARY OF REPORT:

At its meeting held 17 February 2009 Council resolved:-

"That a report be prepared for Council on the increased provision of rubbish bins in problem areas of Parks, walking trails and public areas."

This report details Council's current practices for managing litter bins in public areas and associated costs.

It is considered that the current management practices are appropriate to determine if additional bins are required.

RECOMMENDATION:

That Council receive and note the Provision of rubbish Bins in Public Areas report.

REPORT:**Current Status**

Council contracts Solo Resource Recovery to provide 801 services per week to assist in controlling litter in parks, public areas, walking trails, bus shelters, cycleways, halls, lookouts, boatharbours, halls and other areas. In total, 348 park and street litter wheelie bin services are conducted per week, and 453 'Be Tidy' litter bin services are conducted per week. 'Be Tidy' litter bins are smaller 60 litre metal bins that line the main streets in the larger townships. The service frequency and number of bins is increased during holiday periods at some locations. The total cost for servicing the park, street and 'Be Tidy' bins is \$143,064 per annum. This figure does not include disposal costs of the waste material at Council's Stotts Creek Landfill, as the current Waste Contracts do not impose a disposal cost on park, street and 'Be Tidy' litter delivered to the landfill by Solo Resource Recovery. It is expected that these costs will increase, as the contractor will be required to pay disposal costs for this material under the new Contract commencing December 2009. The service cost of \$143,064 per annum does not include the replacement cost of the wheelie bin of \$72.18 per bin or the 'Be Tidy' litter bin housing of approximately \$1,000 per housing.

The above service numbers and costs do not include provisions made by Recreation Services Unit staff in servicing and disposing of rubbish collected through park litter patrols and from 133 additional parks bins. In 2007/2008 Recreation Services Unit paid \$23,413.54 in disposal costs alone for waste materials whilst weekly (minimum) park and sportsfield litter patrols cost \$721,000. Both of these costs are funded from the Recreation Services maintenance budget.

Comment

The Waste Management Unit and Recreation Services Unit receive infrequent requests to install additional bins in some areas. Staff investigates the request on each occasion. The requisites for installing a bin include the proximity to a litter generating activity, usually a retail food outlet, or another activity which increases the likelihood of generating litter such as bbq facilities or a bus shelter near a commercial retail area.

Experience has shown that placing bins in isolated areas and away from litter generating activities increases the misuse of the bin, generally by illegal dumping of household waste.

Parks maintenance staff report that supply of bins in parks is generally appropriate. Experience suggests that after a certain point, the provision of additional bins does not decrease the amount of litter picked up from the ground or surrounding areas. Significant amounts of rubbish can be picked up whilst the bins provided are not full. The existing bins are audited regularly to determine adequate frequency of collection, evidence of vandalism, and to ensure they are appropriately placed and secured.

The Waste Management Unit has embarked on a public place recycling initiative, installing waste and recycling bin stations in prominent public place areas. The bin station employs a red (maroon) hooded bin enclosure for litter standing next to a yellow (gold) hooded bin enclosure for recyclables. This provides opportunity for the public to responsibly dispose of litter waste, and importantly, recycle aluminium cans, glass bottles, plastic drink bottles, newspapers, and paper food packaging.

ACTIVITY	ANNUAL COST 2007/08
Contract emptying of park and 'Be-Tidy' bins*	\$143,064
Parks litter disposal costs	\$23,413
Parks litter collection and additional bins emptying	\$721,000
Total	\$887,477
ADDITIONAL BIN COSTS	
Wheelie bin	\$72.18 per bin
Be-Tidy bin enclosure	\$1,000
Cost per service	Commercial in confidence

Table 1: Litter costs summary table. * Does not include disposal costs or replacement bin costs.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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O12 [EO-OC] BMX Track - Murwillumbah

ORIGIN:

Recreation Services

SUMMARY OF REPORT:

The BMX Park off William Street Murwillumbah is in a state of disrepair with little evidence of significant use. The area is regularly inundated with stormwater and in its current state presents maintenance and safety issues. Accordingly, it is recommended that Council consider the levelling of the facility and removal of associated infrastructure.

Prior to proceeding with the demolition, Council may consider notifying the community of the intended removal allowing an opportunity for comment.

RECOMMENDATION:

That Council notifies its intent to remove the BMX facility located off William Street, Murwillumbah allowing twenty-one (21) days for comment.

REPORT:

The BMX Park located off William Street Murwillumbah has been in existence for many years. It is understood that a BMX club used to operate from the facility, however the club has not been in existence for many years and the facility has deteriorated significantly.

The BMX Park is now in a state of disrepair with little evidence of significant use. The deterioration of the functionality and safety of the park has been exacerbated over the years as individuals have undertaken their own alterations. The area is located at the end of a stormwater drainage system and consequently the park has significant drainage problems and is regularly inundated with long periods of stagnant water. The condition of the park makes maintenance difficult and attracts regular vandalism. In its current state the park presents significant maintenance and safety issues as illustrated in the attached photos.

Additionally, the park is located in close proximity to residents which has created conflicts in the past. Were the facility to be considered today, its proximity to residents and susceptibility to inundation would have most likely excluded this site from consideration as an appropriate location for such a facility.

The park has come to the end of its lifespan and in addition to the maintenance and safety issues presents a significant 'eye-sore' to the residents of this area.

Accordingly, the demolition and removal of the facility is recommended. However, prior to proceeding with the demolition, Council may consider notifying the community of the intended removal allowing an opportunity for comment.













LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Cost of demolition.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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013 [EO-OC] EC2007-046 Final Variation Report on contract - Construction of the Murwillumbah Memorial Pool Complex (Tweed Regional Aquatic Centre) and Car Park

ORIGIN:

Design

FILE NO: GC12/5-2007046

SUMMARY OF REPORT:

At the Council Meeting of 7 September 2007, a contract was awarded to Multi Span Australia Pty Ltd for the construction of the Murwillumbah Memorial Pool Complex (Tweed Regional Aquatic Centre) and Car Park.

Construction commenced on 27 September 2007 and the Centre was officially opened on 28 November 2008.

The Council decision required reporting, on a quarterly basis, of variations approved under delegation by the Director of Engineering and Operations. The total approved variations to the end of February 2009 is \$413,190.56 (GST Excl.). This is within the current limit of delegated authority of 5% of the original contract sum (i.e. \$723,325.00 GST Excl.).

This report represents the final variation report. The final contract amount for the Murwillumbah Memorial Pool Complex (Tweed Regional Aquatic Centre) and Car Park as paid to Multi Span Australia Pty Ltd is therefore \$14,879,699.56 (GST Excl.) (i.e. original Contract amount \$14,466,509.00 plus variations \$413,190.56.)

RECOMMENDATION:

That:-

1. **The Final Quarterly Variations of \$144,170.65. (exclusive of GST) for Contract EC2007- Construction of the Murwillumbah Memorial Pool Complex (Tweed Regional Aquatic Centre) and Car Park, be received and noted:-**
 - a) **Variation No.33 – Water supply and waste water connections for drinking fountains inside and outside the complex. (\$591.76 GST Excl.)**
 - b) **Variation No.34 – Additional data and communications cabling. (\$11,282.25 GST Excl.)**
 - c) **Variation No.35 – Electrical works. (\$877.10 GST Excl.)**
 - d) **Variation No.36 – Additional café fitout. (\$135,318.63 GST Excl.)**
 - e) **Variation No.37 – Additional access point and CCTV to point of sale area at Complex entrance. (\$4,024.12 GST Excl.)**



- f) Variation No.38 – Additional site drainage. (\$3,297.81 GST Excl.)
- g) Variation No.39 – Supply and install pace clock. (\$1,679.47 GST Excl.)
- h) Variation No.40 – Additional stainless steel fixtures for café operation. (\$2,609.25 GST Excl.)
- i) Variation No.41 – Water slide pump room refurbishment. (\$3,323.42 GST Excl.)
- j) Variation No.42 – Café exhaust fan penetrations. (\$1,239.70 GST Excl.)
- k) Variation No.43 – PC sum adjustment for signage. Signage provided by TSC rather than Multi Span. (-\$20,317.86 GST Excl.)

REPORT:

Following the awarding of Contract EC2007-046 to Multi Span Australia Pty Ltd for the Construction of the Murwillumbah Regional Memorial Pool Complex and Car Park, construction commenced 27 September 2007.

1. Final Variation Report 5

In accordance with the Council decision requiring a quarterly report on variations, the final variations are listed for Councils information, as follows:

Variation No.	Description	Amount (Exc GST)	Status
33.	Water supply and waste water connections for drinking fountains inside and outside the complex.	\$591.76	Approved
34.	Additional data and communications cabling.	\$11,282.25	Approved
35.	Electrical works.	\$877.10	Approved
36.	Additional café fitout.	\$135,318.63	Approved
37.	Additional access point and CCTV to point of sale area at TRAC entrance.	\$4,024.12	Approved
38.	Additional site drainage.	\$3,297.81	Approved
39.	Supply and install pace clock brackets.	\$1,679.47	Approved
40.	Additional stainless steel fixtures for café operation.	\$2,609.25	Approved
41.	Water slide pump room refurbishment.	\$3,323.42	Approved
42.	Café exhaust fan penetrations.	\$1,239.70	Approved
43.	PC sum adjustment for signage. Signage provided by TSC rather than Multi Span.	-\$20,317.86	Approved

The total variations for the end of February 2009 are \$143,925.65.

2. Quarterly Variation Report 4

In accordance with the Council decision requiring a quarterly report on variations, the subject variations, during the September quarter 2008, are listed for Councils information, as follows:-

Variation No.	Description	Amount (Exc GST)	Status
18.	Lighting to rear of CWA. This was required for safety as the car park created an unlit area at the rear of the CWA building.	\$661.50	Approved
19.	Increased Chlorine storage tank size from 1 x 5000 litres to 2 x 5000 litres to limit number of fills required and more easily cater for extreme events.	\$3,856.00	Approved
20.	Internal step in Learn to Swim School to allow easy entry to pool, as well as, provide an area for students to sit whilst waiting for teacher.	\$1,198.00	Approved
21.	Conduit from pool hall to Cenotaph to allow future lighting of Cenotaph.	\$441.00	Approved
22.	Demolish and replace sewer manhole. Damaged manhole inside pool boundaries replaced prior to new paving being installed.	\$3,528.00	Approved
23.	Demolish old pump room. Remnants of underground structure discovered during excavation required removal.	\$949.00	Approved
24.	Remove and replace defective valve in balance tank.	\$2,007.77	Approved
25.	Installation of irrigation conduits to service landscaped areas in future.	\$10,463.95	Approved
26.	Pool hall equipment fitout, including pool covers and new diving boards.	\$61,205.01	Approved
27.	Fire proofing of storage area to rear of grandstand. BCA requirement	\$21,363.26	Approved
28.	Additional fire door in grandstand for maintenance access.	\$2,615.37	Approved
29.	Additional 25m pool accessories including false start poles, backstroke poles and pole sockets.	\$4,753.00	Approved
30.	Conduit for future Poseidon System.	\$1,519.00	Approved
31.	Kitchenette added to meeting room to improve functionality of the room.	\$14,248.05	Approved
32.	Lighting to store room under grand stand. Required for OHS reasons.	\$2,658.25	Approved

The total variations for the September quarter 2008 are \$131,467.16.

3. Quarterly Variation Report 3

In accordance with the Council decision requiring a quarterly report on variations, the subject variations, during the June quarter 2008, are listed for Councils information, as follows:-

Variation No.	Description	Amount (Exc GST)	Status
11.	Prepare Queen Street embankment for landscaping.	\$48,243.15	Approved
12.	Preparation of operations manual for completed Tweed Regional Aquatic Centre.	\$99,308.06	Approved
13.	Lighting of Leisure pool.	\$17,740.15	Approved
14.	Internal stainless steel handrail to hydrotherapy pool. Recommended by physiotherapists to increase functionality of pool.	\$10,912.30	Approved
15.	Electronic key pad security devices. Operational safety OHS Requirement for staff.	\$4,410.00	Approved
16.	Turnstiles changed from manual to accept proximity card readers.	\$6,163.00	Approved
17.	Sheet piling of Queen Street retaining wall required due to poor ground conditions.	\$30,080.00	Approved

The total variations for the June quarter 2008 are \$216,856.66.

4. Quarterly Variation Report 2

In accordance with the Council decision requiring a quarterly report on variations, the subject variations, during the March quarter 2008, are listed for Councils information, as follows:-

Variation No.	Description	Amount (Exc GST)	Status
7.	Epoxy coating to pool hall floor providing operational, safety and aesthetic benefits.	\$109,357.25	Approved
8.	Piles in excess of 15 metres in length. The Tender price provided a variation for piles greater than 15 metres long.	\$19,792.30	Approved
9.	Kerb and gutter and drainage to Ferryview Lane. Works required to provide adequate drainage for the lane.	\$30,561.04	Approved
10.	Filter media upgraded from sand to zeolite to provide greater water quality and clarity.	\$12,835.00	Approved

The total variations for the March quarter 2008 are \$172,545.59.

5. Quarterly Variation Report 1

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

Variation No.	Description	Amount (Exc GST)	Status
1.	Revised calculation of Contract amount based on final submission by preferred Contractor.	-\$266,862.55	Approved
2.	Grubbing & removal of tree stumps. Trees removed by Council Staff had to have their stumps removed prior to earthworks commencing.	\$3,724.00	Approved
3.	Additional Asbestos Removal. As demolition commenced more asbestos than detailed in the tender documents was discovered and had to be removed.	\$3,675.00	Approved
4.	CCTV conduiting to Car Park. Conduiting to enable future CCTV surveillance of the car park was not included in the contract.	\$6,682.00	Approved
5.	Kiosk Unisex Disabled WC Plumbing. A disabled toilet for the kiosk was not included in the contract.	\$245.00	Approved
6.	Stormwater line alteration to CWA. As Earthworks were undertaken a stormwater line from the CWA building was found to clash with the car park footings, which necessitated its relocation.	\$931.00 Previously incorrectly reported as \$735.00	Approved

The net result of the approved variations for the Murwillumbah Memorial Pool Complex (Now known as Tweed Regional Aquatic Centre (TRAC)) and Car Park is an increased cost of \$413,190.56 (GST Excl.) This is within the current limit (\$723,325.00 GST Excl.) of delegated authority given to the Director of Engineering and Operations.

The approved variations have been incorporated into the works.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The subject variations are within the total project budget.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

O14 [EO-OC] EC2009-009 Supply and Laying of Asphaltic Concrete Overlays**ORIGIN:****Contracts****FILE NO: EC2009-009****SUMMARY OF REPORT:**

This report outlines the tender for EC2009-009 Supply and Laying Asphaltic Concrete Overlays and provides a recommendation on the preferred tenderer.

Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation, Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. A summary of the Selection Criteria is also included in the body of this report. Based on price and non-price criteria, it is recommended that Council accepts the tender from Boral Asphalt for EC2009-009 Supply and Laying Asphaltic Concrete Overlays.

ATTACHMENT A is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

- (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

RECOMMENDATION:**That:-**

- 1. The tender from Boral Asphalt be accepted to the value of \$654,230.65 exclusive of GST.**
- 2. The General Manager be given delegated authority to approve variations up to 20% above the initial contract price.**

3. ATTACHMENT A is CONFIDENTIAL in accordance with:-

Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

- (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***



REPORT:

Background

In order to continue the upgrade of various streets within the Shire, tenders were invited by public advertisements for Tender EC2009-009 Supply and Laying of Asphaltic Concrete. The tenders were for schedule of rate prices for an estimated quantity of 4088 tonnes.

Tenders Received

A total of 3 responses were received for Tender EC2009-009:-

Boral Asphalt
Pioneer Road Services
State Asphalt Services

Selection Criteria

The following selection criteria and weightings were determined prior to the issuing of the Tender:-

Item	Criterion	Weighting %
1	Tender Price	60
2	OHS and Risk Management	10
3	Environmental and Quality Systems	10
4	Contract Experience	10
5	Time Performance	10
	Total	100

Tender Evaluation

The tender evaluation was conducted by Council's Tender Evaluation Panel, consisting of:-

Steve Paff Maintenance Engineer (Works Unit)
Tony Bennett Senior Contract Sengineer

.A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with:-

Section10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

- (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

Based on price and non-price considerations, it is recommended that Council accept the tenderer of Boral Asphalt for EC2009-009 Supply and Laying Asphaltic Concrete Overlays.

Details of the relative competitiveness of Boral Asphalt are shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by the Tender Evaluation Panel.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

This tender process is in accordance with Section 55 of the Local Government Act 1993 and Part 7 (Tendering) of the Local Government (General) Regulation 2005.

Funding is provided within the 2008/2009 Budget for EC2009-009 Supply and Laying Asphaltic Concrete Overlays.

POLICY IMPLICATIONS:

The recommendations in this report are consistent with Council's Procurement Policy, Procurement Procedure, Contracts Management Process document and Tenders Procedure.

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 A** – EC2009-009 Supply and Laying of Asphaltic Concrete Overlays (ECM 2026126).
-

O15 [EO-OC] Bay Street, Tweed Heads

ORIGIN:

Design

SUMMARY OF REPORT:

Following the closure of submissions on 13 February, 2009, an analysis was made to identify the issues of most concern and the level of objection to the sale of the road reserve.

An overview of the submissions made to Council was submitted to Council at a workshop held on 31 March 2009. Two community groups presented their views and objections to the Council workshop. Representatives of the Walker Group also provided a power point presentation to Council detailing their latest proposed development over the road closure parcel.

One of the issues that was raised in the submissions was the inability to comment on the proposal as there was little detailed information available to the public for comment. The Walker Group have agreed to make information regarding their latest proposal available to the community, which provides Council with an opportunity to request the Walker Group to undertake community consultation prior to the matter being determined by Council.

In this regard, to further gauge the views of the community, it is recommended that Council facilitate community consultation by the Walker Group with stakeholder groups.

RECOMMENDATION:

That:-

- a. The Walker Group be requested to undertake community consultation with stakeholder groups regarding their latest proposals for the Bay Street site.**
- b. The Walker Group provides details to Council of the consultation process and submissions received from stakeholder groups.**
- c. Council gives further consideration to the Bay Street proposal following (a) and (b) above.**

REPORT:

Following the closure of submissions on 13 February, 2009, an analysis was made to identify the issues of most concern and the level of objection to the sale of the road reserve. Below is an overview of the submissions presented to Council including further information provided by the community and the Walker Group at the Council Workshop held on 31 March 2009.

Overview of submissions made after 16 December 2008 meeting.

The extended submission period, following the meeting of 16 December, 2008, expired on 13 February 2009.

Submissions were received up until 27 February, 2009.

There were a total of 356 submissions received and the results of a survey of 426 people undertaken by the Tweed District Resident & Rate Payers Association was received on 13 February 2009, together with a small petition of 9 signatures, from the same group.

The majority of the submissions, 243, were signed pro forma letters comprising a list of issues and statements, with a space for name, address and signature. There were four different types of pre-prepared pro forma letters received.

Other submissions, 72, were a plain pro forma with a space for name, address, signature and a blank area for individual comments.

There were a total of 41 individual submissions made during the second submission period, 20 of those were received after the date of closure, 13 February 2009.

The 4 pro forma submissions are reproduced below, showing the number of submissions received of each pro forma. The total of these three pro formas received was 233. The other pro formas totalled 18.

Pro Forma 1: 83 submissions received

ADDRESS: _____

Mr. M. Rayner
General Manager, TSC
P.O. Box 816
MURWILLUMBAH. NSW. 2484.

Dear Sir,

RE: PROPOSAL TO CLOSE AND SELL PART OF BAY STREET, TWEED HEADS.

I wish to lodge my objection to the above proposal for the following reasons:

The density of the Tweed CBD will increase dramatically over the coming years, due to more high rise development. We must retain all of the remaining green space in the Tweed CBD for future generations.

There is no benefit to the Tweed community in this proposal.

All high rise development must be kept to the western side of Wharf Street, Tweed Heads.

It is Councils responsibility to residents to ensure all of the remaining green space is protected – it is madness to consider closing a wide, tree lined street and replacing it with a narrow road that destroys trees and recreation space.

I object to the existing public car park being ripped up and replaced with a smaller car park. This reduces public parking and any underground car park that is built by developers may NOT be free parking to the public.

Council should respect the wishes of the people, and not pander to the demands of a developer and a crumbling shopping centre chain.

KEEP OUR PARK OPEN AND GREEN.

Sincerely,

Pro Forma 2: 73 submissions received

II

LN: 35085 / SN: 90
ROADS - CLOSURE - GENERAL
LAND - SALE
8 FEB 2009
TURNBULL IN

31st January 2009

NAME:

ADDRESS:

Mr. M. Rayner
General Manager, TSC
P.O. Box 816
MURWILLUMBAH. NSW. 2484.

Dear Sir,

RE: PROPOSAL TO CLOSE AND SELL PART OF BAY STREET, TWEED HEADS.

I object to the above proposal for the following reasons:

This proposal will result in the destruction of all of the mature paper bark trees on the medium strip and approx. 30 other mature trees in the park.

Residents will be negatively impacted by the loss of a wide, safe road which will be replaced with a narrow, unsafe road that destroys green space that is used as a recreation area.

While Council has a one-off financial windfall and Centro who is teetering on the verge of financial collapse, increases the value of their property, the public will be left with the destruction of the only park in the CBD.

Residents of the two proposed towers will also have to use the newly created road, creating even more traffic chaos for shoppers to Centro and visitors to the park.

Residents have been asked to make a submission on a development that is still considered confidential with Councillors and staff sworn to secrecy. What is Council trying to hide from the public?

Centro should use their own land area for any expansion and high rise development. They could utilise the asphalt car park that fronts onto Wharf Street or their Bay Street car park area.

There is no benefit to Tweed residents from this proposal.

Sincerely,

DataWorks Document Number: 197846

Pro Forma 3: 77 submissions received

LN: 35085, SN: 90
ROADS - CLOSURE - GENERAL

31st January 2009

NAME: _____

ADDRESS: _____

Mr. M. Rayner
General Manager,
TSC
P.O. Box 816
MURWILLUMBAH. NSW. 2484.

Dear Sir,

RE: PROPOSAL TO CLOSE AND SELL PART OF BAY STREET, TWEED HEADS.

I strongly object to the proposal to close and sell part of Bay Street to developers for high rise development, for the following reasons:

Bay Street is a busy major road in the CBD servicing the Tweed Centro shopping centre. The relocation and reduction to a narrow 6.2m wide road will cause traffic chaos and have safety implications.

The proposed two high rise towers to be constructed on Bay Street will have a negative visual impact on the park.

The proposed underground parking will extend well into the Chris Cunningham Park and will significantly reduce public access to the park.

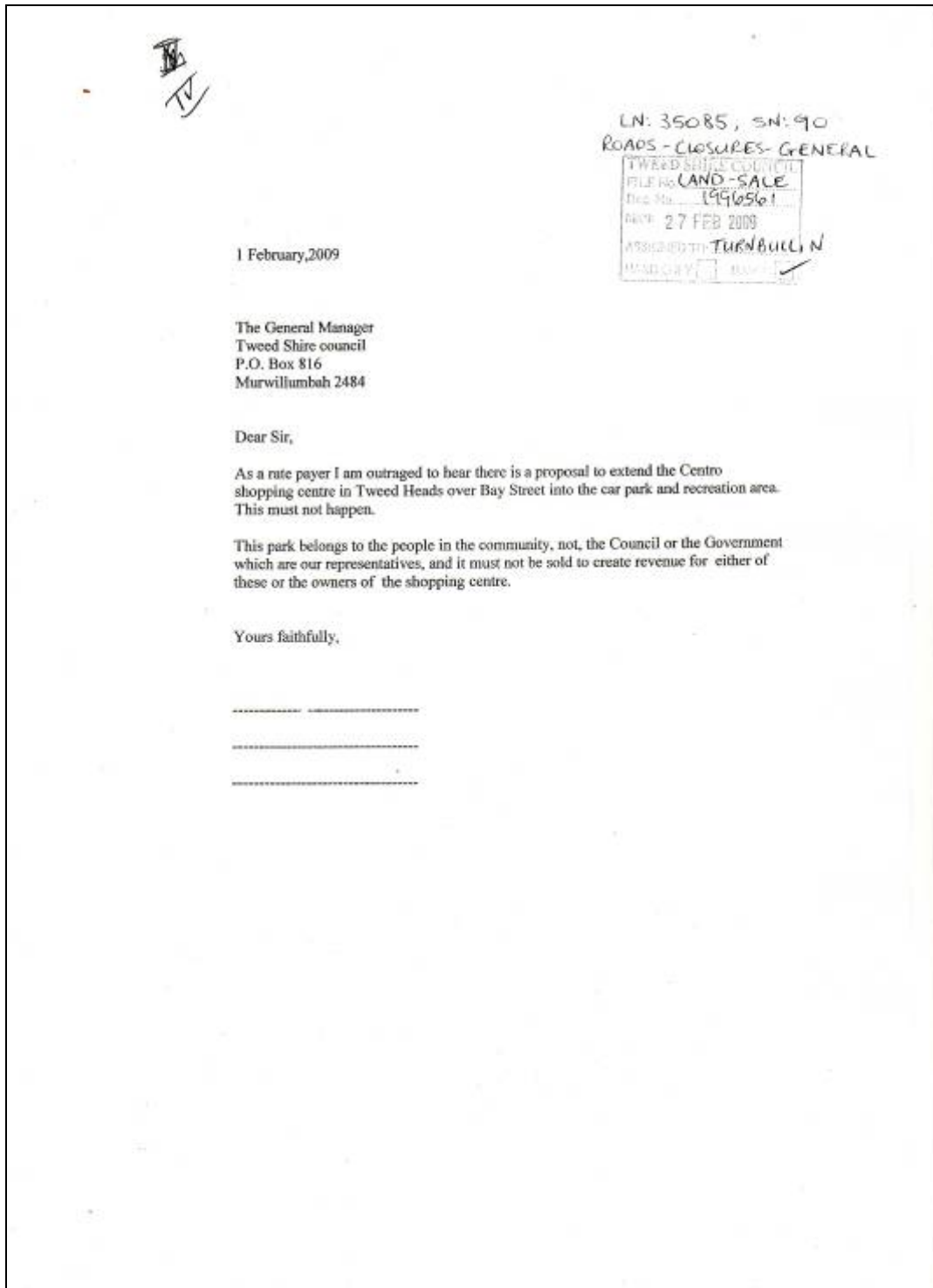
This proposal is unacceptable in a society that has become environmentally conscious as it destroys many mature trees and green space that is used as a recreation area.

This proposal is reminiscent of the 1980's thinking – DEVELOPMENT FOR DOLLARS – AT ANY COST! Unacceptable.

There is absolutely no benefit to the Tweed community in this proposal. The public loses a wide, tree lined street to have it replaced with a narrow road that goes through and destroys open space that is used as a recreation area.

TWEEDSHIRE COUNCIL
LAND - SALE
- 3 FEB 2009
TURNBULLIN

Pro Forma 4: 18 submissions received



Common Concerns of Submissions

1. Pre-prepared Submissions

The common issues of the pre-prepared submissions were:-

- Retention of open space or expressed as objection to loss of open space
- Reduction of car parking
- Destruction of mature paper bark trees on the median strip
- Increased volume of traffic as a result of the proposed development
- Sale of public land for a private development
- No benefit to the Tweed community
- Not enough information about the development available

There were 72 plain pro formas received.

2. Survey by Tweed District Residents and Ratepayers Association

The Association provided the original signatures and answers to 4 questions posed in the survey. In their covering letter they listed each question, and the aims of the questions, as well as showing the responses. The following is extracted from their covering letter.

“Question 1: *Do you know that the Council believes it should sell two thirds (21.485m x 142.2m) of the 31m wide Bay Street to a developer so a high rise may be constructed over it. This sale of “**Bay Street is to encourage an active streetscape that addresses the Jack Evans Boat Harbour to the north?**”*

(This was aimed at assessing community awareness of the proposed sale)

Response: *Over 95% of the community approached at markets and when door knocking local areas had some knowledge of the sale. Those that had no knowledge were shown the Tweed Link page detailing the proposal.*

Question 2: ***Do you agree that the Council should sell this part of Bay Street?***

(This was aimed at finding who agrees with the sale)

Response: *2 out of the 492 people who completed the survey answered “Yes”.*

Question 3: ***Do you know anyone who agrees to the sale of Bay Street?***

(This was aimed at trying to confirm if there were others in the community who supported the sale who we were missing)

Response: *All (100%) who signed did not know of any other person who supported the sale, even the 2 who supported the sale answered this question in the negative.*

Question 4: Would you ever vote for a Councillor who votes to sell Bay Street?

(This was aimed at discovering the degree of concern the community had for Councillors who want to sell our wide streets in Tweed Heads)

Response: Only 9 of those surveyed either answered yes or did not want to make a decision on this question and those doing the survey marked their answer with a question mark.

The Association also advised that those who were surveyed lived in and around Tweed Heads, Murwillumbah the Tweed Coast and rural areas of the Tweed. The results were as follows:-

<i>Tweed Heads central/south west</i>	<i>287 against/1 for the sale</i>
<i>Banora Point</i>	<i>51 against/1 for the sale</i>
<i>Tweed Coast – Fingal to Pottsville</i>	<i>52 against</i>
<i>Rural</i>	<i>47 against</i>
<i>Murwillumbah</i>	<i>49 against”</i>

The Association comments that there were 38 extra voters who did not live in the Tweed.

Individual Submissions

The overwhelming issue raised in the 41 individual submissions received and plain pro forma submissions (72 received) was the loss of open space in Chris Cunningham Park.

The other issues raised in the pre-prepared pro formas were not reflected in the comments made by the authors of individual submissions whose concerns, to a lesser degree, ranged from the removal of the trees on the nature strip; not wanting development on public land; no more high rises; the reduced road footprint; no requirement for further retail space; a disregard for public opinion; and concerns about anticipated increase in traffic flow.

3. Analysis of Submissions

Issue: Retention of open space or expressed as objection to loss of open space.

Response: The objection to the loss of open space appears to be derived from a perception that part of Chris Cunningham Park will be utilised for the road footprint of Bay Street to accommodate the development on the closed road parcel. The grassed area south of the boundary of Chris Cunningham Park is within the road reserve of Bay Street. This area is proposed to be used for the road footprint of the proposed development.

Issue: Reduction of car parking spaces.

Response: The current car park in Chris Cunningham Park provides 34 car spaces, the relocated car park will provide approximately 28 spaces. However, it is to be noted that the proposal would provide a level of subterranean public car parking for the retail component of the development which would compensate for any loss of car parking spaces.

Issue: Destruction of mature paper bark trees on the median strip.

Response: The trees currently in the median strip will need to be removed to allow this proposed development to proceed.

Issue: Increased volume of traffic as a result of the proposed development.

Response: Any mixed development proposal will generate an increase in traffic volume and will therefore need to provide a detailed traffic impact report, demonstrating that there was still adequate capacity in the road network to accommodate this traffic.

Issue: Sale of public land for a private development.

Response: Council, as the owner of the road reserve in fee simple, has the discretion to sell or not sell the land. The proceeds of the sale, as it is a road closure parcel, must be used in accordance with the Roads Act 1993, which states in section 43(4) that the proceeds are to be used for road works on public roads or acquiring land for public roads

Issue: No benefit to the Tweed community.

Response: The sale and development of the road reserve is expected to provide a long term public benefit as it will activate the street frontage, provide greater connectivity with Jack Evans Boatharbour and provide a more people friendly urban space.

Issue: Access for semi-trailers to off loading docks.

Response: It is anticipated that the access to and from the loading docks can be re-designed to adequately accommodate heavy vehicles.

Issue: Bus parking in Bay Street and Endeavour Parade.

Response: Buses park in Bay Street for convenience only during down time. The buses can be accommodated elsewhere.

Issue: Perceived loss of crown land for the benefit of a developer

Response: There will be a significant public benefit. It is reasonable, given the public benefit that the developer receives a return on investment, otherwise the developer works would not proceed.

Issue: Inappropriateness of high rise development in the precinct.

Response: This type of development is consistent with the existing zoning

Issue: Under utilised commercial space in Tweed, no need for more commercial space to be created

Response: The activation of Bay Street is the primary driver of Council's consideration of the sale of the road closure parcel

4. Traffic Issues

Council's Traffic Engineer has responded as follows:-

- ❖ **Regarding the current congestion of the Wharf St/Bay St intersection** – The intersection is currently operating at a satisfactory level of service. Any redevelopment of Tweed Centro would require a detailed traffic impact report in relation to the proposed level of the service at the signals.
- ❖ **There are currently no turn arrows at the existing signals** –The imposition of turn arrows will generally provide a lower level of service for the intersection as a whole, as above, any redevelopment would require a detailed analysis of the performance of the intersection to be carried out.
- ❖ **There is no access for semi-trailers and semi-trailer manoeuvres will be hazardous to other motorists** – Semi-trailer access will also need to be assessed as part of any development application
- ❖ **Loss of car parking and a restriction on car parking for visitors to Jack Evans Boat Harbour** – Existing car parking will not be lost, any reduction in existing car parking caused by any development will be compensated by the construction of car parking nearby – again this will need to be assessed as part of any development application.”

5. Council Workshop

An overview of the submissions made to Council were presented at a workshop held on 31 March 2009., Members of two representative community groups presented their views to Council. Also at the workshop representatives from the Walker Group provided a power point presentation to Council detailing their latest development proposal, which neither Council officers nor Councillors had previously seen .

One of the issues that was raised in the public submissions was the inability to comment on the proposal as there was next to no detailed information available to the public for comment. The Walker Group has agreed to make information regarding their latest proposal available to the community, which provides an opportunity to undertake community consultation on these specific proposal being determined by Council.

In this regard, to further gauge the views of the community, it is recommended that Council request the Walker Group undertake community consultation with the Tweed community.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

This proposal will impact on possible revenue from sales of part road reserve in Bay Street.

POLICY IMPLICATIONS:

Road Closure Policy Issues.



UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.



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O16 [EO-OC] EC2009-017 Jack Bayliss Park Upgrade (Northern), Kingscliff

ORIGIN:

Contracts

FILE NO: EC2009-017

SUMMARY OF REPORT:

This report identifies Tender EC2009-017 - Jack Bayliss Park Upgrade (Northern), Kingscliff. The tender request process has been conducted in accordance with Section 55 of the Local Government Act 1993 and Part 7 (Tendering) of the Local Government (General) Regulation 2005. Tenders closed in Councils Tender Box on 8 April 2009.

The proposed work at Jack Bayliss Park involves replacing a number of existing facilities including shelters, BBQs, paving. There are also a number of new elements which include pathways, viewing deck, lighting and new play equipment. Due to the proposed Repco Rally Australia, it is desired that work is completed before September 2009.

At the time of lodging this report, tenders were being assessed by the Tender Evaluation Panel to determine recommendations and prepare a Late Report to be considered by Council at the Meeting of 21 April 2009.

Council has previously resolved to make an application to the Regional and Local Community Infrastructure Program for funding for a number of "Community Projects". Council has been offered funding of \$1.293M to be utilised for the community projects nominated at that meeting (refer attached [GM-OC] Regional and Local Community Infrastructure Program Resolved 16 December 2008). The Kingscliff Foreshore upgrade project (Jack Bayliss Park) was included in the list of projects seeking financial assistance.

Time constraints on the funding assistance provided by the Federal Government as previously noted (refer attached [GM-OC] Regional and Local Community Infrastructure Program Resolved 16 December 2008) are as follows:

Community Projects

30 January 2009	Last date for entering into an agreement for projects
30 September 2009	Funding for all Community Projects must be expended

Council staff have estimated that construction of the project could take up to 12 weeks. Based on a completion date of 31 August 2009, there is only 18 weeks available for completion as of 21 April 2009. Therefore it is critical that the tender be dealt with expeditiously.

RECOMMENDATION:

Note: Due to time constraints a late report for EC2009-017 (Jack Bayliss Park (Northern), Kingscliff – Late Report) will be presented to Council for resolution at the Meeting on 21 April 2009.

REPORT:

1 of 1

Agenda Report**TWEED SHIRE COUNCIL
MEETING TASK SHEET****User Instructions**

If necessary to view the original Report, double-click on the 'Agenda Report' blue hyperlink above.

Action Item - COUNCIL MEETING Tuesday, 16 December 2008

Action is required for Item 1 as per the Council Resolution outlined below.

TITLE: [GM-OC] Regional and Local Community Infrastructure Program

COUNCIL DECISION:

Cr W Polglase
Cr P Youngblutt

RESOLVED that Council:

1. Makes application to the Regional and Local Community Infrastructure Program for funding of the following projects:

(i)	Visitor Information Centre	\$150,000
(ii)	Skate Park – Stage 2	\$250,000
(iii)	Murwillumbah CCTV	\$100,000
(iv)	Ambrose Brown Park upgrade	\$230,000
(v)	Kingscliff Foreshore	\$300,000
(vi)	Burringbar/Mooball Cycleway	<u>\$263,000</u>
	TOTAL	\$1,293,000

2. Makes application to the Regional and Local Community Infrastructure Program – Strategic Projects for \$2M plus to fund implementation of Stage 1 of the Jack Evans Boat Harbour redevelopment.

FOR VOTE - Cr P Youngblutt, Cr D Holdom, Cr K Skinner, Cr B Longland, Cr W Polglase, Cr J van Lieshout
AGAINST VOTE - Cr K Milne

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.



UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES**017 [CNR-OC] EC2008-150 Sewer Rehabilitation Various Locations****ORIGIN:****Community & Natural Resources****SUMMARY OF REPORT:**

This report outlines the tender for a Sewer Rehabilitation package of work at various locations within the Shire. The tender request was advertised to the Panel of Providers chosen by the previous Expression of Interest Contract EC2007-068.

The report provides a recommendation on the preferred tenderer. Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation and Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. A summary of the Selection Criteria is also included in the body of this report.

It is recommended that Council accepts the tender of Kembla Watertech Pty Ltd for Sewer Rehabilitation Various Locations.

RECOMMENDATION:**That:**

1. The tender from Kembla Watertech Pty Ltd be accepted to the value of \$248,333.15 exclusive of GST.
2. The General Manager be given delegated authority to approve variations up to 20% above the initial contract price. (20% up to a maximum of \$150,000, inclusive of GST). Any variations shall be reported to Council on a quarterly basis.
3. **ATTACHMENT A** is **CONFIDENTIAL** in accordance with Section 10A(2)(c) or Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-
 - (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

REPORT:

Council Tender EC2008-150 invited responses to offer to perform Sewer Rehabilitation at various locations within the Shire. Councils Water & Sewage Division requires relining/rehabilitation of a variety of different sized sewer reticulation lines (150mm to 600mm).

The awarded contractor shall supply all materials, equipment, plant and labour required to undertake the sewer rehabilitation/relining in accordance with the Specifications of tender (EC2008-150) and also in accordance with the Specifications included in the original Expression of Interest tender (EC2007-068 – Panel of Providers for Sewer Rehabilitation Work). The Contractor shall supply all products and services in accordance with any applicable legislation or standards.

Tenders Received

A total of three responses were received for tender EC2008-150 at the closing time.

- Kembla Watertech Pty Ltd
- Insituform Pacific
- Interflow

Selection Criteria

Tenders were evaluated based on the criteria listed in Clause 23 contained within the Conditions of Tendering:

Item	Criterion	Weighting %
	Tender Price	45
	Time Performance	10
	Quality Assurance	10
	Key Personnel Experience	10
	Environmental Management	10
	Occupational Health & Safety & Risk Management	10
	Warranty Periods Offered	5
	Total	100

For each criterion, scores were awarded to tenderers on a descending scale, ie. the most merit attracting the highest score, the lesser merit will attract a lesser score and equal merit will attract an equal score. The final Rating for all Evaluation Criteria was established by a consensus decision of the Panel.

Tender Evaluation

The tender evaluation was conducted by Council's Tender Assessment Panel, consisting of 2 x Contracts Engineers & 1 x W/S Operations Engineer. A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(c) or 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

- (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

Based on the assessment of tenders in accordance with the selection criteria, it is recommended that Tenderer Kembla Watertech Pty Ltd be nominated for EC2008-150 – Sewer Rehabilitation Various Locations.

Details of Kembla Watertech Pty Ltd relative competitiveness is shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by the Tender Evaluation Panel.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

This tender process is in accordance with Section 55 of the Local Government Act 1993 and Part 7 (Tendering) of the Local Government (General) Regulation 2005.

Funding is provided in the 2008/2009 Budget for Budget Group: S001 - Sewer Mains.

POLICY IMPLICATIONS:

The recommendations in this report are consistent with Council's Procurement Policy, Procurement Procedure, Contracts Management Process document and Tenders Procedure.

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 A** - Supplementary Report EC2008-150 Sewer Rehabilitation Various Locations (EMC 2027331)
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O18 [CNR-OC] Lease to Veolia Pty Ltd – Part Lot 1 in DP 1011625 – Tweed Heads Depot Gray Street Tweed Heads

ORIGIN:

Director Community & Natural Resources

SUMMARY OF REPORT:

Council has leased the area subject of this report to Collex Pty Ltd, now known as Veolia Pty Ltd (“Veolia”), since March 2001. The lease has now expired and a valuation of the current market rental has been obtained.

The area leased has a very limited use only, being undeveloped land that is located in the north east corner of the Tweed Heads Sewerage Treatment Plant site, which is also part of the Gray Street depot. Veolia use the land for the storage of empty commercial bins. The land is classified as operational land.

Veolia have requested a further lease of three years with a two year option. A commercial rental, as determined by the valuer, has been agreed at a commencing rate of \$32,000 per annum, with annual CPI increases. It is recommended that the lease retain a condition of the previous lease, that the lease can be terminated by either party upon the giving of three months written notice.

As there has been no other indication of interest in the leasing of the area, together with the limited uses that can be generated from the land, it is recommended that Council approve entering into a lease with Veolia Pty Ltd on the terms noted in this report, for the purposes of storage of empty commercial bins.

It is recommended that Council approve the lease and that Veolia cover all costs relating to the preparation of the lease.

RECOMMENDATION:

That:-

- 1. Council approves entering into a lease with Veolia Pty Ltd for a term of three years with an option of a further three years over part of Lot 1 in DP 1011625 Gray Street Tweed Heads.**
- 2. Veolia Pty Ltd bear all costs relating to the preparation of the lease.**
- 3. All documentation be executed under the Common Seal of Council.**

REPORT:

As per Summary of Report, the area to be leased is shown outlined in red below:



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

O19 [CNR-OC] NSW Environmental Trust Grant - Improving Urban and Peri-urban Bushland Sustainability in Tweed and Byron Shires

ORIGIN:

Director Community & Natural Resources

SUMMARY OF REPORT:

Tweed Shire Council and Byron Shire Council have been awarded a grant of \$1.7M from NSW Environmental Trust under the Urban Sustainability Major Projects Program. Tweed Shire is the lead Council and will administer the project which will extend over three years.

This project will achieve, through on ground works and extension, the sustainable management of a number of State and regionally significant urban and peri-urban bushland (and wetland) areas on the NSW far north coast.

RECOMMENDATION:

That Council:-

- 1. Accepts the grant in accordance with the NSW Environmental Trust Grant Agreement 2008/USM/0037 – Improving Urban and Peri-Urban Bushland Sustainability in Tweed and Byron Shires.**
- 2. Votes the expenditure and completes all necessary paperwork.**

REPORT:

Tweed Shire Council and Byron Shire Council have been awarded a grant of \$1.7M from NSW Environmental Trust under the Urban Sustainability Major Projects Program. Tweed Shire is the lead Council and will administer the project which will extend over three years.

This project will achieve, through on ground works and extension, the sustainable management of a number of State and regionally significant urban and peri-urban bushland (and wetland) areas on the NSW far north coast. On ground works will focus on habitat protection and restoration, management of stormwater pollution and erosion, removal of rubbish, pest species management and interpretive works. Priority sites will be selected on the basis of a comprehensive audit of management issues and requirements. The audit will also be designed to facilitate the selection of sites beyond the scope of the project. A major focus of the project will be a community and institutional engagement campaign aimed at promoting sustainable management solutions by linking issues at the urban bushland interface with the full range of sustainability issues faced by modern urban communities.

The project will complement other natural resource management initiatives managed by both Councils, community groups, individual landholders, and State agencies. The project will be overseen by a steering committee consisting of representatives of both Councils (3 each) Tweed Landcare Inc. (1 rep; 40 groups), and Brunswick Valley LandCare Inc (1 rep, 25 groups). The project will also establish a broader reference group consisting of other key stakeholders (Department of Environment and Climate Change, Department of Lands, Northern Rivers Catchment Management Authority, Tweed Byron Local Aboriginal Land Council, Tweed River Committee, Tweed Coastal Committee, Ararkwal Elders etc).



The Hon Carmel Tebbutt MP

**Deputy Premier
Minister for Climate Change and the Environment
Minister for Commerce**

Our reference: DOC08/56125 and 2008/USM/0037

Mr Mark Kingston
Tweed Shire Council
P.O BOX 816
MURWILLUMBAH NSW 2484

ENVIRONMENTAL TRUST GRANT
TWEED SHIRE COUNCIL
BIODIVERSITY PROGRAM
REC'D - 9 DEC 2008
ASSIGNED TO KINGSTON, M
HARD COPY EMAIL
INGUS, R

Dear Mr Kingston

I am pleased to advise that the Environmental Trust has approved a grant of \$1,710,278 for your project entitled *Improving Urban and Peri-Urban Bushland Sustainability in Tweed and Byron Shires* under the Urban Sustainability (Major Projects) program, subject to certain conditions.

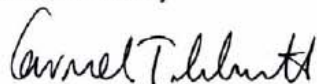
There are significant and pressing sustainability challenges for the NSW community and councils have a vital leadership role in researching and trialling innovative approaches, adopting environmentally beneficial practices and engaging with the community to develop practical solutions. The Trust is glad that this program helps committed councils such as yours to address these challenges.

As in previous rounds there was strong competition for funds. The Trust received 67 applications and approved 24 grants totalling \$29.05 million for the Major Programs and Urban Waterways streams of the program. Lists of successful grants will be placed on the Trust's website at www.environmentaltrust.nsw.gov.au.

The Environmental Trust's staff will be in contact with you shortly to make arrangements for the uptake of your grant. Alternatively, the Trust staff can be contacted on (02) 8837 6093.

I congratulate you on your successful application and wish you well with your project.

Yours sincerely



Carmel Tebbutt MP

- 3 DEC 2008

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The grant will cover necessary staff, contractors and materials.

POLICY IMPLICATIONS:

The project includes an institutional engagement component which will seek to improve ongoing support for bushland management in both Shires.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

O20 [CNR-OC] Treasures of the Tweed, Commercial Road Levee Bank Mural Project

ORIGIN:

Director Community & Natural Resources

SUMMARY OF REPORT:

Following recent publicity and representations to Council a decision is required on the future stages of the Treasures of the Tweed, Commercial Road Levee Bank Mural Project.

The proposed second phase of the project was due to begin in March 2009 but has been delayed as a result of community concern.

In order to present the conceptual design for Stage 2 to Commercial Road residents, and to further communicate with the 21 signatories of a petition to stop the project, a public meeting was convened on Tuesday 3 March, 2009 at 6pm. This meeting was chaired by Director Community and Natural Resources, Mr. David Oxenham. Fifteen people attended the meeting, nine of whom were residents of Commercial Road.

It was noted that there were equal voices both for and against the continuance of the project. The meeting inspired lively debate on the quality of the artwork and its appropriateness in terms of site significance. The public was requested to put further comments in writing within fourteen days.

Council has so far received ten letters from residents, both for and against the mural.

This report outlines current status, options and recommendations to address the issues that have been raised community residents.

RECOMMENDATION:

That Council

- 1. Adopts Option 1 of this report regarding the "Treasures of the Tweed, Commercial Road Levee Bank Mural Project".**
- 2. Considers Option 4 as a long-term strategy.**

REPORT:

Council is advised that a decision is required regarding the continuance of the Treasures of the Tweed, Commercial Road Levee Bank Mural Project and this report outlines current status, options and recommendations to address the issues raised by community residents.

The proposed second phase of the project was due to begin in March 2009 but has been delayed as a result of community concern.

The following background information provides an overview of the project to date, and the process that has been undertaken to facilitate the project thus far.

1. Background Information

1.1 The Partners

The Treasures of the Tweed project is an initiative of national employment network member Job Futures S-E Qld, in partnership and collaboration with Tweed Shire Council and Tweed Landcare Incorporated.

1.2 The Project

The Treasures of the Tweed project was designed as a Community Cultural Development Project and was aimed at:

- celebrating the Tweed's unique and endangered flora and fauna and ecological communities
- creating an iconic landmark for community and visitors
- building on the shire's current public art and placemaking initiatives

The artistic concept was designed by award-winning local artist David Adams.

The original project plan was that the mural would:

- span the full-length of the Commercial Road levee bank wall (700m)
- incorporate interpretation in the form of text plaque or panelling
- enhance the surrounding parklands

The project is funded by the Federal Government, and all funds are managed by the Community Work Coordinator, Job Futures-Sth East Qld, and the activity sponsor, Tweed Landcare Incorporated.

Tweed Shire Council has provided in-kind assistance in the form of:

- Preparation of the wall
- Relocation of existing signage
- Personal Protection – ie shade protection; safety vests; traffic control measures; safety and advance warning signage
- Localised storage facility

1.3 Skills and Training

Since the project commenced in January 2008, a total of 113 unemployed people have been successfully engaged in a wide spectrum of both vocational and non-vocational skills training and professional development, which included:

Vocational

Training equivalent to levels in Certificates 1 and 2 of the General Construction Industry Training package; additional skills and training for builders and trades assistant, artistic design, tools, storing, warehousing, species analysis, pricing and purchasing, design concepts, finishing and painting.

Non-vocational

Training and skills associated with self esteem, team building, confidence, time management, work ethic, sense of belonging and community participation.

All participants are trained in Occupational Health and Safety and this ensures correct management of road traffic as well as personal safety.

They are supervised at all times by Supervisor, David Adams, and are briefed consistently regarding consideration of residents on Commercial Road as well as passers-by.

1.4 Design Assessment Process

The process for approval was undertaken by Council's Public Art Advisory Committee in November, 2007. The design assessment, which is applicable to all public art projects on Council-owned or Council-controlled land, considers items such as:

- Design significance
- Site significance
- Public risk and
- Maintenance requirements

1.5 Consultation Process

Community consultation was undertaken through the following process:

- Commercial Road residents were initially advised of the proposal by mail in December, 2007 and were invited to attend a public meeting to view the proposed Conceptual Design. Approximately 20 people attended the meeting and those who attended fully endorsed the project
- Media announcements advising of the outcome of this meeting, and the intended works schedule, were advertised in the Tweed Link; Daily News; Tweed Sun and The Weekly
- Following commencement of the project in January 2008, some residents of Commercial Road had concerns about the aesthetic quality of the work. In consequence Commercial Road residents were invited to attend a follow-up public meeting at the Coolamon Cultural Centre in March, 2008 to discuss these issues. At this meeting, it was resolved to continue to complete Stage 1, and further consult before proceeding with Stage 2.

- Commercial Road residents were advised by mail regarding the proposed Stage Two of the project in February 2009, and were invited to attend a public meeting at the Coolamon Cultural Centre on 3 March to view Stage 2 Conceptual Design.

2. Current Status

Stage 1 of the project began in January, 2008 and covers an area of approximately 90 metres and finishes in alignment with King Street.

Stage 2 of the project is now ready to commence and is proposed to cover a further 45 metres of the wall. This has been calculated in line with the time-frame for Job Futures' Work for the Dole program funding allocation.

Council should be aware that whilst many residents support the project, twenty-one people have signed a petition requesting that Tweed Shire Council cease the Mural painting. The petition states that residents do not want the mural in front of their homes and suggest that the wall is either kept clean, or a creeping vine be grown over the wall which would allow it to blend with the greenery of the riverbank.

In order to present the conceptual design for Stage 2 to Commercial Road residents, and to further communicate with the signatories to the petition, the abovementioned public meeting was convened on Tuesday 3 March, 2009 at 6pm. This meeting was chaired by Director Community and Natural Resources, Mr. David Oxenham. Fifteen people attended the meeting, nine of whom were residents of Commercial Road. It was noted that there were equal voices both for and against.

The meeting inspired lively debate on the quality of the artwork and its appropriateness in terms of site significance. The public was requested to put further comments in writing within fourteen days.

Council has so far received ten (10) letters from residents, both for and against the mural.

Letters received in support of the project are:

1. Ms. Helen Hinwood
2. Paulene Kaye
3. Phil Villers – General Manager Tweed Tourism
4. Guy Diven – CEO Murwillumbah Services Club
5. Graeme Cooney

Letters received against the project are:

1. Carl Ustraul Esq
2. Darren Tattersall (also a signatory to the petition)
3. Sheraden Robins (also a signatory to the petition)
4. M & C Robertson (also a signatory to the petition)
5. J & M Bosnich (also a signatory to the petition)

The project has also received a significant amount of media attention. This includes:

Media – Letters to Editor				
Author	Location	Newspaper	Date	Comment
FOR:				
H. Johnson	Murwillumbah	Tweed Daily News	27 Feb 2009	Enhances surrounding natural beauty and wall
M.C.	Murwillumbah	Tweed Daily News	3 March 2009	SMS message: Mural is much better than blank wall to attract unsightly graffiti.
O. Brunner	Murwillumbah	Tweed Daily News	5 March 2009	Congratulations. Stand up to the soulless who want to stop this great work of art.
W. Simpson	Murwillumbah	Tweed Echo	5 March 2009	Disgusted that wowsers have halted this asset
N. Canny	Murwillumbah	Tweed Echo	5 March 2009	Welcome magnificent work of art.
L. Hutchinson	Murwillumbah	Tweed Echo	5 March 2009	Applaud all in project and want it completed.
G. Cooney	Murwillumbah	Tweed Echo	5 March 2009	Two attention-seeking people do not represent the residents of Commercial Road
S. Collins	Kunghur	Tweed Echo	5 March 2009	How could anyone object to the beautiful owl mural.
L. Jessamy	Uki	Tweed Echo	5 March 2009	What a shame it is seen as an eyesore – it is the art bargain of the century.
D Johnstone	Murwillumbah	Tweed Echo	5 March 2009	In support
E. Vernon	Murwillumbah	Tweed Echo	5 March 2009	In support
J. Daniels	Murwillumbah	Tweed Echo	5 March 2009	In support
M. Musgrave	Ormiston, Qld	Tweed Echo	12 March 2009	Mural is magnificent
Pete	Tyalgum	Tweed Daily News		What a joke. Mur'bah people don't like the levee wall cos it looks like Nimbin. At least Nimbin has some personality. Is this the Green Giant at work?
AGAINST:				
C. Wheeler	Murwillumbah	Tweed Echo	5 March 2009	Patronising ring to last week's editorial.
L. Catt	Murwillumbah	Tweed Echo	12 March 2009	Objection to Echo editorial. Regards mural as unsightly
Angry	Murwillumbah	Tweed Daily News	28 Feb 2009	SMS message: What rubbish that mural

				looks like Nimbin. Wake up to yourselves.
Media - Editorials				
Newspaper	Date	Comment		
Tweed Daily News	25 Feb 2009	"you can't please everybody"		
Tweed Echo	26 Feb 2009	"Arguably the best thing that's happened to that part of town"		
Media – News Articles				
Newspaper	Date			
Tweed Daily News	23 Feb 2009			
Tweed Daily News	25 Feb 2009			
Northern Star	25 Feb 2009			
Tweed Echo	26 Feb 2009			
Tweed Echo	5 March 2009			
Tweed Daily News	10 March 2009			
Media – Comments				
Author	Newspaper	Date	Comment	
G. Cooney	Tweed Daily News	27 Feb 2009	Defends mural, questions motivation of objectors	

3. Options

Council is presented with the following four options consideration:

3.1 Option 1 – Continue the project for another 40 metres and bring the design to a conclusion at an appropriate thematic point

This option is preferred as it would see the mural continued for approximately 40m further down Commercial Road, which would in turn allow it to have a completed feel – ie it would finish the mural within an appropriate thematic point.

As the project is funded by the Federal Government until the end of June this year, this option would honour the partnership that Council has forged with Job Futures and Tweed Landcare, as well as the work of the 113 people that have so far been engaged in this project.

In line with continuing the project for another 40 metres, It should also be noted that:

- (a) there have been no objections from home-owners in this particular section of the street. All letters of objections and signatories of the petition are located between street numbers 53 and 109 in Commercial Road. Continuing the mural for an extra 40m would align the completion with residence number 45
- (b) the artwork would finish at a natural curve along the road, wherein it will have a better alignment and visual impact than if it were discontinued in entirety as in Option 3
- (c) the provision of the (originally) planned interpretation would be imperative to maintaining the integrity of the original vision.

3.2 Option 2 – Continue the project in entirety

This option is undesirable as it would disregard the objections of approximately 21 people who have signed a petition and voiced their opinions, stating that they do not want the mural to be placed on the wall for various reasons.

This option is also undesirable as it cuts across Council's cultural policy and placemaking and public art policy which advocate the need to cultivate a stronger local civic and cultural identity.

This option would certainly defeat the purpose of the project as it could have the potential to create on-going community disharmony, and a sense of failure for those who are engaged in this valuable Jobs Futures program.

3.3 Option 3 – Discontinuing the project in entirety

Discontinuing the project in entirety would not be a preferred option as:

- (a) The artwork has been designed as a modular and thematic design and discontinuing the artwork where it is now would cut short the designated theme for that section of the mural. The aesthetic appeal of the artwork will be compromised in terms of unfinished work.
- (b) The project is a Federally funded Job Futures, Work-for-the Dole program, and is being funded by the national Government until the end of June 2009.
- (c) Although there have been objections, there has also been a favourable response from many Commercial Road residents, as well as from the broader community.

3.4 Option 4 – Create a best practice model of community resolve – short and long term strategy

Council is also advised that work has been undertaken to develop the Tweed River – Murwillumbah Reach Bank Enhancement Plan which will eventually guide the management and rehabilitation plan for the area of the Tweed River adjacent to the urban and residential areas of Murwillumbah, this includes the riverbank aligned with Commercial Road.

During the course of the mural project a number of the residents have requested that Council clean up the riverbank parkland behind the wall and that instead of a mural, ivy is grown on the wall. There is no doubt some merit in this suggestion as it would provide a softer landscape approach to dressing the wall and general streetscape.

Council's Landscape Architect has advised that any planting will need to be undertaken from the river-side of the wall and that Ivy would certainly not be a viable species, but there are native climbers that would be appropriate. It must be noted that any planting would take a long time to establish and will need constant maintenance in terms of watering and weeding.

In line with the robust community response to this project it is obvious that there is clear community interest in shaping a distinctive environment and there is huge potential to initiate a best-practice process that would deliver suitable outcomes for: (a) residents who are both for and against the continuance of the project; and (b) the interests of those who are currently participating in the program.

Option 4, would therefore be incorporated with the directives of the abovementioned Master Plan. This option would be undertaken over a longer-term strategy and would be reliant on continued partnership with Jobs Futures and available Work for the Dole federal funding. The project is reliant upon future funding assurances.

This option would, in the short term, see:

- (a) the mural continue for (approximately) 40m further down the road, to be completed by the end of June 2009, as per Option 1
- (b) discussions take place between Council staff and Job Futures regarding a possible future partnership with Job Futures' Work-for-the Dole program to enhance amenities in the immediate area, such as the riverbank vegetation, the planting of suitable plants to dress the wall, and a general clean-up of the area.
- (c) further discussions to be undertaken with residents of Commercial Road who wish the mural to proceed and, if possible, align future artwork to these particular sections of the road.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

O21 [CNR-OC] Request for "In Kind" Support/Waive Fee**ORIGIN:****Community & Cultural Services****SUMMARY OF REPORT:**

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

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

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

RECOMMENDATION:**That Council:-**

- 1. With reference to the request from Chantal Bradshaw on behalf of Kingscliff Community Playgroup, provides the Kingscliff Amenities Hall for a reduced fee of \$292.50 being 50% of the full fee of \$585 for a playgroup each Tuesday from 10:00am to 1:00pm for a period of three months commencing 5 May 2009 to 28 July 2009, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".**
- 2. With reference to the request from Northern Rivers Writers' Centre, provides the Murwillumbah Civic Centre Auditorium for a reduced fee of \$91.60 being 50% of the full fee of \$183.20 for the Byron Bay Writers Festival Schools Program on 10 August 2009, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".**

REPORT:

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

Organisation Name	Request	Est \$ Amount of Waiver	Recommendation	Meet Guidelines?
Chantal Bradshaw	Request waiver of fee for hire of Kingscliff Amenities Hall each Tuesday from 10:00am to 1:00pm for Kingscliff Community Playgroup.	\$292.50	That the fee be reduced to \$292.50 being 50% of the full fee of \$585, for a 3 month period commencing 5 May to 28 July 2009.	Yes
Northern Rivers Writers' Centre	Request reduction of fee for hire of the Murwillumbah Civic Centre Auditorium for the Byron Bay Writers Festival Schools Program on 10 August 2009	\$91.60	That the fee be reduced to \$91.60 being 50% of the full fee of \$183.20.	Yes

A copy of the requests are reproduced below:

March 3, 2009

Chantal Bradshaw
34 Kingscliff Street,
Kingscliff, NSW 2487
(02) 6674 2856

The Manager
Community and Culture Department
Tweed Shire Council
PO Box 816
Murwillumbah, NSW

RE: Free Use of Kingscliff Community Hall – Kingscliff Community Playgroup

Dear Sir/ Madam,

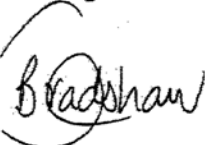
My name is Chantal Bradshaw and I am representing a group of Tweed Shire families looking to establish a community playgroup under the Playgroup NSW banner. We would like to request the **free use of the Kingscliff Community Hall** on Tuesday of each week from 10am - 1pm. This time slot is currently available.

We would also like to **fence the grassed area to the side of the hall** (See Appendix 1: Approx 20m of fencing) for use by the children who will be aged 0-5 years. Should the council be unable to fund the fence, the playgroup may be able to raise the funds through donations.

Currently, there are insufficient playgroups running in Kingscliff. One playgroup is Government funded and only accessible by those families who meet specific criteria, e.g. Single parent families, teenage parents and parents from foreign speaking backgrounds. The other is run by Kingscliff TAFE and has a waiting list of families wishing to join.

The group will be arranging insurance through Playgroup NSW once a location is confirmed.

Kind regards,



Chantal Bradshaw.



Post: PO Box 1846 ■ Byron Bay NSW 2481 ■ Tel: 02 6685 5115 ■ Fax: 02 6685 5166
Email: info@nrwc.org.au ■ Website: www.nrwc.org.au

19 March 2009

The General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH. NSW 2484

EDUCATION MATTERS
DONATIONS

TWEED SHIRE COUNCIL
FILE No. CIVIC CENTRE - MURWILLUMBAH - HIRE
Doc. No.
REC'D: 20 MAR 2009
ASSIGNED TO: WATTERSON S
HARD COPY <input type="checkbox"/> IMAGE <input checked="" type="checkbox"/>

Dear Sir

The Northern Rivers Writers' Centre has booked Murwillumbah Civic Hall for Monday 10 August from 9.30am to 12.30pm. We will be holding a primary schools event which is part of the 2008 Byron Bay Writers Festival Schools Program.

I wish to apply for a discount on the venue hire charge for this event. The Northern Rivers Writers' Centre, a non-profit incorporated organisation, administers this Festival. We are a community organisation with core funding from Arts NSW.

These particular schools events are subsidised heavily so as to bring writers directly to the area. Schools, especially those in the outer areas of the district, benefit greatly from these visits. These sessions provide rare opportunities to promote literature and develop student awareness about reading and writing.

As in previous years we sincerely hope that you are able to offer us a discount on fees due. We look forward to your response.

Many thanks

Pip Morrissey
Schools Coordinator
Northern Rivers Writers' Centre
2008 Byron Bay Writers Festival
T: 02 6685 5115 E: accounts@nrwc.org.au

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

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

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

POLICY IMPLICATIONS:

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

Festivals Policy.

Donations Policy.

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil



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