



TWEED SHIRE COUNCIL

AGENDA

OPERATIONS COMMITTEE MEETING

Tuesday 21 July 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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ITEMS FOR CONSIDERATION OF THE COMMITTEE:

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REPORTS THROUGH GENERAL MANAGER

REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

01 [TCS-OC] Union Picnic Day - Award Provisions

ORIGIN:

Human Resources

SUMMARY OF REPORT:

At the Operations Committee meeting held 12 August 2008 it was recommended:

"that:-

1. *Council adopts an annual Council Picnic Day which alternates between:
 - a) *Melbourne Cup Day commencing 4 November 2008; and*
 - b) *A date nominated by the United Services Union delegate and confirmed by the Consultative Committee, as per past standard practice, commencing in 2009.**
2. *Council Offices to remain open and staffed as required with employees who work accruing a day in lieu, as per past practice for Picnic Day."*

This recommendation was resolved by Council in minute number 91 of 12 August 2008.

Over the past three (3) years whilst Council operated under WorkChoices, the Picnic Day was expanded under Federal Law to include all employees of Council. This incurred substantial costs for Council with the provision of a day's leave for all employees.

With Council's return to the State Industrial System and the Local Government (State) Award on 20 November 2008 it is recommended that Council rescind the resolution of 12 August 2008, and support a return to a members' only picnic day as provided by the Award.

The Local Government (State) Award provides for an Annual Union Picnic Holiday for employees who are financial members of any of the three unions represented at Council (United Services Union, Local Government Engineers' Association and Development and Environmental Professionals' Association). This Union Picnic Day is an Award provision and is non-discretionary.



The Consultative Committee have agreed that the Annual Picnic Day for 2009 be Friday 13 November and it is recommended that this date be retained as the date for the members' only Union Picnic Day for 2009.

RECOMMENDATION:

That Council:

1. Rescinds minute number 91 of 12 August 2008 which relates to Council Picnic Day as follows:
 1. *Council adopts an annual Council Picnic Day which alternates between:*
 - a) *Melbourne Cup Day commencing 4 November 2008; and*
 - b) *A date nominated by the United Services Union delegate and confirmed by the Consultative Committee, as per past standard practice, commencing in 2009.*
 2. *Council offices remain open and staffed as required with employees who work accruing a day in lieu, as per past practice for Picnic Day.*
2. Adopts an Annual Union Picnic Day which alternates between:
 - a) Melbourne Cup Day in 2010; and
 - b) A date nominated by the United Services Union delegate and confirmed by the Consultative Committee, with the date for 2009 being Friday 13 November 2009.
3. Offices remain open and staffed by employees who are not financial members of the union(s) on Union Picnic Days.

REPORT:

Council has previously resolved to support a Council Picnic Day alternating between Melbourne Cup Day commencing November 2008 and a date proposed by the unions in 2009 and for this alternating of dates to occur in future years.

With the abolition of WorkChoices and the return to the State Award this arrangement needs to be reviewed in terms of a union members only Picnic Day. The alternating of dates each second year is seen as being of benefit to staff and should be retained.

As the Local Government (State) Award has a non-discretionary provision for an Annual Union Picnic Day, the previous resolution of Council requires revisiting.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

In accordance with Local Government (State) Award, Section 18 Holidays, Sub Section B - Union Picnic Day:

- (i) Union Picnic Day shall be for the purposes of this award be regarded as a holiday for employees who are financial members of the union(s). The Union Picnic Day shall be on such a day as is agreed between the council and the union(s).

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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O2 [TCS-OC] Monthly Investment Report for Period Ending 30 June 2009

ORIGIN:

Financial Services

SUMMARY OF REPORT:

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 \$127 025 042 invested as at 30 June 2009 and the accrued net return on these funds was \$408 796 or 2.68% annualised for the month.

RECOMMENDATION:

That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at 30 June 2009 totalling \$127 025 042.26 be received and noted.



REPORT:

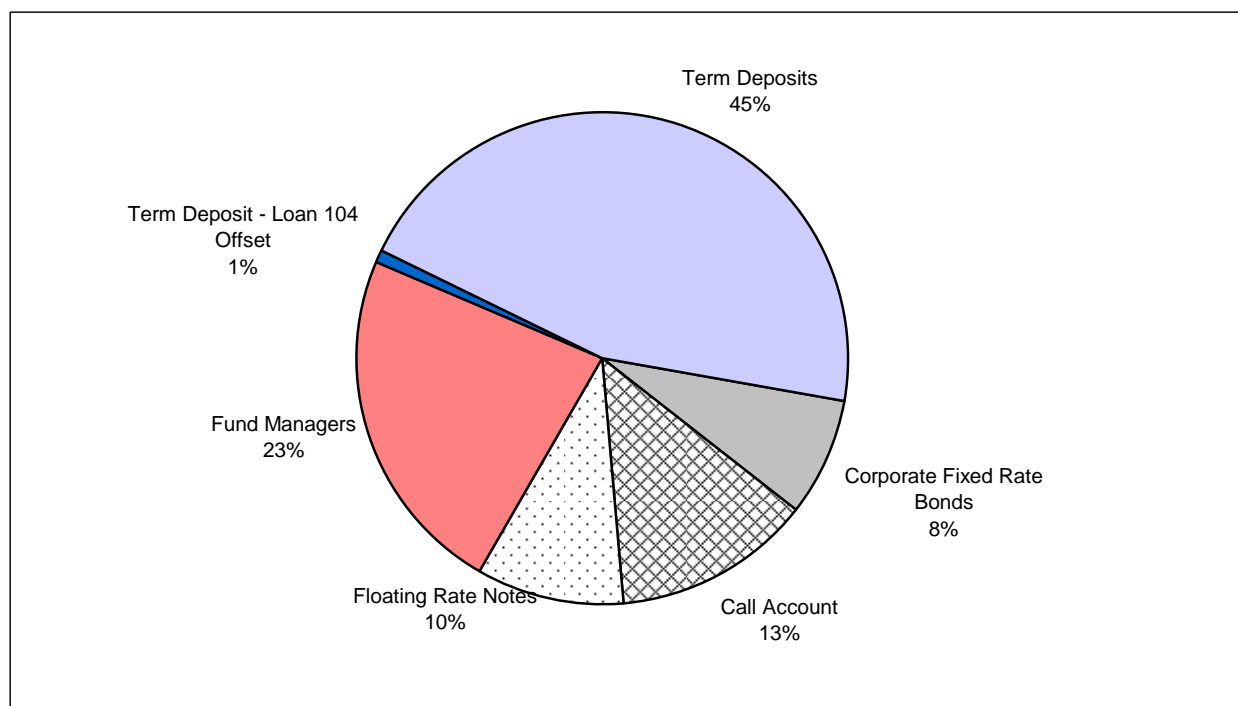
Report for Period Ending 30 June 2009

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), Clause 212 of the Local Government (General) Regulations and Council policies.

1. RESTRICTED FUNDS AS AT 1 JULY 2008

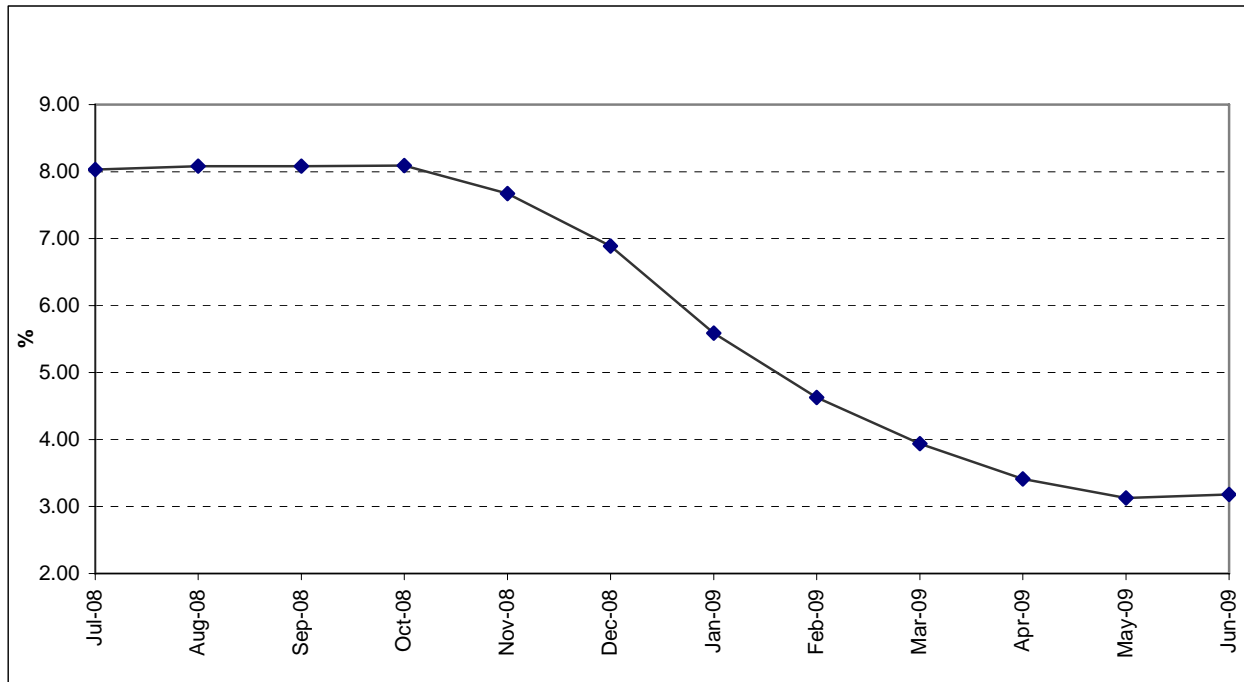
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
Externally Restricted	5,682	13,980	14,908	34,570
Crown Caravan Parks	8,732			8,732
Developer Contributions	29,739	19,559		49,298
Domestic Waste Management	8,644			8,644
Grants	3,997			3,997
Internally Restricted	13,816			13,816
Employee 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

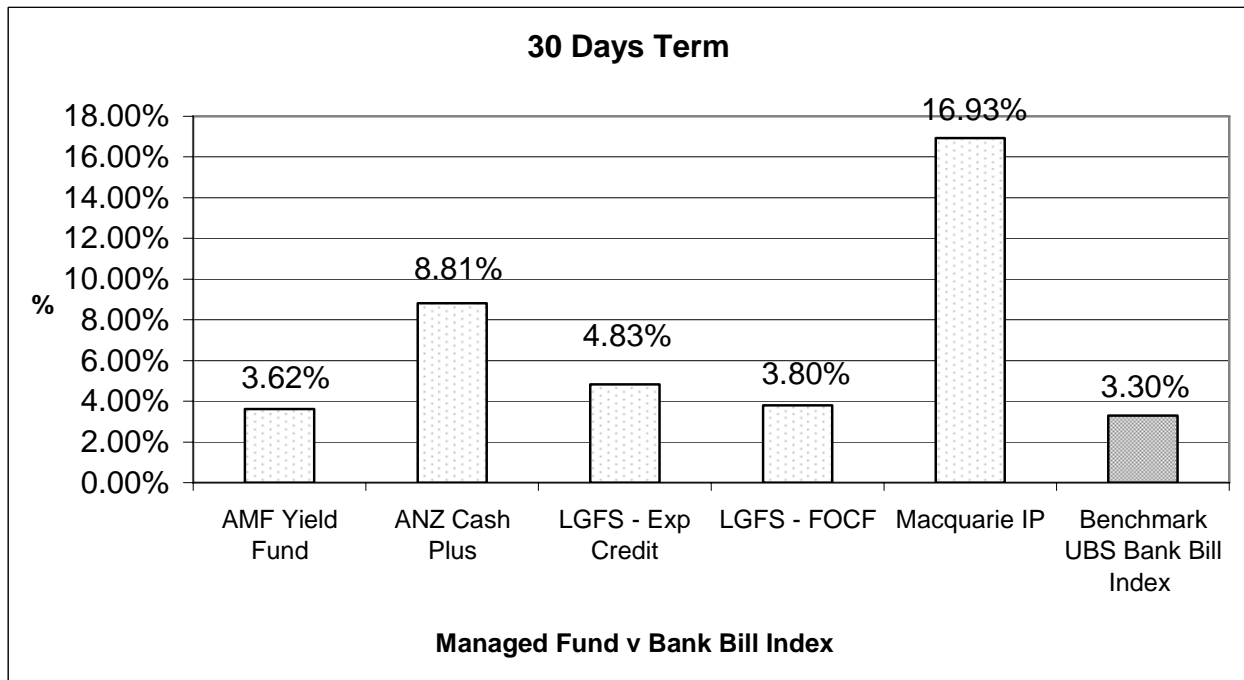




3. INVESTMENT RATES - 90 DAY BANK BILL RATE (%)

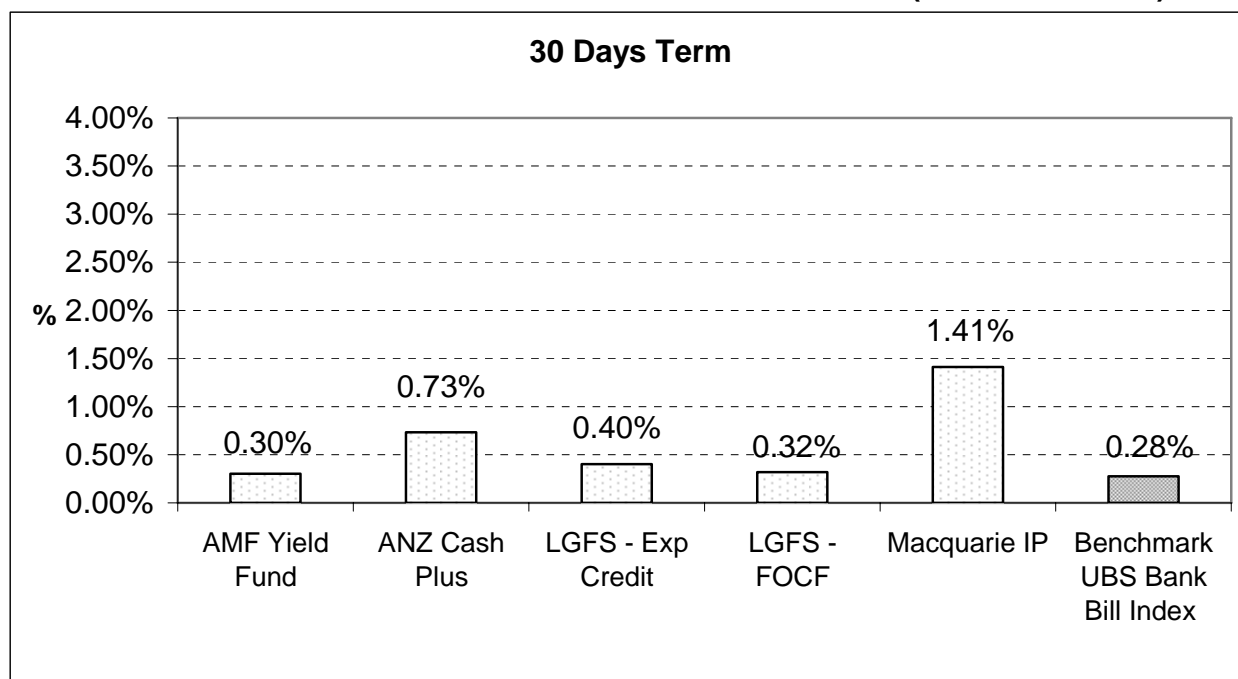


4. FUNDS MANAGERS PERFORMANCE FOR MONTH - NET OF FEES (ANNUALISED)





5. FUNDS MANAGERS PERFORMANCE FOR MONTH - NET OF FEES (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	3.75%	\$1,097,286	\$1,100,668	\$3,484	Monthly
ANZ Cash Plus	AA	2.99%	\$872,061	\$878,134	\$0	suspended
LGFS - Enhanced Cash	n/a	18.93%	\$5,530,799	\$5,552,291	\$21,492	Quarterly
LGFS - FOCF	AA-	38.59%	\$11,286,499	\$11,321,181	\$34,682	Monthly
Macquarie IP	A	35.74%	\$10,349,979	\$10,483,907	\$30,106	Quarterly
Total		100%	\$29,136,624	\$29,336,181	\$89,764	



7. DIRECT SECURITIES

Investment Type	Final Maturity	Counterparty/ Product Name	Face Value	Market Value	% Return on Face Value	Credit Rating
Bond	22/01/2018	Merrill Lynch Zero Coupon Bond	2,000,000.00	2,280,000.00	7.18	AA
Bond	08/11/2011	ANZ	1,000,000.00	1,034,670.00	5.15	AA
Bond	22/04/2013	ANZ	1,000,000.00	1,084,190.00	8.65	AA
Bond	02/12/2010	Bank of Queensland	1,500,000.00	1,498,905.00	5.55	BBB+
Bond	02/12/2010	Bank of Queensland	1,000,000.00	999,270.00	6.00	BBB+
Bond	24/09/2012	Westpac	1,000,000.00	1,052,640.00	4.90	AA
Bond	24/09/2012	Westpac	1,000,000.00	1,052,640.00	5.15	AA
FRN	17/08/2010	ANZ	1,000,000.00	964,162.00	3.40	AA
FRN	20/07/2010	CBA	1,000,000.00	983,348.47	3.38	AA
FRN	21/01/2011	CBA	1,000,000.00	1,003,748.35	3.55	AA
FRN	21/01/2011	CBA	2,000,000.00	2,007,496.70	3.55	AA
FRN	17/04/2012	CBA	1,000,000.00	1,012,827.09	3.36	AA
FRN	23/11/2012	Deutsche Bank	1,000,000.00	838,181.00	4.14	A+
FRN	24/01/2011	Macquarie/HSBC	2,000,000.00	1,831,654.09	3.67	A
FRN	08/03/2012	Members Equity	2,000,000.00	1,536,420.00	4.29	BBB-
FRN	26/11/2010	NAB	2,000,000.00	1,997,348.80	3.56	AA
FRN	22/07/2010	Westpac	1,000,000.00	1,001,110.00	4.09	AA
ABS = Asset Backed Security Bond = Fixed Rate Bond CDO = Collateralised Debt Obligation FRN = Floating Rate Note		Total	24,500,000.00	22,178,611.50	4.68	

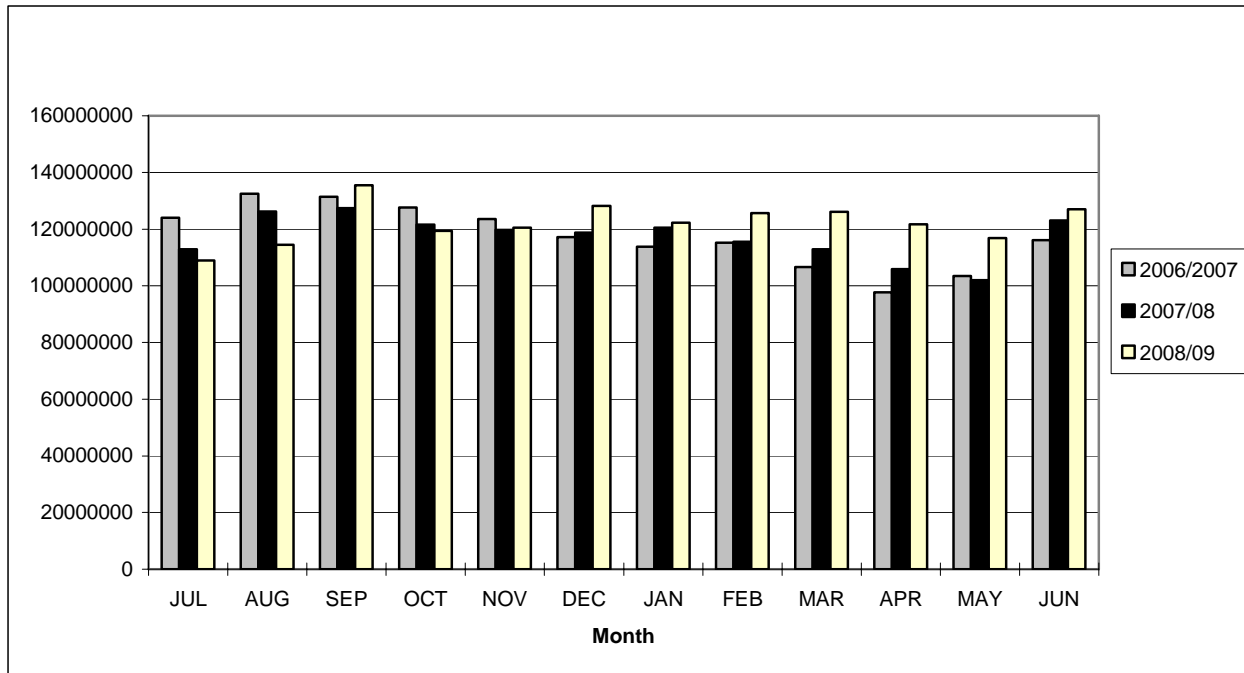


8. TERM DEPOSITS

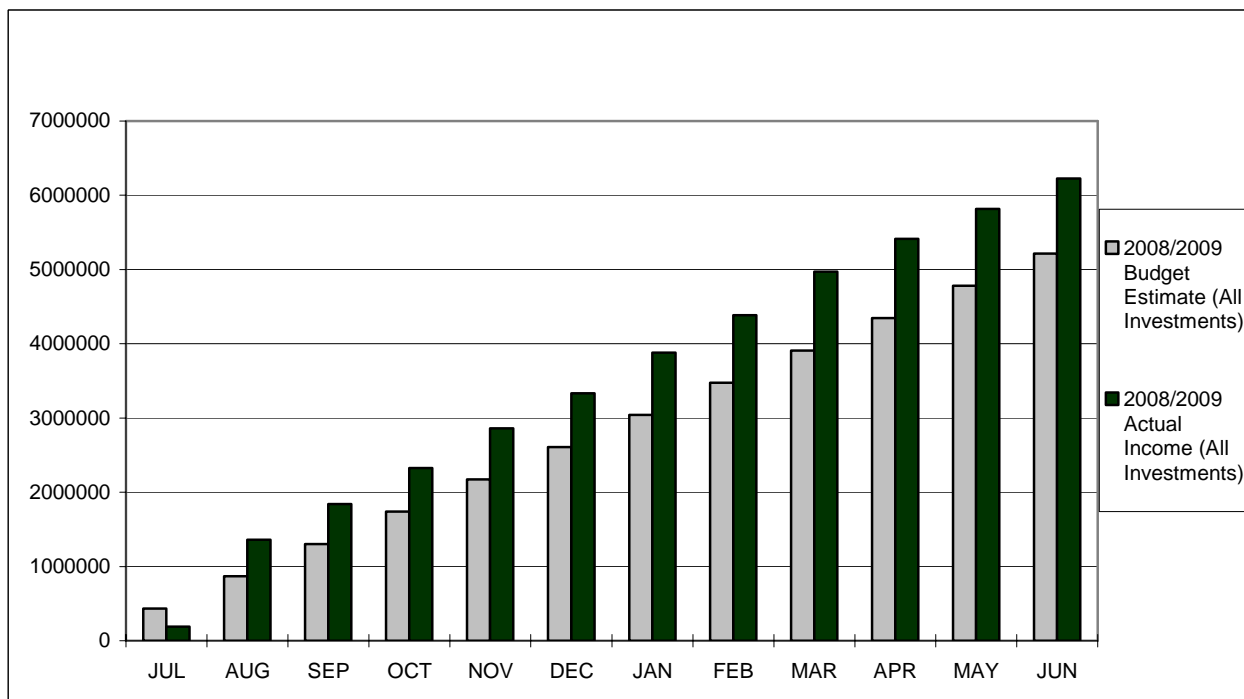
Lodged or Rolled	DUE	Counterparty	PRINCIPAL	TERM	% Yield	INCOME RECEIVABLE ON MATURITY
19-Feb-09	21-Jul-09	Adelaide Bendigo Bank	1,000,000.00	152	4.800	19,989.04
17-Feb-09	17-Feb-11	Adelaide Bendigo Bank	2,000,000.00	730	4.700	188,000.00
11-Mar-09	11-Aug-09	Adelaide Bendigo Bank	2,000,000.00	153	4.250	35,630.14
27-May-09	27-May-10	ANZ	2,000,000.00	365	4.450	89,000.00
05-Feb-09	05-Aug-09	Bank of Queensland	3,000,000.00	180	4.900	72,493.15
27-May-09	25-Aug-09	Bank of Queensland	3,000,000.00	90	4.250	31,438.36
01-Apr-09	25-Sep-09	Bank of Queensland	2,000,000.00	177	4.500	43,643.84
02-Jun-09	16-Sep-09	Bank of Queensland	1,000,000.00	106	4.500	13,068.49
10-Jun-09	15-Dec-09	Bank of Queensland	1,000,000.00	188	4.550	23,435.62
03-Mar-09	01-Jul-09	Bankwest	2,000,000.00	120	4.000	26,301.37
01-Apr-09	07-Jul-09	Bankwest	3,000,000.00	97	4.300	34,282.19
11-Mar-09	14-Jul-09	Bankwest	4,000,000.00	125	4.150	56,849.32
15-Apr-09	22-Jul-09	Bankwest	4,000,000.00	98	4.200	45,106.85
31-Mar-09	29-Jul-09	Bankwest	6,000,000.00	120	4.300	84,821.92
27-May-09	01-Sep-09	Bankwest	1,000,000.00	97	4.250	11,294.52
28-Apr-09	28-Oct-09	CBA	910,250.00	183	5.865	26,766.21
27-Jan-09	28-Jul-09	Citibank	1,000,000.00	182	5.080	25,330.41
17-Feb-09	16-Feb-11	Elders Rural Bank	1,000,000.00	729	4.620	92,273.42
27-May-09	25-Aug-09	IMB	1,000,000.00	90	4.500	11,095.89
19-May-09	18-Nov-11	IMB	1,000,000.00	90	4.360	10,750.68
12-Nov-08	16-Nov-11	Investec Bank	1,000,000.00	1099	6.880	207,153.97
14-Apr-09	20-Nov-10	LGFS	2,000,000.00	90	3.850	18,986.30
28-May-09	30-May-11	LGFS	5,000,000.00	92	4.180	52,679.45
02-Jun-09	01-Dec-09	NAB	1,000,000.00	182	4.390	21,889.86
09-Jun-09	07-Oct-09	Suncorp Metway	1,000,000.00	120	4.450	14,630.14
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
Total			58,910,250.00	Average yield	4.795	2,828,757.17



9. MONTHLY COMPARISON OF TOTAL FUNDS INVESTED



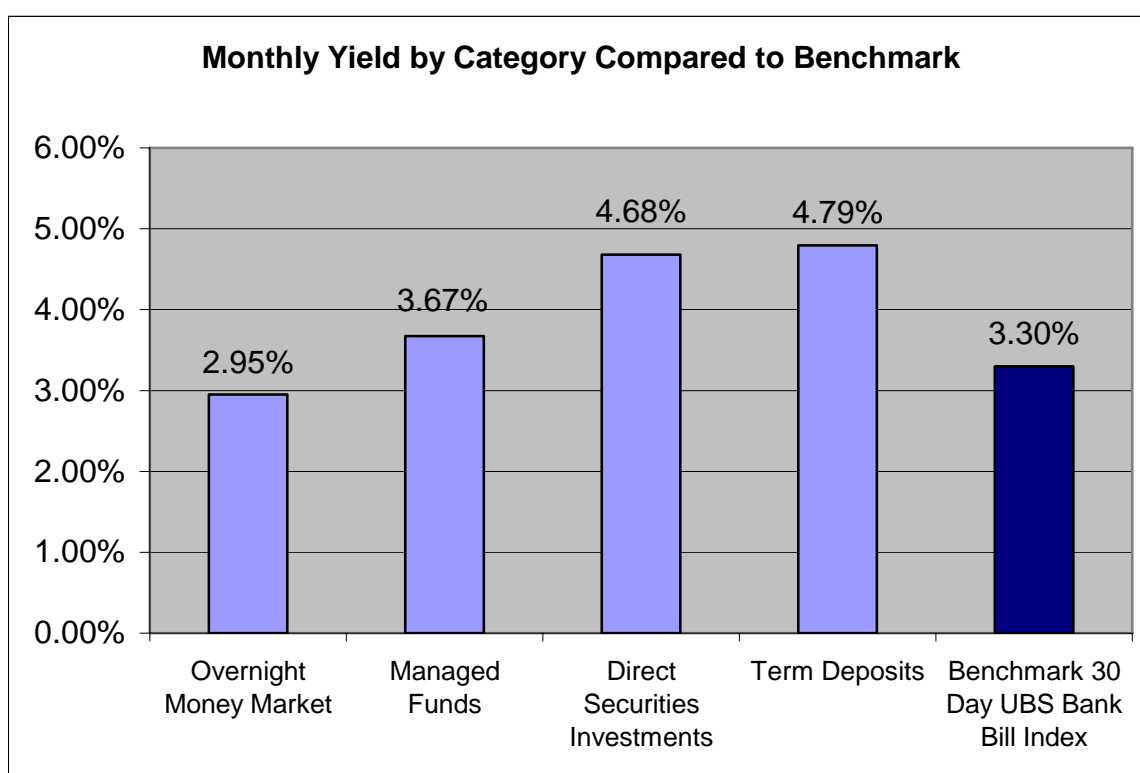
10. TOTAL PORTFOLIO INCOME YEAR TO DATE





11. PERFORMANCE BY CATEGORY

Category	Face Value	Market Value	Average Yield	Above/(Below) 30 day BBSW Benchmark
Overnight Money Market	\$16,600,000.00	\$16,600,000.00	2.95%	-0.35%
Managed Funds	\$29,336,180.76	\$29,336,180.76	3.67%	0.37%
Direct Securities Investments	\$24,500,000.00	\$22,178,611.50	4.68%	1.38%
Term Deposits	\$58,910,250.00	\$58,910,250.00	4.79%	1.49%
Benchmark 30 Day UBS Bank Bill Index	\$129,346,430.76	\$127,025,042.26	3.30%	



12. ECONOMIC COMMENTARY

Global Economy

Global economic concerns were increased by a World Bank report warning that the global economy would contract at a 2.9% rate this year, worse than the 1.7% contraction the organisation had forecast earlier.

The United States economy shrank by an annualised rate of 5.5% in the March quarter, reflecting declines in inventories, housing and business spending. The economy is still in recession, although the contraction is slowing as government and Federal Reserve stimulus efforts take hold.

China's economy is rebounding strongly from the 2008 slowdown given the sizeable monetary and fiscal stimuli. GDP growth for 2009 is projected at 7.75% and 9.25% in 2010.

Domestic Economy

The Reserve Bank of Australia left interest rates unchanged at 3% pa at its 7 July meeting, citing further stabilisation in global financial markets and an improved economic outlook. The prospect of inflation declining in the short term suggests that scope remains for further easing of monetary policy.

The rising trend in unemployment is apparent in Australia's seasonally adjusted unemployment rate, 5.5% in April, 5.7% in May and 5.8% in June.

"The Australian economy is experiencing, so far, a smaller downturn than most countries. The economy will be well placed to benefit from a global recovery later this year " (source: Governor Glenn Stevens Reserve Bank of Australia).

Council's Investment Portfolio Performance

The amount Council had invested at the end of June (\$127m) was significantly more than at the end of May (\$116.8m). This increase in funds invested can be mainly attributed to loan draw-down funds received of \$13.5m representing the final significant quarterly draw-down of loan funds for the Bray Park Water Filtration Plant construction. From December onwards, repayment of this \$69m loan will reduce Council's funds available for investment as the loan repayments convert from interest-only to principal and interest.

Council's Investment Portfolio out-performed the 30 day UBS bank bill index during June. Bonds and term deposits provided returns above the 3.30% 30 day UBS bank bill benchmark, while managed funds continued to underperform. For the 2008/09 financial year ended 30 June, Council's Investment Portfolio outperformed the 30 day UBS bank bill index by 0.02% compared with an underperformance of almost -5% in the 2007/08 financial year.

The yield on term deposits, fixed and floating securities continues to moderate the managed funds volatile monthly returns.

An indication of Portfolio performance is provided by disregarding changes in capital values. Council had \$127,025,042 invested as at 30 June, 2009 and the accrued net return on these funds was \$408,796 or 2.68% annualised for the month.

Source: Oakville Capital Limited.



13. INVESTMENT SUMMARY AS AT 30 APRIL 2009

GENERAL FUND

COLLATERISED DEBT OBLIGATION	0.00	
COMMERCIAL PAPER	0.00	
CORPORATE FIXED RATE BONDS	\$10,015,142.09	
FLOATING RATE NOTES	\$12,163,469.41	
ASSET BACKED SECURITIES	0.00	
FUND MANAGERS	5,110,714.80	
TERM DEPOSIT - LOAN 104 OFFSET	910,250.00	
TERM DEPOSITS CALL ACCOUNT	17,000,000.00	
	16,600,000.00	61,799,576.30

WATER FUND

TERM DEPOSITS	25,000,000.00	
FUND MANAGERS	21,719,501.71	46,719,501.71

SEWERAGE FUND

TERM DEPOSITS	16,000,000.00	
FUND MANAGERS	2,505,964.25	18,505,964.25

TOTAL INVESTMENTS 127,025,042.26

It should be noted that the General Funds investments of \$61 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:

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REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS**O3 [EO-OC] Acquisition of Crown land and Easement for Access and Services - Crown Reserve 84809 - Oyster Point Road, Banora Point****ORIGIN:****Design****SUMMARY OF REPORT:**

An investigative study of water pressure in the East Banora Point precinct was undertaken by Council several years ago following repeated complaints of low water pressure from residents in the area. The study revealed that the complaints arose primarily from those properties having a similar elevation to the reservoir and one of the recommendations arising from that study was to construct a booster pump station to service those higher properties.

Due to the scarcity of unused vacant land in the precinct, Crown Reserve 84809 (for public recreation) was identified as a suitable location for the pump station.

Department of Lands have provided their concurrence to the acquisition of that part of Crown Reserve 84809 known as Lot 1 in DP 1140522 and the Easement required for the Access and Services within Lot 2 in DP 1140522. The concurrence of the Reserves Trust was also provided in the Tweed Reserves Trust Meeting of 7 February 2006.

The acquisition is to proceed under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 whereby an application is to be made to the Department of Local Government for approval to the acquisition.

RECOMMENDATION:**That:-**

- 1. Council approves the acquisition of Lot 1 in DP 1140522 within Crown Reserve 84809 and the acquisition of the Easement required for the Access and Services within Lot 2 in DP 1140522 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act, 1993 and the making of the necessary application to the Minister and/or Governor;**



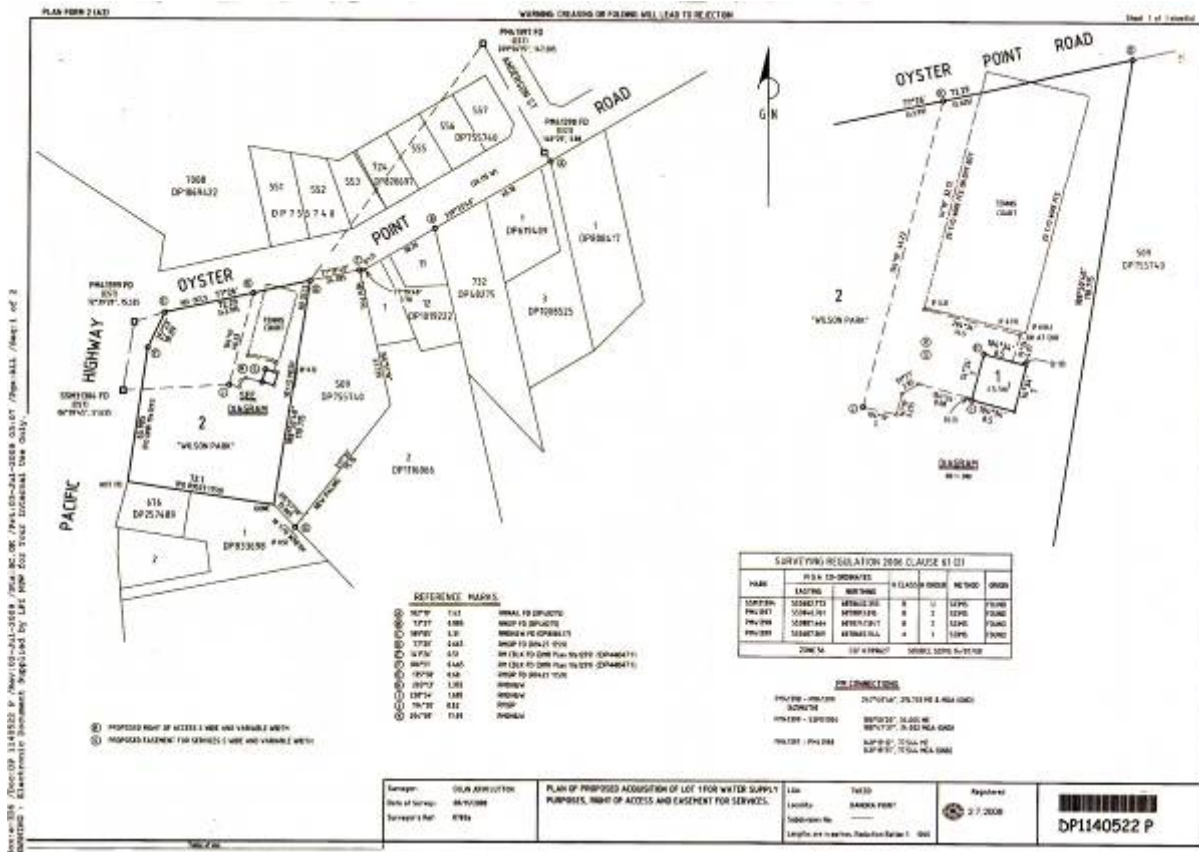
2. **Lot 1 in DP 1140522 be classified as operational following gazettal of the acquisition; and**
3. **All necessary documentation be executed under the Common Seal of Council.**

REPORT:

An investigative study of water pressure in the East Banora Point precinct was undertaken by Council several years ago following repeated complaints of low water pressure from residents in the area. The study revealed that the complaints arose primarily from those properties having a similar elevation to the reservoir and one of the recommendations arising from that study was to construct a booster pump station to service those higher properties.

Due to the scarcity of unused vacant land in the precinct, Crown Reserve 84809 (for public recreation) was identified as a suitable location for the pump station.

Below is a copy of DP 1140522 showing the location of the booster pump station as Lot 1 and the Easement for access and services within Lot 2.



Department of Lands have provided their concurrence to the acquisition of that part of Crown Reserve 84809 known as Lot 1 in DP 1140522 and the Easement required for the Access and Services within Lot 2 in DP 1140522. The concurrence of the Reserves Trust was also provided in the Tweed Reserves Trust Meeting of 7 February 2006.

The acquisition is to proceed under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 whereby an application is to be made to the Department of Local Government for approval to the acquisition.



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

04 [EO-OC] Assignment of Licence Agreement - Footpath Dining - Shells on Broadway**ORIGIN:****Design****SUMMARY OF REPORT:**

Council entered into a footpath dining Licence Agreement in December 2004 with the proprietor of "Shells on Broadway" over a timber dining platform constructed on Wharf Street, Murwillumbah. The dining platform was constructed by Council at the request of the previous proprietor of the business ("Pavlos") on the proviso that the proprietor was to reimburse Council for the costs of construction by annual payments until the total cost was reimbursed. Essentially this means that the proprietor of the business and any subsequent owner of the business pays Council the licence fee for the use of the road reserve and a separate annual fee for the construction costs.

The current proprietor has a purchaser for the business and is seeking Council's consent to the assignment of the Licence Agreement. Clauses 12 to 16 of the Agreement describe Council's requirements to give consent, these include a statement from the purchaser evidencing he/she has the financial resources and business experience to continue the business. This information has been provided by the purchasers and the requirements of the Licence Agreement have now been satisfied.

To transfer the obligations of the Licence Agreement to the purchaser of the business it is necessary for a Deed of Assignment to be entered into between Council, the current proprietor of "Shells on Broadway" and the purchaser of the business.

A Deed of Assignment has been prepared and requires execution by Council under Common Seal.

RECOMMENDATION:**That:-**

- 1. Council provides its consent to the transfer of the balance of the terms of the Licence Agreement between Council and Michelle Leape for an area of road reserve on Wharf Street, Murwillumbah adjacent to "Shells on Broadway" for footpath dining provided the purchaser of the business called "Shells on Broadway" signs a Deed of Assignment.**
- 2. Council does not sign the Deed of Assignment until all monies owing under the Licence Agreement with Michelle Leape and the annual fee due to the date of the transfer of the business are paid to Council.**



3. **All costs in relation to the preparation of the Deed of Assignment be borne by the other parties to the Deed, and**
4. **All documentation be executed under the Common Seal of Council.**

REPORT:

Council entered into a footpath dining Licence Agreement in December 2004 with the proprietor of “Shells on Broadway” over a timber dining platform constructed on Wharf Street, Murwillumbah. The dining platform was constructed by Council at the request of the previous proprietor of the business (“Pavlos”) on the proviso that the proprietor was to reimburse Council for the costs of construction by annual payments until the total cost was reimbursed. Essentially this means that the proprietor of the business and any subsequent owner of the business pays Council the licence fee for the use of the road reserve and a separate annual fee for the construction costs.

The photograph below shows the dining platform in Wharf Street:



The current proprietor has a purchaser for the business and is seeking Council’s consent to the assignment of the Licence Agreement. Clauses 12 to 16 of the Agreement describe Council’s requirements to give consent, these include a statement from the purchaser evidencing he/she has the financial resources and business experience to continue the business. This information has been provided by the purchasers and the requirements of the Licence Agreement have now been satisfied.

To transfer the obligations of the Licence Agreement to the purchaser of the business it is necessary for a Deed of Assignment to be entered into between Council, the current proprietor of "Shells on Broadway" and the purchaser of the business.

A Deed of Assignment has been prepared and requires execution by Council under Common Seal.

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.

O5 [EO-OC] Renaming Condong Street, Kunghur**ORIGIN:****Design****FILE NO: GS5/1 Pt 5****SUMMARY OF REPORT:**

Council, at its meeting of 21 April 2009, resolved to publicise its intention to rename Condong Street, Kunghur as "*Bear Lane*" and allowed one month for objections to the proposal.

No objections were received to the name "Bear Lane" from any of the statutory authorities.

Three individual objections were received.

In light of all the overall correspondence received from residents in Condong Street and the surrounding area and taking into account the objections received for all suggested names to date, it appears that the only suggestion that will gain unanimous concurrence would be a memorial to Ted Brown. Department of Lands have been contacted in this regard and they have advised that they will support the dual name of Ted Brown, however they will object to the use of the prefix Lane as there is already a Browns Lane in the Tweed Shire area.

It would therefore be recommended that Council publicises its intention to re-name Condong Street, Kunghur to "**Ted Brown Close**", allowing a further month for submissions and/or objections to the proposal.

RECOMMENDATION:**That:**

- 1. Council publicises its intention to re-name Condong Street, Kunghur to "Ted Brown Close", 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 21 April 2009, resolved to publicise its intention to rename Condong Street, Kunghur as “Bear Lane” and allowed one month for objections to the proposal.

No objections were received to the name “Bear Lane” from any of the statutory authorities.

Three individual objections were received.

One objection noted the name of Bears Lane as insulting to the pioneers of the Kunghur Village and requested that the road be named in memory of Ted Brown.

The second objection considers that “Bear Lane” is an internal Council joke and an alternate name of “Arcadia Lane” was suggested. This name, it is noted, refers to a rustic or rural meaning with similar definitions located in the dictionary. The only dictionary definition however that could be located was:-

–noun

1. *A mountainous region of ancient Greece, traditionally known for the contented pastoral innocence of its people.*
2. *Any real or imaginary place offering peace and simplicity.*
3. *A city in SW California, East of Los Angeles.*

The final objection was from one of the property owners in Condong St who has been involved in the renaming process of this road since it was first suggested in October 2007. This owner has been contacted on several occasions and has been invited to contribute to the renaming process and, until now, has provided no objection or suggestion for alternate names. A suggestion has now been made by this owner for “Arcadia Lane”.

The original applicant has been contacted and advised of the recent objections and has noted their strong objection to the name “Arcadia Lane”. The applicant’s original suggestion was to the memory of Ted Brown – Browns Lane – and has now advised that the name of Bear Lane is their personal preference for future use.

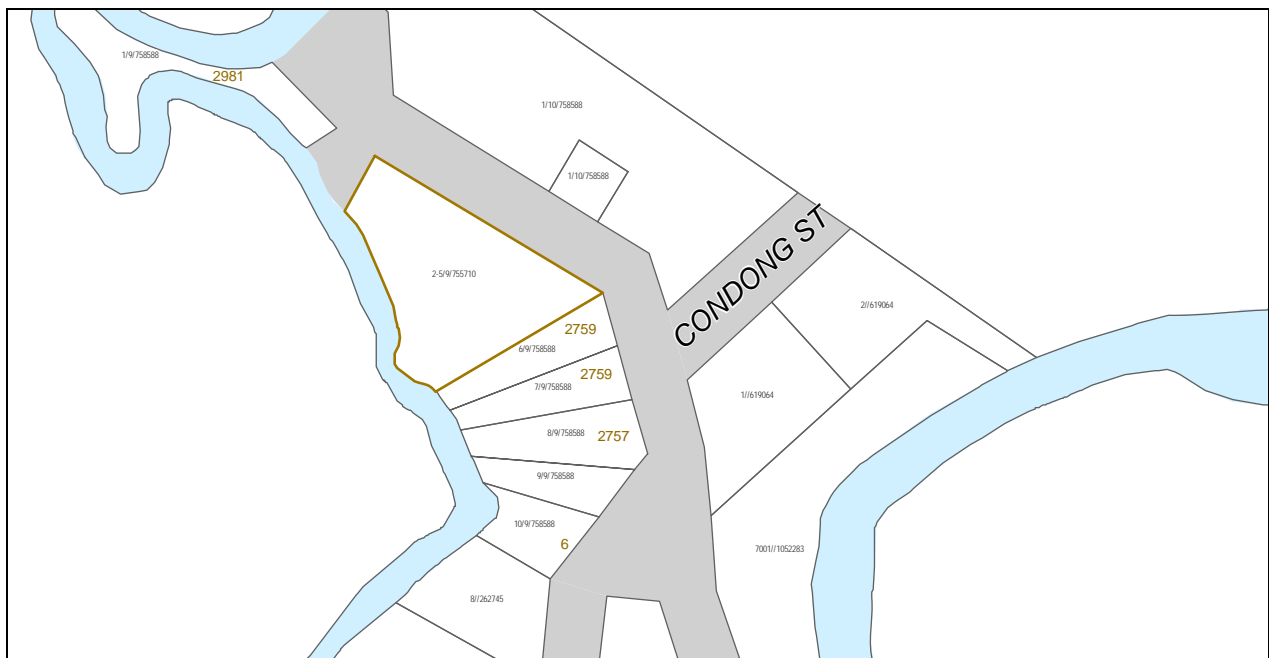
A substantial amount of time has been put into the renaming of this road by both Council staff and the original applicants who are residents of Condong Street, Kunghur. This includes numerous amounts of correspondence and phone calls, as well as the canvassing of the residents within this area by the original applicants over the last two (2) years.

The majority of correspondence received, as well as verbal requests, over this time has been to dedicate the road name to the memory of Ted Brown.

In light of all the correspondence received from residents in Condong Street and the surrounding area, and taking into account the objections received for all suggested names to date, it appears that the only suggestion that will gain unanimous concurrence would be a memorial to Ted Brown. Department of Lands have been contacted in this regard and they have advised that they will support the dual name of Ted Brown, however they will object to the use of the prefix Lane as there is already a Browns Lane in the Tweed Shire area.

It would therefore be recommended that Council publicises its intention to re-name Condong Street, Kunghur to **“Ted Brown Close”**, allowing a further month for submissions and/or objections to the proposal.

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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Nil.

O6 [EO-OC] Road Closure Application - Parish of Berwick**ORIGIN:**

Design

FILE NO: GR3/12/4**SUMMARY OF REPORT:**

Council has received a notice of application to close a section of Crown Road reserve from Department of Lands within the parish of Berwick as per the attached plan. Council has been requested to provide its consent or objection to the closure of these sections of Crown Public Road.

Council's road closure policy provides under roads not eligible for closure:-

- "1. Roads providing or capable of providing, physical access to rivers, creeks, lakes, beaches and their foreshores.*
- 2. Roads capable of providing physical access to other roads, public and private properties*
- 5. Roads whose future highest and best use for Council is judged to be of more economic worth than the current land value.*
- 6. Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows."*

It is therefore recommended pursuant to the above provisions within Council's Road Closure Policy that Council objects to the closure of the Crown public roads east of Lot A DP 430040, south of Lot 47 DP 726471 and Lot 10 DP 1063790, and west of Lot 26 DP 755685, at Dulguigan, for the reasons outlined in the report.

It would however be recommended that Council does not object to the closure and purchase of the section of road reserve which runs along the northern boundary of Lot 26 in DP 755685.

RECOMMENDATION:**That:-**

- 1. Council objects to the closure of the Crown public roads east of Lot A DP 430040, south of Lot 47 DP 726471 and Lot 10 DP 1063790, and west of Lot 26 DP 755685 at Dulguigan**
- 2. Council does not object to the closure and purchase by the applicant of the section of Crown road reserve which runs along the northern boundary of Lot 26 in DP 755685**



3. **An application be made to the Department of Lands to transfer to Council the sections of Crown Road reserve east of Lot A DP 430040, south of Lot 47 DP 726471 and Lot 10 DP 1063790, and west of Lot 26 DP 755685 at Dulguigan.**

REPORT:

Council has received a notice of application to close a section of Crown Road reserve from Department of Lands within the parish of Berwick as per the attached plan. Council has been requested to provide its consent or objection to the closure of these sections of Crown Public Road.

The first part of the application runs along the foreshore of Dulguigan Creek from the north western boundary of Lot 10 in DP 1063790 to the north eastern boundary of Lot A in DP 430040. Council is currently implementing foreshore regeneration within the region of the Tweed Shire and are utilising road reserves which adjoin the creeks and rivers to allow access to these areas. Council has encountered problems with land owners where access to the foreshore area is only available through private property. While Council is not seeking to fully construct the road reserves along the foreshores, they do provide an unimpeded access for such works to be completed. There appears to be some formation of the road reserve within sections of this area which also allows public access to those sections of the Dulguigan Creek.

The next section of the application runs to the west of Lot 26 in DP 755685 and again provides access from Dulguigan Road to the Rous River. There also appears to be a natural drainage system which runs from Dulguigan Road to the Rous River within this road reserve. If the road reserve is allowed to be closed there is the potential for obstructions to be placed within it which could cause drainage issues to Lot 26 as well as neighbouring properties and Dulguigan Road.

Council's road closure policy provides under roads not eligible for closure:-

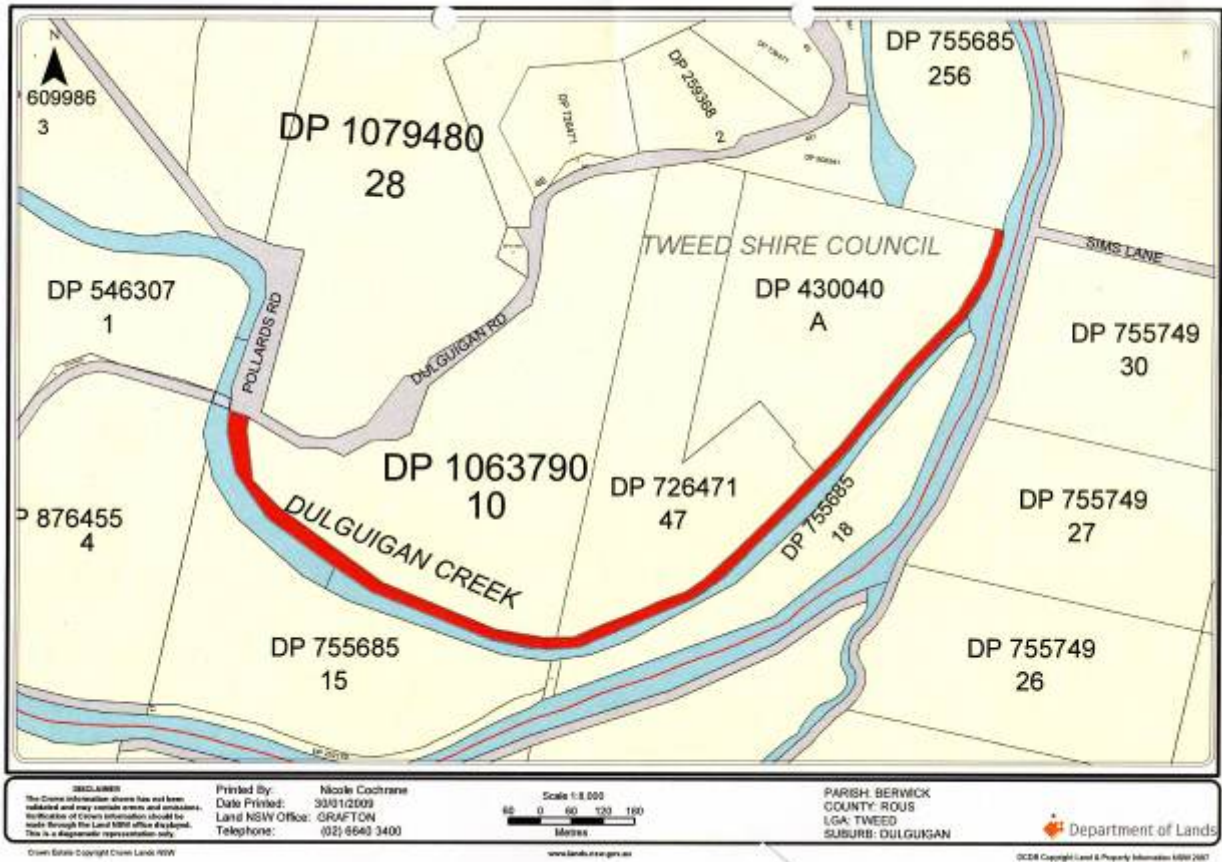
- "1. Roads providing or capable of providing, physical access to rivers, creeks, lakes, beaches and their foreshores.
3. Road reserves containing wildlife corridors,...or potentially useful for...public utilities
5. Roads whose future highest and best use for Council is judged to be of more economic worth than the current land value.
6. Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows."

The third and last section of road within the application runs to the north of Lot 26 in DP 755685. No formation has occurred within this area and closure of this section of road will not restrict access to any of the adjoining properties.

It is therefore recommended pursuant to the above provisions within Council's Road Closure Policy that Council objects to the closure of the Crown public roads east of Lot A DP 430040, south of Lot 47 DP 726471 and Lot 10 DP 1063790, and west of Lot 26 DP 755685, south of Dulguigan Road at Dulguigan.

It would however be recommended that Council does not object to the closure and purchase of the section of road reserve which runs along the northern boundary of Lot 26 in DP 755685.

Below are plans showing the proposed Road Closures.



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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07 [EO-OC] Release of Restriction on Use created in DP 1000562 burdening Lot 4

ORIGIN:

Design

FILE NO: DA08/0159

SUMMARY OF REPORT:

When DP1000562, a plan of subdivision creating four lots, was registered in April 1999, the following Restriction as to User was registered over Lot 4:-

“No dwelling to be erected unless it is located on the building envelope identified on DP and marked ② unless otherwise approved by Tweed Shire Council based on testing of the site for soil contamination.”

Council’s Environment Health Officer has approved and accepted a report from HMC Environmental Consulting Pty Ltd dated October 2007 which concludes that the subject site has been cleared of contamination above “A” health investigation levels and is now suitable for proposed residential uses.

Consent for a three lot subdivision has been approved by Council and the landowner has requested Council to release the Restriction as to User to allow construction within the area affected by the Restriction within Lot 4.

As Council is satisfied that the site is no longer contaminated, it is recommended that Council agrees to the release of the Restriction as to User over Lot 4 and to sign all necessary documentation under the Common Seal of Council.

RECOMMENDATION:

That:

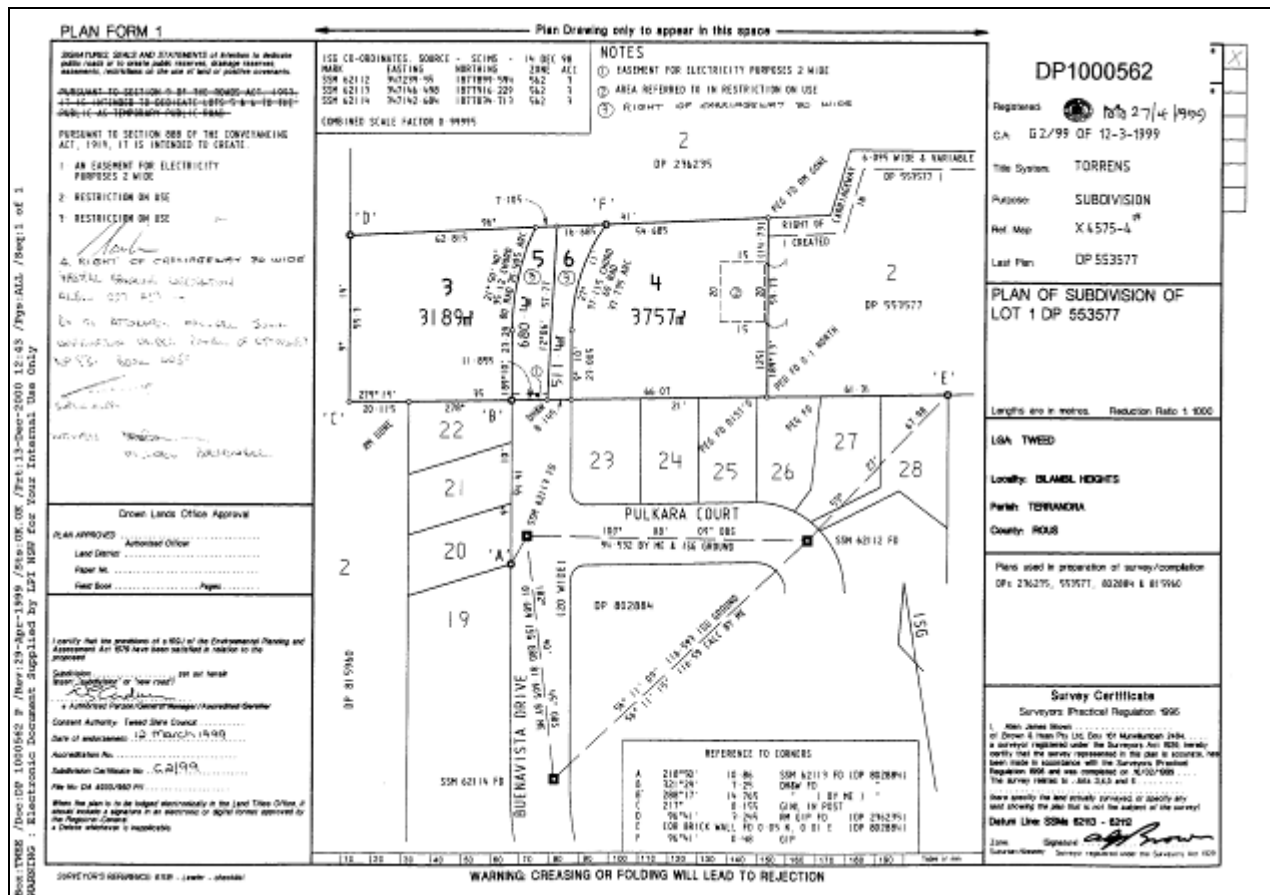
- 1. Council approves the release of the Restriction as to User secondly referred to in DP 1000562 burdening Lot 4 in DP 1000562; and**
- 2. All necessary documentation be executed under the Common Seal of Council.**

REPORT:

When DP1000562, a plan of subdivision creating four lots, was registered in April 1999, the following Restriction as to User was registered over Lot 4:

“No dwelling to be erected unless it is located on the building envelope identified on DP and marked @ unless otherwise approved by Tweed Shire Council based on testing of the site for soil contamination.”

DP 1000562 below shows the area within Lot 4 affected by the Restriction:



Council’s Environment Health Officer has approved and accepted a report from HMC Environmental Consulting Pty Ltd dated October 2007 which concludes that the subject site has been cleared of contamination above “A” health investigation levels and is now suitable for proposed residential uses.

Consent for a three lot subdivision has been approved by Council and the landowner has requested Council to release the Restriction as to User to allow construction within the area affected by the Restriction within Lot 4.

As Council is satisfied that the site is no longer contaminated, it is recommended that Council agrees to the release of the Restriction as to User over Lot 4 and to sign all necessary documentation under the Common Seal of Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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O8 [EO-OC] EC2009-010 Supply of Retail Electricity to Contestable Sites from 1 July 2010**ORIGIN:****Contracts****FILE NO: EC2009-010****SUMMARY OF REPORT:**

Council has entered a Retail Electricity Supply Agreement (RESA) with Energy Australia that expires on 30 June 2010. The current agreement was formed utilising State Contract No.777 (managed by the NSW Department of Commerce).

On 1 July 2009, the NSW Department of Commerce requested that Council provides a letter of commitment to continue utilising the State Contract No.777 from 1 July 2010 onwards (refer attachment).

The letter of commitment does not form a Retail Electricity Supply Agreement in any way. Its sole purpose is to allow the NSW Department of Commerce to confidently build a whole of government consumption profile that will be used to negotiate the best electricity supply pricing. The NSW Department of Commerce has given no indication of the duration this tender process will be completed.

RECOMMENDATION:**That:-**

- 1. Council appoints the General Manager to sign a Letter of Commitment to State Contract No.777 from 1 July 2010 onwards and to return (via fax) to the NSW Department of Commerce by 22 July 2009.**
- 2. A Report to Council be prepared upon receipt of the new State Contract No.777 offer. The report shall detail Councils options to ensure continuation of competitively priced electricity supply.**



REPORT:

As per Summary of Report. See following documentation:-

Ashley Tewes

From: NSW Department of Commerce [nswbuy@commerce.nsw.gov.au]
Sent: Wednesday, 1 July 2009 2:29 PM
To: Ashley Tewes
Subject: State Contract - Electricity Large Sites



nswbuyalert

1 July 2009

If you can not read this email properly, please [click here](#) to view the web version.

Commitment for Electricity Large Sites (777)

contract commencing 1 July 2010

Dear Ms Tewes,

NSW Procurement will shortly be issuing a request for tender for the retail supply of conventional electricity and green power to NSW Government large sites, street lighting and traffic signals commencing from 1 July 2010.

Confirmation of Commitment

We are seeking confirmation of your organisation's commitment to purchasing electricity from the SCCB large sites electricity contract that will be formed following the conclusion of the tender process. The strategy for this tender will be to obtain pricing from retail suppliers based on a nominated load of electricity for the whole-of-government calculated from historical consumption data. As the pricing available to customers under the contract will be affected by significant fluctuations in electricity consumption by the customers, we require you to provide us with details of any known future changes in electricity consumption. These details will allow NSW Procurement to provide accurate data for the potential tenderers to determine their pricing.

Aggregated Savings

With firm commitment on the volume of electricity to be purchased from all agencies, we can aggregate NSW government's purchasing power and obtain the lowest possible prices compared to any individual organisation's negotiation, achieving significant savings. Therefore, your commitment is vital to our success in securing the best possible rates for the new contract.

NSW Procurement assisted NSW Government agencies to achieve savings of \$64 million in the financial year 2007/08 (savings compared to monthly average energy costs when purchased outside the contract rates). For the past three years the State Government's electricity contract has provided lowest pricing to government even during recent volatile times.

Next steps

Once the SCCB contract is formed with the successful supplier or suppliers, customers will

03/07/2009

777 - Contract commitment (non-mandated)

Page 2 of 2

have a short timeframe of possibly 6 weeks to place their orders for conventional electricity and green power. The conventional electricity and green power order forms will need to be completed by your organisation at the appropriate time. We will contact you and provide you with advance notice of the forms and due date for these orders.

Kindly provide your response by returning a signed copy of [the attached letter](#) with the required details completed.

Please return this letter by 22 July 2009 by fax to: 02 9372 8687. Your support is very much appreciated, thank you.

If you have any queries, please contact NSWBUY Client Support Centre on 1800 679 289.

[Visit our website](#)

State Contracts carry an average 1.4% Supplier Management Fee



NSW Procurement

1800nswbuy

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To receive a text copy in the future [click here](#).
Please add nswbuy@commerce.nsw.gov.au to your address book or approved sender list.

Letter of Commitment

Attention:
The Chairman,
State Contracts Control Board
By facsimile: (02) 9372 8687

Tweed Shire Council ("Customer") acknowledges that the State Contracts Control Board ("Board") will be issuing a Request for Tender for the retail supply of conventional electricity and green power to eligible customers with type 3 or type 4 meters (large sites) or type 7 meters (traffic signals and street lighting). If the Board accepts any of the tenders received, the Board will enter into a Deed of Agreement with the successful supplier or suppliers.

The Deed of Agreement will commence from 1 July 2010 for a period up to 5 years and will contain all of the terms and conditions applicable to an order placed by the Customer for conventional electricity or green power.

The Customer commits to placing an order with a supplier selected by the Board following the conclusion of the tender process for the supply of conventional electricity and green power to its sites with type 3, type 4 or type 7 meters from 1 July 2010 for a minimum period of 2 years. The Customer acknowledges that the pricing sought from tenderers will be based on the historical consumption data for the whole of government, which will include the Customer's historical consumption data together with the information provided below*. The Customer acknowledges that significant fluctuations in electricity consumption by the Customer may affect the price payable by the Customer for electricity ordered under the Deed of Agreement.

The Customer acknowledges that the Customer's order will be subject to the applicable terms and conditions in the Deed of Agreement entered into between the Board and the successful supplier.

*If you believe your large site electricity consumption from 1 July 2010 will differ significantly (more than plus or minus 10%) from your 2008/09 consumption including green power, please advise your estimation of any increase or decrease in annual consumption here or provide details of the sites that will be added or removed from 1 July 2010:

0% increase/decrease from 01/07/2009
Site listing and consumption as of 01/07/2009 is attached

SIGNED by

Signature
as a **duly authorised officer** of
Tweed Shire Council

Name of signatory

Date:

Tweed Shire Council - Supply of Electricity - Contestable Site Listing - 01/07/2009

NMI (if known)	Previous Retailer	Site Name	Site Address	Estimated Annual Consumption in kWh	Green Power %
NFFFA0280	Country Energy	Kingscliff Pool	Cudgen Road, Kingscliff NSW 2487	320,844	0%
NFFFA00012	Country Energy	Murwillumbah Civic Centre	Tumbulgum Road, Murwillumbah NSW 2484	1,135,968	0%
NFFFA00015	Country Energy	Murwillumbah WWTP	O'Conner Road, Murwillumbah NSW 2484	600,000	0%
NFFFAA1036	Country Energy	Tweed Heads Civic Centre	Wharf Street, Tweed Heads NSW 2485	216,960	0%
40012056846	Country Energy	Tweed Regional Aquatic Centre	Tumbulgum Road, Murwillumbah NSW 2484	229,900	0%
NFFFA00014	Country Energy	Water Pump Station No.2	Durroon Ave, Bray Park NSW 2484	2,747,198	0%
4001142408	Country Energy	Murwillumbah Art Gallery	2 Mistral Road, Murwillumbah NSW 2484	758,700	0%
NFFFA00006	Country Energy	Tweed Heads South Pool	Heffron St & Minjungbal Drive, Tweed Heads South NSW 2486	411,828	0%
NFFFA00009	Country Energy	Water Pump Station No. 9	Terranora Road, Terranora NSW 2486	503,316	0%
NFFFA00011	Country Energy	Banora Point WWTP	Enterprise Avenue, Banora Point NSW 2486	2,916,000	0%
NFFFA00016	Country Energy	Water Pump Station No.10	Eviron Road, Condong NSW 2484	256,152	0%
NFFFA00007	Country Energy	Chinderah Water Pump Station	Terrace Street, Chinderah NSW 2487	505,308	0%
NFFFA00008	Country Energy	Hastings Point WWTP	Round Mountain Road, Hastings Point NSW 2489	501,120	0%
NFFFA00017	Country Energy	Water Pump Station No.1A	O'Connor Drive, Murwillumbah NSW 2484	935,544	0%
NFFFA0258	Country Energy	Murwillumbah Works Depot	Buchanan Street, Murwillumbah NSW 2484	177,192	0%
NFFFAA1065	Country Energy	Water Pump Station No. 11	Bilambil Road, Bilambil NSW 2486	257,088	0%
NFFFAA1084	Country Energy	Expo Park Sewer Pumping Station	Enterprise Ave, Tweed Heads South NSW 2486	169,188	0%
4407360117	Country Energy	Tweed Shire Council Street Lighting	Tweed Shire Council Street Lighting	3,000,000	0%
NFFFAA1049	Country Energy	Sewer Pump Station 2018	Gollan Drive, West Tweed Heads NSW 2485	72,000	0%
NFFFAA1078	Country Energy	Water Pump Station No.12	Cnr Terranora Road & Bilambil Road, Bilambil NSW 2486	96,000	0%
4001173173	AGL	Water Pump Station No.2A	Durroon Street, Bray Park NSW 2484	933,000	0%
40011957323	Country Energy	Kingscliff Wastewater Treatment Plant	Crescent Street, Cudgen NSW 2487	400,000	0%

17,143,306 kWh

Total Estimated Annual Consumption in kWh

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.



POLICY IMPLICATIONS:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.



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O9 [EO-OC] EC2009-054 Provision of Surf Life Saving Services over a 4 year term commencing with the 2009/2010 Season

ORIGIN:

Recreation Services

FILE NO: EC2009-054

SUMMARY OF REPORT:

This report outlines the tender for the provision of Surf Life Saving Services over a 4 year term commencing with the 2009/2010 Season. Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation, Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. It is recommended that Council accepts the tender of Australian Lifeguard Service for the provision of Surf Life Saving Services over a 4 year term commencing with the 2009/2010 Season.

Attachment A is **CONFIDENTIAL** in accordance Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderers in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

RECOMMENDATION:

That:-

- 1. Tender EC2009-054 for the provision of Surf Life Saving Services over a 4 year term commencing with the 2009/2010 season, be awarded to Australian Lifeguard Service to the value of :**

Year	\$ (inc GST)	
Year 1 2009/2010		417 404.79
Year 2 2010/2011		474 353.86
Year 3 2011/2012		489 770.36
Year 4 2012/2103		507 486.91
TOTAL		1 889 015.92



2. **The ATTACHMENT be treated as CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.**



REPORT:

Background

Council Tender EC2009-054 invited responses for the provision of Surf Life Saving Services over a 4 year term commencing with the 2009/2010 Season.

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

conformity of offer; innovation; value for money (tendered price); construction period (time performance); quality assurance; offer price compared with estimated cost; technical & physical management (key personnel experience); environmental management; financial resources; current commitments; previous performance (contract experience); industrial relations and safety record; OHS & risk management; maintenance and running costs; life and standardisation of proposed materials and equipment; warranty periods offered; proposed working hours and days; Council's contract administration costs.

Tenders Received

A total of one response was received for tender EC2009-054.

Surf Life Saving Services

Tender Evaluation

The Tender Evaluation was conducted by Council's Tender Panel, consisting of Manager Recreation Services and Director Engineering and Operations. A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

The sole tenderer met all of the selection criteria and contract requirements.

Based on being the sole tenderer and Council's previous experience with Australian Lifeguard Services, it is recommended that Tenderer Australian Lifeguard Services be nominated for the provision of Surf Life Saving Services over a 4 year term commencing with the 2009/2010 Season

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funding is provided within the 2009/2010 Budget for Surf Life Saving Services.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. **Supplementary Confidential Attachment A** - Provision of Surf Life Saving Services (ECM 3396947).
-

O10 [EO-OC] EQ2009-049 Supply of Selected Materials**ORIGIN:****Contracts****FILE NO: EQ2009-049****SUMMARY OF REPORT:**

This report outlines the tender for EQ2009-049 Supply of selected Materials with a contract period from the date of determination by Council until 30 June 2010. Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation, Pricing Report included in **CONFIDENTIAL ATTACHMENTS A and B**.

Attachments A and B are **CONFIDENTIAL** in accordance Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderers in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

RECOMMENDATION:**That:-**

- 1. The contracts for the supply of Selected Materials for the period from the date of determination by Council until 30 June 2010 be awarded to the following suppliers:-**



ITEM	SUPPLIER
Geotextile Material	Geofabrics Australia
Reinforcing Mesh	JH Williams
100mm Dia Slotted/Socked Agriculture Pipe	Vinidex
100mm Dia Slotted Agriculture Pipe	Vinidex
Premix Cement	Mills Distribution
General Purpose Bagged Cement	Mills Distribution
Herbicides	Rural Buying Service
Concrete Surrounds	Rocla
300mm – 1050mm Concrete Pipes	Rocla
Concrete Headwalls	Rocla
Concrete Kerb Inlets	Rocla
Welding Rods	Blackwoods
Padlocks	JH Williams
90mm PVC Stormwater Pipe	Budds
Form Ply	Blackwoods
Woven Silt Fil/ Silt Stop	Budds

2. The **ATTACHMENTS** be treated as **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

REPORT:

Quotations closing 28 May 2009 were called for the supply of Selected Materials into Council's Murwillumbah Depot Store for the period from the date of determination by Council until 30 June 2010.

The supply contracts are called on an annual basis for selected large dollar turnover items purchased for issue through Council's Store.

Items offered to tender are as follows:

Geotextile Material	Herbicides
Reinforcing Mesh	General Purpose Bagged Cement
Premix Cement	90mm PVC Stormwater Pipe
100mm Dia Slotted Agriculture Pipe	100mm Dia Slotted / Socked Agriculture Pipe
300 mm – 1050mm Dia Concrete Pipes	Concrete Surrounds
Concrete Headwalls	Concrete Kerb Inlets
Welding Electrodes	Form Ply
Padlocks – Keyed alike	Woven Silt Film / Silt Stop

Tenders Received

A total of eighteen (18) responses were received for tender EQ 2009 049.

Submissions were received from the following suppliers:-

Neumann Steel	Geo Fabrics Australia	Humes
Mills Distribution	Rural Buying Service	Vinidex
Budds Mitre 10	JH Williams & Sons	Rocla
Greenmount Timbers	Bunnings Trade	Scapeshapes
Reinforced Concrete Products	Blackwoods	Allmain Fittings
Twin Towns Sand & Gravel	Marrison Hydraulics	Downunder Steel

Tender Evaluation

A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.



Based on the conforming prices received, it is recommended that the following suppliers be awarded supply contracts from the date of determination by Council until 30 June 2010.

ITEM	SUPPLIER
Geotextile Material	Geofabrics Australia
Reinforcing Mesh	JH Williams
100mm Dia Slotted/Socked Agriculture Pipe	Vinidex
100mm Dia Slotted Agriculture Pipe	Vinidex
Premix Cement	Mills Distribution
General Purpose Bagged Cement	Mills Distribution
Herbicides	Rural Buying Service
Concrete Surrounds	Rocla
300mm – 1050mm Concrete Pipes	Rocla
Concrete Headwalls	Rocla
Concrete Kerb Inlets	Rocla
Welding Rods	Blackwoods
Padlocks	JH Williams
90mm PVC Stormwater Pipe	Budds
Form Ply	Blackwoods
Woven Silt Fil/ Silt Stop	Budds

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).

1. **Attachment A - Supplementary Confidential Information** for EQ2009-049 (ECM 3396407).
2. **Attachment B - Supplementary Confidential Information** for EQ2009-049 (ECM 3395452).

O11 [EO-OC] Distribution of Tweed Link**ORIGIN:****Contracts****SUMMARY OF REPORT:**

The current contract for the distribution of the Tweed Link expires on 31 August 2009. The distribution contract, currently held by Australia Post, requires the weekly delivery of the Tweed Link to every mail address / residence within the Shire and is to be delivered independently of any other mail box distributed material / publication. Australia Post has been the distributor of the Tweed Link since its inception and is seen as the only potential contractor that can provide the necessary delivery service guarantee and required Shire wide distribution coverage.

Council endorsement in accordance with Section 55 (3) of the Local Government Act 1993 is sought to forego the tender process to source a new Distribution Contractor and to authorise the General Manager to negotiate directly with Australia Post an annual agreement to distribute the Tweed Link within budget guidelines.

Attachment A is **CONFIDENTIAL** in accordance Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderers in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

RECOMMENDATION:**That:-**

- 1. In accordance with Section 55 (3) of the Local Government Act 1993 in the absence of competitive and reliable tenderers Council foregoes the tender process to source a new Tweed Link Distribution Contractor and to authorise the General Manager to negotiate directly with Australia Post an annual agreement to distribute the Tweed Link within budget guidelines.**

2. The ATTACHMENT A be treated as CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.



REPORT:

The current contract for the distribution of the Tweed Link expires on 31 August 2009. The distribution contract, currently held by Australia Post, requires the weekly delivery of the Tweed Link to every mail address / residence within the Shire and is to be delivered independently of any other mail box distributed material / publication. Australia Post as the sole tender has won the previous distribution tender rounds and has been the distributor of the Tweed Link since its inception and is seen as the only potential contractor that can provide the necessary delivery service guarantee and required Shire wide distribution coverage.

Council endorsement in accordance with Section 55 (3) of the Local Government Act 1993 is sought to forego the tender process to source a new Distribution Contractor and to authorise the General Manager to negotiate directly with Australia Post an annual agreement to distribute the Tweed Link within budget guidelines.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

In accordance with Section 55 (3) of the Local government Act 1993.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. **Attachment A - Supplementary Confidential Information** for Tweed Link Distribution (ECM 3395728).
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012 [EO-OC] The Lower Tweed and Pacific Highway Traffic Master Plan - Status, Progress and Implementation

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

Council endorsed the conclusions and recommendations of The Lower Tweed and Pacific Highway Traffic Master Plan, prepared jointly by Council and the NSW Roads and Traffic Authority (RTA), at its meeting held 5 September 2006. The Master Plan covers the Pacific Highway and its interaction with Council's arterial road network between Barneys Point Bridge and the Queensland border. Major elements included in the 2006 Master Plan are:-

Master Planning Element	Estimated Cost (\$,000,000)	Funding Responsibility	Time Frame
Banora Point Upgrade	190	RTA	2010 - 15
Kirkwood Road Extension (including modifications to Fraser Drive)	10 - 15	TSC	2015 - 20
Terranora Creek western service road	15 - 20	Joint RTA/TSC	2015 - 20
Kirkwood Road south facing ramps	10 - 15	Joint RTA/TSC	
Terranora Creek eastern service road	15 - 20	Joint RTA/TSC	2025 - 30
Kennedy Drive to Tugun Bypass service roads	N/A	QDMR/Federal Government	under construction
Tweed Heads Bypass, widening to six-lanes	30 - 45	RTA	2025 - 30

The Tugun Bypass is now complete. The Banora Point Upgrade has received planning approval, construction is to be commenced late 2009 and completion is planned for mid 2012.

The Kirkwood Road Extension is included in Council's 5 year Tweed Road Contribution Plan (TRCP) Works Program and is currently scheduled for construction in 2012/13. However for design of this project to progress, it is necessary to determine the configuration and footprint of the future 6 lane Tweed Heads Bypass Freeway. This configuration will determine the number and length of spans for the Kirkwood Drive overpass bridge and the footprint available for the Kirkwood Road to Kennedy Drive Service Roads and associated bridges so that the presence of these service roads will not inhibit the 6 laneing of the Tweed Heads Bypass Freeway scheduled for 2025.

Consultants have been engaged to analyse options and recommend the future alignment/configuration/footprint of the 6 lane Tweed Heads Bypass and the associated service roads. This work will be completed in the first half of 2010. Concept design of the Kirkwood Road Extension can commence, when the RTA and Council have reached agreement on the configuration and footprint recommended by the consultancy.

An indicative timetable for the project, prepared for illustrative purposes and not endorsed at this time by Council or the RTA, shows that due to the need to complete complex pre construction activities, the completion of the Kirkwood Road Extension is not likely until the end of 2015. Completion of the remainder of the project being the Terranora Creek Service Road and Kirkwood Road South Facing Freeway Ramps is likely to be some years later in 2018 unless both Council and the RTA agree to accelerate the process and there are also sufficient funds available to construct all elements concurrently and complete the whole project in late 2015.

There are detailed project governance, timetable, management and financial matters that require negotiation and agreement between Council and the RTA to enable the project to be progressed as a joint venture.

RECOMMENDATION:

That Council receives and notes the report on the status, progress and implementation of The Lower Tweed and Pacific Highway Traffic Master Plan.

REPORT:

1. Introduction

The Lower Tweed and Pacific Highway Traffic Master Plan was negotiated between Council and the Roads and Traffic Authority over a number of years and endorsed by Council on 5 September 2006. The Master Plan was jointly released and placed on exhibition by Council and the RTA in October 2006.

In preceding years, Council and the RTA had not been able to agree to the configuration of highway interchanges, the general interaction of Council's arterial network with the RTA's highway/freeway system and funding the RTA/Council road interface. The Master Plan resolved these issues and has given both Council and the RTA a blueprint and the necessary certainty to plan and construct the road system in and integrated, cooperative manner in the period until 2030.

The elements of the 2006 Master Plan, estimated cost, funding responsibility and time frame are shown in the following table.

Master Planning Element	Estimated Cost (\$,000,000)	Funding Responsibility	Time Frame
Banora Point Upgrade	190	RTA	2010 - 15
Kirkwood Road Extension (including modifications to Fraser Drive)	10 - 15	TSC	2015 - 20
Terranora Creek western service road	15 - 20	Joint RTA/TSC	2015 - 20
Kirkwood Road south facing ramps	10 - 15	Joint RTA/TSC	
Terranora Creek eastern service road	15 - 20	Joint RTA/TSC	2025 - 30
Kennedy Drive to Tugun Bypass service roads	N/A	QDMR/Federal Government	under construction
Tweed Heads Bypass, widening to six-lanes	30 - 45	RTA	2025 - 30

The Tugun Bypass is now complete. The Banora Point Upgrade has received planning approval, construction is to be commence late 2009 and it is planned to be finished mid 2012.

Regarding timing of the next key projects, The Kirkwood Road Extension, First Terranora Creek Service Road and the Kirkwood Road South Facing Ramps, the Master Plan Traffic report says:-

"With the Banora Point upgrade operational, the short-term deferral of the construction of the Kirkwood Road interchange is possible. However, interpolation of traffic modelling results have shown that by 2015, with the absence of certain elements of this interchange, the effects would be noticeable with increased traffic along the Tweed Heads bypass (south of Kirkwood Road) and congestion through the Banora Point northern interchange.



The early construction of a two-way service road, west of the existing Terranora Creek Bridge would alleviate congestion along the Tweed Heads bypass, providing an additional link between west Banora Point and Coolangatta. Construction of the Terranora Creek service roads would reduce traffic volumes along the Tweed Heads bypass and further improve traffic flows through the southern extents of Minjungbal Drive."



Given that the Kirkwood Road Extension, associated Freeway Ramps and the Terranora Creek Service Road may become critical to alleviate traffic problems expected in 2015, it is now important to progress design works and obtain environmental approvals to ensure these works can be delivered in the required time frame.

2. Implementation of Master Plan Elements by Council

Council drafted, exhibited and adopted amendments to the Tweed Roads Contribution Plan (TRCP) on 10 July 2007 to incorporate all of the sole responsibility and joint responsibility elements of the Lower Tweed and Pacific Highway Traffic Master Plan.

The first of these elements, The Kirkwood Road Extension was incorporated into the TRCP Five Year Works Program 2009/10 - 2013/14, adopted by Council on 27 January 2009. The Works Program provides \$8,181,000 for construction in 2012/13.

The Kirkwood Road Extension is part of a larger integrated project that also includes Kirkwood Road South Facing Ramps and the first Terranora Creek Service Road (linking Kirkwood Road to Kennedy Drive). The Kirkwood Road extension (linking it to Fraser Drive) on its own, gives only a minor improvement to the road network. But when combined with the other two element provides a substantial improvement to the network capacity and improves connectivity between the Tweed Heads Bypass Freeway and Council's arterial road network.

Investigation works on the integrated project have been proceeding for several years.

3. Kirkwood Road Extension, Kirkwood Road South Facing Ramps and Terranora Creek Service Road Project

3.1 Configuration

These three elements are physically connected and all three elements are needed to enable the Kirkwood Road extension to integrate with the Tweed Heads Bypass. On its own the Kirkwood Road Extension has a very limited impact on the network, but it is the key first stage of the integrated project.

Council's in house consultants have conducted preliminary investigations regarding the configuration and alignment of the project. The major design constraint for the project is that it must integrate and be compatible with the future 6 laneing of the Tweed Heads Bypass scheduled for 2025+.

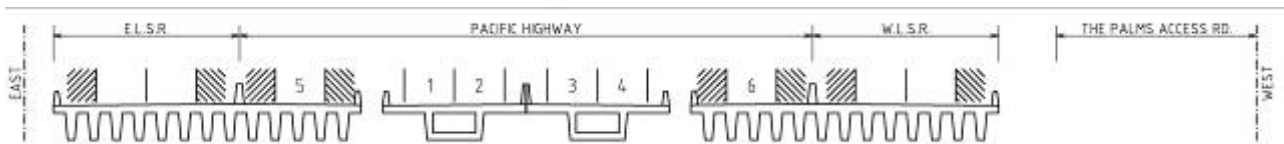
Currently the Tweed Heads Bypass is a split 2x2 lane freeway and is carried over Terranora Creek by 2x2 lane bridges. Ultimately the Master Plan provides for 2x3 lanes of freeway and a 2 lane service road east of the freeway and a 2 lane service road west of the freeway (10 lanes of traffic in total). Council cannot design the first 2 lane service road in isolation as it is imperative that this first service lane does not occupy a footprint that inhibits the future widening of the freeway.

RTA Officers (Representing The Pacific Highway Office and the Sydney based Bridge Section) Council engineers and consultants inspected the site February 2008 to identify preliminary options for widening the freeway and ultimate provision of 10 lanes of traffic.

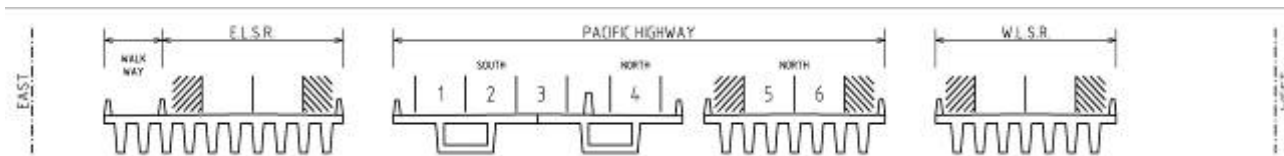
Whilst it would be ideal if the 2x2 existing freeway bridges could be widened to a 3x3 configuration, this is not likely to be structurally possible. Further the existing location of the freeway to the eastern side of the corridor between Terranora Creek and Kennedy Drive favours freeway widening to the west of the existing lanes.

A number of possible configurations were put forward for consideration at the February 2008 meeting and include:

1. Retain the existing 2x2 freeway bridges, build 2x3 lane bridges either side. The inside lane of each new bridge to be for freeway use, the outside 2 lanes of each new bridge to be for service road use.



2. Retain and structurally join existing 2x2 freeway bridges, build additional freeway lanes on a new bridge to the west and a separate 2 lane northbound service road bridge further to the west. Build the southbound 2 lane service road bridge to the east of the existing freeway bridges.



3. As above but build 2 new freeway lanes and 2 northbound service road lanes on a single bridge structure to west of existing freeway bridges.
4. Structurally join existing 2x2 lane freeway bridges and use for southbound 3 freeway lanes only. Build new bridge to the west to accommodate 3 northbound freeway lanes, build separate new bridge further to the west to accommodate northbound 2 lane service road. Build 2 lane southbound service road bridge to the east of existing freeway bridges

5. As above but retain 4 lanes on the existing freeway bridges for southbound traffic.



In all these configurations it is proposed that the first service road to be built in 2015+ will initially be 2 way and that it will be converted to 2 lanes one way when the second service road is built in 2025.

The key constraints in assessing options are:-

- structural constraints relating to joining of bridge structures, particularly relating to differential deflection (under loads) and settlement
- need to provide for integration of freeway lanes to permit weaving and necessary lane changing, particularly in the vicinity of interchange on/off ramps
- minimum lengths to separate/merge freeway lanes on different bridge structures prior to entering and after departing bridges
- need to ensure compatibility of the alignment of the freeway lanes with interchange on/off ramps and service road connections
- Need for minimum horizontal separation of bridge structure footprints to ensure there is sufficient room for side access of construction equipment as each new bridge is successively built
- Foundation conditions
- Geometric and cadastral width constraints within the corridor, north and south of Terranora Creek

Initial investigations do not favour configuration 1. as the isolation of one northbound and one southbound freeway lane onto separate bridges makes it difficult and unsafe to manage freeway lane changing and necessary merging and weaving close to interchange on/off ramps.

Similar difficulties arise for configurations 2 and 3 as freeway lanes of the same direction are located on different structures and there is insufficient length to blend them back together before interchange on/off ramps.

At this stage Configurations 4 and 5 offer the best prospects for safe operation of the future 6 lane freeway.

Initial investigations also indicate that if the widening of the freeway is to be to the west of the existing bridges, then the first service lane should be to the east of the existing bridges as this will not interfere with the other bridges to be commenced around 10 years later.

The RTA have not commenced preliminary investigation for the 6 laneing of the freeway at this point in time as this project is not scheduled until 2025 at the earliest, however they appreciate that conceptual resolution of the alignment/configuration/footprint issues relating to the 6 lane freeway and bridges must be obtained to enable Council's project to proceed. They are also mindful that the Master Plan Traffic Modelling indicates that completion of Council's project will enable the northern interchange of the Banora Point Upgrade (to be completed mid 2012) to function satisfactorily beyond 2015 and also enable a 4 lane Tweed Heads Bypass to function satisfactorily until widening to 6 lanes in 2025.

As it is in the interests of both road authorities to progress this project, a brief to examine footprint/configuration/alignment options for the 6 lane Tweed Heads Bypass Freeway and 2+2 lane service roads in the corridor between Kirkwood Road and Kennedy Drive has been prepared by Council and approved by the RTA. Consultants have now been engaged to undertake this investigation and the final report and recommendations are due in the first half of 2010.

The main outputs of this consultancy and associated workshops with RTA and TSC representatives will be to:-

- Obtain agreement between RTA and Council representatives on the likely configuration and footprint needed for the future 6 laneing of the Tweed Heads Bypass Freeway and agreement on the remaining footprint that may be used by Council for accommodation of the first 2 lane service road and associated bridge
- Concept alignment plans including vertical and horizontal alignments and indicative cross sections of the preferred roads, interchanges and bridges configuration
- Identify any necessary land acquisitions
- Identify service impacts
- prepare concept level estimates of costs.

A critical part of the above information will be the configuration/lane widths/separation of the future 6 lane freeway at the Kirkwood Road Overpass. This information is necessary to establish the number and length of spans that will be required for the overpass bridge design.

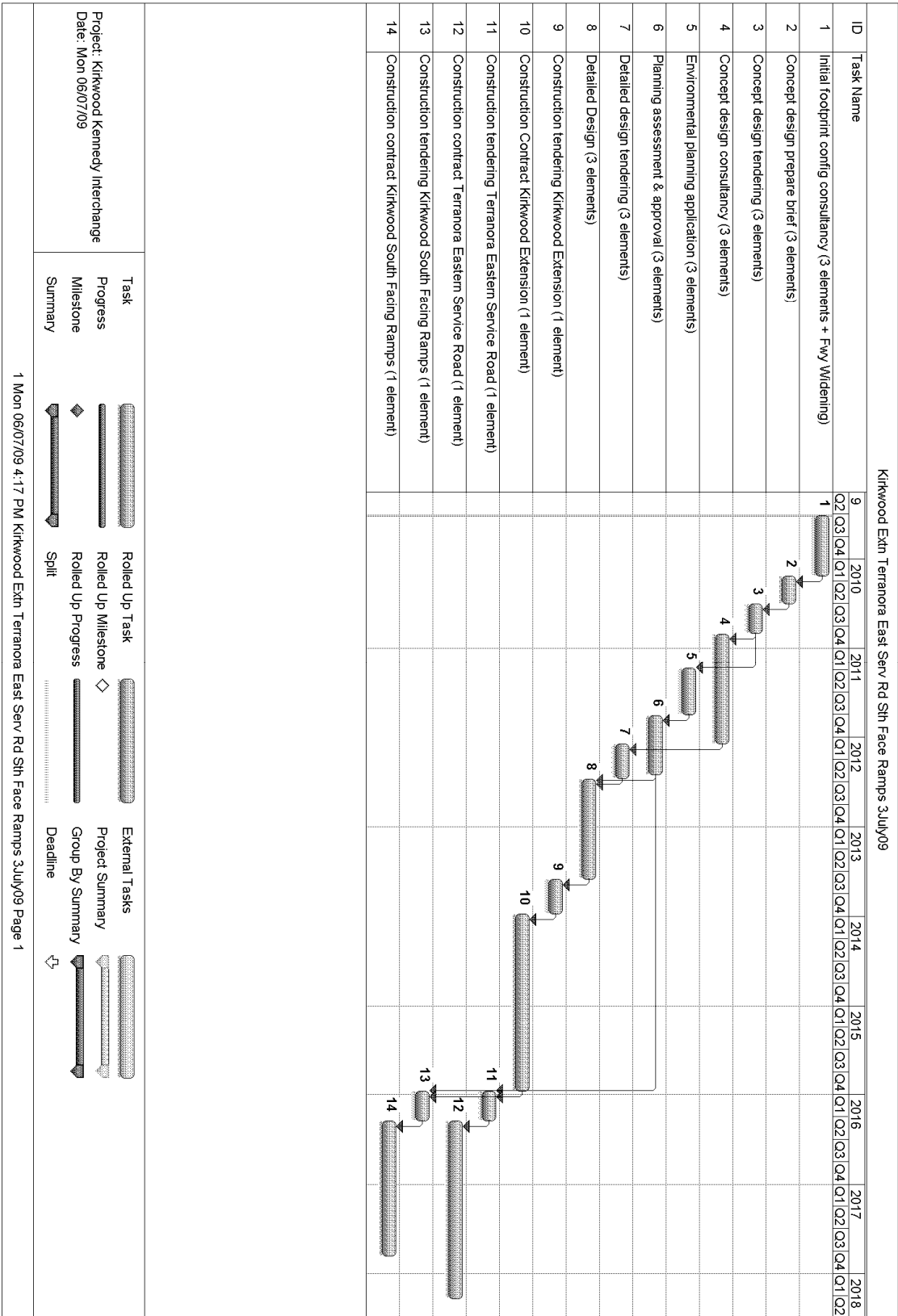
3.2 Timetable for Concept Design, Detailed Design, Construction and Alternative Procurement Options

On completion of this current consultancy and sign off on the configuration by the RTA and Council, there will be sufficient information and certainty to progress the project to the next phase and engage consultants for the Concept Design of the whole project to include the three elements being Kirkwood Road Extension, Terranora Creek Eastern (previously Western in the Master Plan) Service Road and the Kirkwood Road South Facing Ramps. This consultancy would also be likely to include environmental assessment and preparation of a planning application for the project.

As the whole project includes elements jointly funded by the RTA, their agreement and funding to progress to this next phase will be required.

The following Gantt Chart is an indicative timetable for the project assuming a conventional procurement process of providing a detailed design then contracting construction by a tendering procedure. This indicative timetable (apart from the Kirkwood Road Extension commencing one year early in 2014) generally conforms with the time bands for completion of the various elements as shown in the 2006 Master Plan. The indicative timetable has not been agreed to at this time by either Council or the RTA and is shown for illustrative purposes only. It does however provide a more realistic timeframe for completion of pre construction activities which indicate that even without funding constraints there is little likelihood of construction being able to commence prior to early 2014.

Fig 3.2 Indicative Project Timetable





In this indicative timetable key milestones are:

- Completion of Concept Design January 2012
- Obtain Planning approvals May 2012
- Complete detailed design July 2013
- Construction contract Kirkwood Drive Extension 2014 and 2015
- Construction Contracts Terranora Creek Service Road and Kirkwood South Facing Ramps April 2016 to April 2018

Council has currently scheduled the Kirkwood Road Extension for construction in 2012/13 (TRCP 5 Year Works Program), the indicative timetable shows this schedule is not now achievable given the pre construction activities required, and construction could not now be completed until the end of 2015.

The indicative timetable shows the Terranora Creek Service Road and Kirkwood Road South Facing freeway ramps being constructed after completion of the Kirkwood Road Extension. However, once detailed design is completed, these three elements could be constructed concurrently if funds were available and both road authorities wished to proceed at a faster rate. This could enable the entire project to be completed by the end of 2015 rather than early 2018. Such decisions by Council and the RTA are for future years when there is more certainty regarding traffic needs, estimates of costs (which can then be based on more detailed designs and schedules of quantities) and availability of funds from the RTA, Council's TRCP contributions plan and other possible sources.

Similarly, procurement method decisions need to be made by the end of the concept design phase. The indicative program has shown a conventional detailed design followed by construction by contract. Other procurement options which will need detailed consideration may include a combined design and construct contract or a alliance process or the like.

3.3 Project Finance

The Master Plan in 2006 identified the cost of the 3 project elements as:-

Project Element	Cost Range (\$M)	Funding Responsibility	TSC Responsibility (\$M) Assuming Split of Funded Elements	Funding 50% Joint
Kirkwood Road Extension	10 - 15	TSC	10 - 15	
Terranora Creek eastern service road	15 - 20	Joint RTA/TSC	7.5 - 10	
Kirkwood Road south facing ramps	10 - 15	Joint RTA/TSC	7.5 - 10	
Total Project	40 - 55		25 - 35	



The above funding split is based on jointly funded projects being on an assumed 50% shared basis. This % split is being used for Council planning purposes and is the % proposed by Council during negotiations leading up to agreement on the 2006 Master Plan. A 50% split has been agreed for the first consultancy, however the RTA has not formally agreed to this %split for all of the Master Plan jointly funded elements. This is a matter that is still the subject of final negotiation and agreement.

In the TRCP works Program adopted by Council in 2007, the estimated cost of the elements was:-

Project Element	Estimated Cost (\$M)	Assumed Funding Responsibility	TSC Funding Responsibility (\$M) Assuming 50% Split of Joint Funded Elements	RTA Funding Responsibility (\$M) Assuming 50% Split of Joint Funded Elements
Kirkwood Road Extension	8.181	TSC	8.181	0
Terranora Creek eastern service road	12.95	Joint RTA/TSC 50% Each	6.475	6.475
Kirkwood Road south facing ramps	1.77	Joint RTA/TSC 50% Each	0.885	0.885
Total Project	22.9		15.541	7.36

These estimates are now a number of years old and were prepared without the benefit of concept designs and associated schedules of quantities. More realistic costs will be available as concept designs are developed and current costs are used for estimates. As infrastructure costs have risen substantially in these years and as the concept design process is likely to reveal a more complex infrastructure task, it is expected that the next round of cost estimates will be substantially higher and necessitate a further increase in the TRCP works program estimates which will then be passed on in a revision of the TRCP with higher developer contribution rates.

The level of funding available to Council through TRCP contributions is dependent on the contribution per lot/dwelling and on the rate of development of lots and dwellings. The level of TRCP funding available and the need (if any) for supplementary sources of funding for Council's share of the works will clarify as the commencement date for construction draws nearer.

The availability of cash flow for the project from the RTA is unknown and uncommitted at this stage and would be dependent on RTA forward budget allocations. This needs to be negotiated and agreed between the two road authorities and confirmed for each phase as the project progresses.

3.4 Project Governance

As several major elements of the project are jointly funded by Council and the RTA, a governance structure will be required to oversee project management, define responsibilities of each party, provide a decision making framework to enable the project to proceed beyond identified hold points, manage joint funding requirements, facilitate accountability to both authorities and ensure higher level decisions are referred to and made in a timely manner by the constituent authorities.

A joint venture agreement or the like will need to be drafted to define the governance process. It is anticipated that this document will establish a steering/management committee with delegates from RTA and Council that will meet on a regular basis to oversee, manage and progress the project.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Major implications for finance and resources identified in body of report.

POLICY IMPLICATIONS:

The report identifies the status, progress and implementation of Policy adopted by Council in 2006 being "The Lower Tweed and Pacific Highway Road Network Master Plan". An amendment of the TRCP and setting up a joint venture arrangement with the RTA are foreshadowed.

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. Lower Tweed and Pacific Highway Road Network Master Plan. (ECM 3395571).
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O13 [EO-OC] Provision of Flood Model Data

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

Council appointed consultants are nearing completion of an update of the Tweed Valley Flood Study, and a new Coastal Creeks Flood Study. Flood modelling data (input and output files) produced as part of these flood studies is a valuable Council asset, which is also in demand from the development sector to produce flood impact assessments for development proposals on flood liable land.

Provision of the flood model data to developers saves them considerable time and money in engaging hydraulic consultants to produce rigorous flood impact assessments of their own. The major advantage to Council is that by utilising Council's flood models, assessing officers can be more confident that the flood impacts assessments provided with development applications are based on the best available data (including land contours, hydrologic parameters, roughness factors etc) and have been properly calibrated to known events. This in turn provides greater certainty for concerned stakeholders in critical floodplain areas.

It is therefore in Council's interest to provide the flood model data to these developers, and a fee for this service needs to be determined. The basis for the recommended fee is outlined in the body of the report.

RECOMMENDATION:

That Council:-

- 1. Proposes a fee of \$1000 for the provision of digital flood model data.**
- 2. Advertises the proposed fee for a period of 28 days in the Tweed Link.**

REPORT:

Council appointed consultants, BMT-WBM, are nearing completion of an update of the Tweed Valley Flood Study, and a new Coastal Creeks Flood Study. These flood studies will soon be presented to the Floodplain Management Committee prior to release for public comment. These flood studies are the result of considerable investment from Council, with the assistance of State and Commonwealth Natural Disaster Mitigation Program (NDMP) grants. Flood modelling data (input and output files) produced as part of these flood studies is a valuable Council asset, used primarily for floodplain risk management and flood prone land use policy and controls. The predictive flood data is provided to State Government agencies, most notably the State Emergency Service (SES) for input into their Local Flood Plan. The flood modelling data is also in demand from the development sector, which is required to produce flood impact assessments for development proposals on flood liable land.

Provision of the flood model data to developers saves them considerable time and money in engaging hydraulic consultants to produce rigorous flood impact assessments of their own.

The major advantage to Council in providing the flood modelling data to developers is that the flood impact assessments in development applications are more consistent, are based on the best available data (digital elevation models produced using airborne laser scanning contours and river bathymetry; hydrologic parameters for catchment characteristics, losses, rainfall intensities, temporal patterns etc) and have been properly calibrated to known events (using consistent roughness factors, boundary conditions etc). This provides assessing officers with greater certainty in the flood impact results and their recommendations for development applications, which in turn should satisfy the concerned stakeholders in critical floodplain areas.

It is therefore in Council's interest to provide the flood model data to these developers, and a fee for this service needs to be determined.

The following table summarises the Council investment to date to produce these flood studies:



Flood Study	Contract Ref	Approximate Contract Cost	Council Contribution (based on NDMP grants 1:1:1 Commonwealth:State:Local)
Tweed Valley Flood Study 2005	PWA114	\$116 000	\$38 666
Tweed Valley Flood Study Update 2009	EC2007-130	\$58 000	\$19 333
Tweed Byron Coastal Creeks Flood Study	EC2007-078	\$135 000	\$33 750*
TOTAL		\$309 000	\$91 750

* Joint Flood Study with Byron Shire Council, with TSC to pay $\frac{3}{4}$ of Local Government Contribution.

The table shows that Council has invested close to \$100 000 on consultant's fees to produce these flood studies. There has also been considerable investment of time and resources by Council's engineers and other officers in providing the consultants with the base information for the studies, critically reviewing model outputs and reports, and managing the contract process.

As such, it is proposed to impose a \$1000 fee for the provision of flood study data to the private sector, representing approximately 1% of Council's investment on flood studies to date. This fee would represent only a small portion of the cost to developers should they otherwise try to establish their own flood models. Provision of flood model data would be subject to a licensing agreement, imposing restrictions on the use of the data, and ensuring that Council's rights and indemnities are maintained.

This fee will help recoup the cost of administering the provision of the digital data files, including licensing, fees, and copying of data onto media.

Council will continue to provide the flood study to State Government agencies without charge, but still subject to a similar licensing arrangement.

Should a developer directly approach BMT-WBM to carry out a flood impact assessment using a TSC flood model, this would be permissible and would not attract a fee, as Council is not required to copy and distribute the model.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Council must give public notice of the proposed fee for 28 days, under the Local Government Act. The Act permits Councils to impose a fee for a service, and to do so for new services after the finalisation of the year's management plan.

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] Public Transport Committee**ORIGIN:****Planning & Infrastructure****SUMMARY OF REPORT:**

The Public Transport Working Group has been an advisory group to Council on public transport matters since its inception in 1995. Council recommended the following at its meeting of 17 March 2009 after consideration of the Director Engineering and Operations' recommendation:-

"That the Director Engineering and Operations report to Council regarding the constitution, membership and function of the Public Transport Working Group."

This report recommends a new title, new constitution and new membership of the group.

RECOMMENDATION:**That:-**

- 1. The 'Public Transport Working Group' be renamed to the 'Public Transport Committee', with the existing membership and terms of reference being disbanded.**
- 2. The Public Transport Committee act under the Constitution as attached to this report.**
- 3. Council appoints the following representatives as full members of the Public Transport Committee:-**
 - Bus Operators (2 representatives – one from Surfside Buslines and another from Parsons Bus Service)**
 - One representative from the Northern Rivers Social Development Council**
 - One representative from the Ministry of Transport**
 - Three community representatives**
 - Three Council representatives as follows:-**
 - Traffic Engineer (Chair of Committee)**
 - Social Planner**
 - Road Safety officer**

4. **Council appoints the following representatives as associate members of the Public Transport Committee:-**
 - **One representative from Tweed Taxis**
 - **One representative from NSW Police**
 - **One representative from Blind Citizens Australia**
 - **One representative from Tweed/Byron/Ballina Community Transport**
 - **One representative from the Department of Veterans Affairs**
 - **Tweed Shire Council's ATSiC Liaison Officer**

5. **The non-community representatives stated in items 3 and 4 above be advised of Council's decision and be requested to confirm their acceptance of membership.**

6. **Advertising be undertaken to appoint three community representatives as stated in item 3 above.**

7. **The corporate record relating to committees and sub committees be amended to reflect the recommendation and contents of this report.**

REPORT:

The Public Transport Working Group (PTWG) has been an advisory group to Council since its inception in 1995. The group's membership and terms of reference have varied somewhat since 1995.

The group itself has determined that refocussing is required including new membership. After consideration of the minutes of the Public Transport Working Group at its meeting of 23 February 2009 and the recommendations of the Director Engineering and Operations, Council recommended the following at its meeting of 17 March 2009:-

"That the Director Engineering and Operations report to Council regarding the constitution, membership and function of the Public Transport Working Group."

The constitution, membership and function of the proposed Public Transport Committee are provided in the attachment to this report. In summary, membership of the group will be 10 full members and 6 associate members.

For Council's information, current members of the Public Transport Working Group are:-

Formal (members):-

- Tweed Heads / Coast Bus Operators - Surfside Buslines - David Bishara; Murwillumbah Valley Bus Operators - Parsons Bus Company - John Parsons
- Taxi industry - Don Stubbs – Tweed Taxis
- Community Transport – Phil Barron - Tweed Byron Ballina Community Transport
- Tweed Shire Council – John Zawadzki (Traffic Engineer); Robin Spragg (Social Planner)
- Community Associations - Len Greer (Coastal Village Alliances) – Acting Chairman; Linda Lomman (Northern Rivers Social Development Council); Rosemary Beard (Veterans Affairs); Terry O'Toole (Pottsville Community Association); Doug Weatherley (Murwillumbah Ratepayers Association)
- State government representative - Ben Riley (Ministry of Transport)
- Transport sustainability groups (interest groups) - Bill McKenniarey (Blind Citizens Australia)

Informal (observers):

Gold Coast City Council – staff member facilitating public transport needs within Gold Coast City Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Council staff will need to attend meetings as necessary.

POLICY IMPLICATIONS:

Nil.



UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Tweed Public Transport Committee (Constitution) (ECM 2516997).
-

O15 [EO-OC] NSW Government Local Infrastructure Fund

ORIGIN:

Director Engineering & Operations

SUMMARY OF REPORT:

The NSW Government is providing interest free loans through its Local Infrastructure Fund. The loans are for projects in excess of \$1M that can be commenced in the 2009/2010 financial year and provide necessary infrastructure for development. Council is requested to make an application for funding a number of projects.

RECOMMENDATION:

That an application for funds under the NSW Government Local Infrastructure Fund be made for improvements to Jack Evans Boat Harbour, Banora Point Sewage Treatment Works and Tweed Heads Public Domain Works.

REPORT:**1. NSW Government Local Infrastructure Fund**

The NSW Government is establishing a \$200 million fund to provide interest free loans for a period not exceeding 10 years. Applications for these funds must be lodged by 31 August 2009. The eligibility criteria for these funds are:-

*"Essential criteria**1. Ability to deliver*

All applicants must demonstrate their capacity to deliver the project with evidence of:-

- **Timely project commencement** – Funding will only be provided for projects where construction will commence in the 2009/10 financial year.
- **Timely project completion** – Projects must be completed within 18 months of the funding being provided.
- **Council delivery** – Projects must be delivered by the council or their contractors. Infrastructure provided as works-in-kind by developers will not be considered for funding.
- **Capacity to deliver** – Councils must be able to demonstrate they have the necessary resources, including effective project management and sound financial administration, to deliver and maintain the project once it is complete.

2. Works essential to urban development

Only those works which support urban development will be funded. Funding will typically only be made available for road, stormwater, water and wastewater projects.

3. Value for money

Applicants must provide at least two quotes from a suitably qualified contractor, or a proposal from a design consultant, to support all the costs presented in their application. Applicants are encouraged to seek competitive quotes to ensure their project is providing the best value for money.

4. Accelerated infrastructure provision

Funding will only be provided to projects not being delivered because of a lack of funding. Councils must demonstrate that funding will accelerate the delivery of a project. Applications must show evidence that insufficient “internal” council funds are available for the infrastructure project.

Desirable criteria

1. Council commitment to infrastructure projects - projects that receive funding should ideally be included in either an approved contributions plan or a development servicing plan.

2. Integration with state infrastructure - funding will only be provided where the necessary state infrastructure is already available. For example, local road works will only be funded if there is sufficient capacity in the regional road network.
3. Communicating results - applicants must commit to publicly communicating the outcomes of their project. A communications kit will be provided to all successful applicants, containing resources and publicity materials to help them promote the project to their local communities. "

2. Potential Tweed Shire Council Projects

Given the restricted eligibility criteria, the following projects are proposed for a funding application under this scheme:-

Jack Evans Boat Harbour

Current funding allocation of \$5M loans within the 7 Year Financial Plan will enable the project to be commenced, but will leave a substantial areas incomplete. It was hoped additional funds would be available through the Federal Government's Strategic Infrastructure Program, however Council was unsuccessful. Obtaining interest free loan funds through the NSW Government's Local Infrastructure Fund provide an alternative source. The Project seems to meet the NSW Government's acceptance criteria.

Banora Point Sewage Treatment Works Upgrade

This is a major project to increase treatment capacity in the Banora Point catchment. Subject to completion of detailed design, it should be able to be commenced in the 2009/10 financial year.

Central Tweed Heads Public Domain Works

The Tweed Heads Master Plan proposes substantial upgrading of the public domain (streetscaping, riparian landscaping, parks furniture etc) to encourage redevelopment of the area. Some works are currently in a section 94 plan and it is understood further works will be included in a draft Community Improvement Plan when the Tweed Heads Master Plan draft Local Environmental Plan is exhibited. These works would be able to be commenced in the 2009/10 financial year. This project would enable previous streetscaping works in Wharf Street to be extended further to the south and to Bay Street west of Wharf Street.

SUPPORTING INFORMATION:



NSW Local Infrastructure Fund

GUIDE FOR APPLICANTS – JUNE 2009





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INTRODUCTION

The \$200 million NSW Local Infrastructure Fund has been established as an "interest free" loan scheme for Local Councils to bring forward infrastructure projects that are delayed due to a lack of funding.

The funding will provide an immediate local economic boost as water, sewer, drainage and roads infrastructure projects are provided for local communities.

The funding will also trigger construction in areas of high population growth and will assist in increasing the supply of serviced land for housing and employment.

The NSW Local Infrastructure Fund is a NSW Treasury Fund administered by the NSW Department of Planning.

Purpose of this document

This document is an invitation to Local Councils to submit applications for funding under the NSW Local Infrastructure Fund. It details eligibility requirements, selection criteria, the assessment processes and how Councils can apply for funding.

ELIGIBILITY CRITERIA

Who can apply?

The NSW Local Infrastructure Fund is open to Local Councils in NSW.

Eligible projects

Funding is provided for local projects that will support urban development – typically roads and related infrastructure, stormwater, water and wastewater projects. Only projects costing at least \$1 million will be funded.

Project delivery timeframe

Construction of funded projects must commence in the 2009/10 financial year and must be completed within 18 months of receiving funds. Ongoing funding will not be provided and Council will be responsible for all ongoing operational costs and other issues.

Funding conditions

The NSW Local Infrastructure Fund will support projects under the following conditions:

1. Project must cost a minimum of \$1 million
2. applicants are eligible for only one funding contribution per project
3. funding will not cover administration, travel, licensing, salaries or other activities that are the responsibility of the applicant
4. a maximum of 10% of the total funding amount can be spent on specialist advice or design and permit costs (for example engineering or planning).

What will an applicant need to contribute?

There is no requirement for applicants to contribute funds towards a project. However, financial contributions from the applicant and/or other sources will improve the cost effectiveness and therefore competitiveness of the project in relation to other applications. Applicants are encouraged to explore opportunities for funding from other sources. If funding from another source has been secured for the same project, or if an application is currently lodged for other funding sources, applicants should advise the Department of Planning.

FUNDING CRITERIA

Target areas

Funding will be targeted towards high growth areas and priority will be given to projects that facilitate the servicing of new homes or employment growth. These areas should align with strategic planning objectives/targets such as those identified in the NSW Government's Regional and Subregional Strategies, Metropolitan Strategy and Metropolitan Development Program.

Essential criteria

All applications to the NSW Local Infrastructure Fund must meet the essential criteria below:

1. Ability to deliver

All applicants must demonstrate their capacity to deliver the project with evidence of:

- **Timely project commencement** – Funding will only be provided for projects where construction will commence in the 2009/10 financial year.
- **Timely project completion** – Projects must be completed within 18 months of the funding being provided.
- **Council delivery** – Projects must be delivered by the council or their contractors. Infrastructure provided as works-in-kind by developers will not be considered for funding.
- **Capacity to deliver** – Councils must be able to demonstrate they have the necessary resources, including effective project management and sound financial administration, to deliver and maintain the project once it is complete.

2. Works essential to urban development

Only those works which support urban development will be funded. Funding will typically only be made available for road, stormwater, water and wastewater projects.

3. Value for money

Applicants must provide at least two quotes from a suitably qualified contractor, or a proposal from a design consultant, to support all the costs presented in their application. Applicants are encouraged to seek competitive quotes to ensure their project is providing the best value for money.

4. Accelerated infrastructure provision

Funding will only be provided to projects not being delivered because of a lack of funding. Councils must demonstrate that funding will accelerate the delivery of a project. Applications must show evidence that insufficient "internal" council funds are available for the infrastructure project.

Desirable criteria

1. Council commitment to infrastructure projects - projects that receive funding should ideally be included in either an approved contributions plan or a development servicing plan.
2. Integration with state infrastructure - funding will only be provided where the necessary state infrastructure is already available. For example, local road works will only be funded if there is sufficient capacity in the regional road network.
3. Communicating results - applicants must commit to publicly communicating the outcomes of their

project. A communications kit will be provided to all successful applicants, containing resources and publicity materials to help them promote the project to their local communities.

FUNDING AGREEMENT

Funds will be provided to Local Councils as an interest free loan.

Councils will be asked to prepare a repayment schedule for each loan, within parameters set by the State Government. Specifically, the term of a loan cannot exceed 10 years and repayments will need to occur at least annually. The repayment schedule will be defined upfront before the award of any funds.

Councils will be required to provide an audited sign off to demonstrate the funds were used in accordance with the purposes outlined in their application. Loan conditions will also include recourse for the State in the event that a Council defaults on its loans.

SUBMITTING YOUR APPLICATION

Applications are to be submitted via email on an application form downloadable from www.planning.nsw.gov.au.

Applicants are encouraged to contact the Department on (02) 9860 1541 or nswlif@planning.nsw.gov.au if they require any assistance.

Information required

You will need to provide the following information:

- name and address of Local Council
- the Council's Australian Business Number (ABN)
- details of an authorised person from the Local Council, or Administrator, who will act as the nominated contact for the project and from whom more information can be sought, if required
- details of the location and type of infrastructure project
- quotes from a suitably qualified contractor or a proposal from a design consultant to support costs presented in the application
- a project budget detailing costs relating to your project
- activities you could undertake to promote your project within your community, for example newsletters, signage, media releases.

Deadline for submissions

Applications must be received by 31 August 2009. No applications will be accepted after this time.

LODGING YOUR APPLICATION

Complete the application form at www.planning.nsw.gov.au and return by email to nswlif@planning.nsw.gov.au before 31 August 2009.

Files over 5 MB should not be emailed but copied to a CD and delivered to:

The NSW Local Infrastructure Fund
Department of Planning
23-33 Bridge Street
Sydney NSW 2000

If you need help with your application contact the Department of Planning on (02) 9860 1541 or nswlif@planning.nsw.gov.au

WHAT HAPPENS NEXT?

How applications are assessed

All applications must meet the eligibility criteria detailed on page 3. After the closing date, applications undergo a preliminary check to make sure they are eligible and sufficiently complete. Ineligible or incomplete applications will not be assessed.

Applications are assessed against the equally weighted essential funding criteria of ability to deliver, works essential to urban development, accelerated infrastructure provision and value for money. Applications will receive additional support if they achieve the desirable criteria specified on page 4.

Technical specialists will undertake an initial assessment of the application against the selection criteria. An independent evaluation panel will assess the applications and make recommendations to the Minister for Planning.

Projects selected for funding may not receive the full requested amount and funding may be subject to specific conditions. Decisions for funding are final.

Letting you know

You will receive notification via email to confirm your application has been received. We may also contact

you during the assessment process for further information about your application.

A list of successful applicants and project summaries will be published on the Department of Planning's website and all applicants will be informed by letter whether or not their application for funding has been approved.

Given the large number of applications expected, individual feedback on applications may not be given.

Letter of Agreement

If your application is successful, you will be required to sign a Letter of Agreement, which will stipulate all funding obligations and conditions. Conditions in the Letter of Agreement will relate to:

- project delivery
- reporting outcomes
- financial reporting
- publicity
- providing documentation.

The Letter of Agreement is signed by both the Department of Planning and the successful applicant. Applicants are expected to sign the Letter of Agreement within four weeks of receipt. If this is not achieved, the offer of funding will automatically lapse.

Once the Letter of Agreement is signed, funding will be provided. On completion of the project, a Final Report will be required which includes evidence of completion, a Statement of Expenditure and an Acquittal Certificate which must be signed by a minimum of two office bearers at the Local Council.

Other requirements

Successful applicants will also be required to:

- seek prior approval from the Department of Planning to vary proposed deliverables associated with the project
- comply with all conditions in the Letter of Agreement
- acknowledge the NSW Local Infrastructure Fund support in all promotional materials or any public statements.

Fund recipients must use the monies solely for the purpose of carrying out the project. Statements of Expenditure will be part of the project's reporting requirements. Any unexpended monies must be repaid.

OTHER INFORMATION

Confidentiality

The Department of Planning will use the information you supply to assess your project for funding. Information on funded projects may be used for promotional purposes.

The Department of Planning will endeavour to treat sensitive personal and confidential information that you provide to us confidentially. If you require strict commercial confidentiality, you should request this in your application. However, all documents held by the Department of Planning are subject to the Freedom of Information Act 1989.

Insurances and indemnity

The applicant will be required to hold broad form public liability insurance (a minimum limit of \$20 million is expected) and, where applicable, professional indemnity insurance and workers' compensation insurance. The applicant will be required to indemnify the Department of Planning for all losses and/or damage arising from the project.

Tax

Goods and Services Tax (GST) applies to payments made under the NSW Local Infrastructure Fund, if the recipient is registered for GST. It is recommended that applicants seek independent legal and financial advice to determine all taxation obligations before submitting an application.

Program changes

The Department of Planning reserves the right, at its sole and absolute discretion and at any time, to change the eligibility and selection criteria for funding streams under the NSW Local Infrastructure Fund.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.



POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

O16 [EO-OC] Murwillumbah BMX Park

ORIGIN:

Recreation Services

SUMMARY OF REPORT:

At its meeting held 21 April 2009 Council resolved to notify its intent to remove the BMX facility located of William Street, Murwillumbah allowing 21 days for comment.

Twelve submissions and/or petitions were received with nine objecting to the proposed closure with two submission supporting closure and relocation and one for closure of the park.

RECOMMENDATION:

That Council:

- 1. Undertakes immediate works to render the BMX Park safe by removing the shelter and any other elements that present safety issues.**
- 2. Undertakes a consultation process with identified stakeholders to determine options for the park; including consolidation, upgrading or relocation.**
- 3. Reports back to Council on identified options including cost estimates.**

REPORT:

At its meeting held 21 April 2009 Council resolved to notify its intent to remove the BMX facility located of William Street, Murwillumbah allowing 21 days for comment.

Twelve submissions and/or petitions were received with nine objecting to the proposed closure with two submissions supporting closure and relocation and one for closure of the park. The submissions are summarised in the table below:

ECM #	Letter or petition	Save, close or relocate	Summary
2051871	Ltr	Save	Uses park regularly - one of the reasons for purchasing her house. Cites use by international skaters. Believes that Council should do more to maintain as asset for local children.
2055357	Ltr + petition	Save	Support for maintenance and upgrade - 31 signatures.
2053703	Ltr	Save	Teacher at Murwillumbah High uses facility for sport. Knows students use outside of school hours too. "Valuable facility"
2053355	Ltr + petition	Save	Only safe local bike-riding facility - 12 pages of signatures and comments.
2053078	Ltr	Save	Objects to closure. Well used alternative to children's indoor play centre. Enough children's playground under threat.
2055357	Petition	Save	Safe and enjoyable environment for children of Murwillumbah - 11 pages of signatures.
2049955	Ltr	Save	Remove skate bowl and retain BMX track.
2044690	Ltr	Relocate	Close but provide alternative BMX site. Makes suggestions.
2055357	Ltr	Save	"Strongly object to closure". Well-used and just needs repairs.
2044353	Ltr	Close	Lives beside and considers it a haven for drug-taking, vandalism, cars and trail bikes. Unsafe and would like returned to "normal park".
2048212	Ltr	Relocate	Disgusted by state of track. Only current alternative is Knox park which is unsafe.
2065893	Ltr	Save/upgrade or relocate	Track in disrepair and not being used for its purpose. Suggest consolidating existing track into smaller jump park. Better still; build new facility in Knox Park.

Summary table of submissions received regarding proposed BMX Park closure.

In addition to the submissions received, Council's Youth Officer attended a meeting arranged by a teacher responsible for running BMX as a sport at Murwillumbah High School that was attended by 76 students, aged from 13-17 years of age. The sentiment of this meeting was that even if the facility is not great, they still value it and it is well utilised by the students.

OPTIONS

There are a number of options to consider:

a) Proceed with the proposed demolition

The submissions received indicate little support for this option.

b) Relocate the facility

Relocation of the facility would be a viable option in circumstances where a suitable location is identified and funds are available to construct a new facility. Ideally, an alternative site would need to meet the following criteria as a minimum:

- Accessible to potential users.
- Sited close to facilities such as toilets and shelter.
- Sited so as not to cause a disturbance to residential areas.
- Have a minimum 5000sqm available for development.

The only site available in Murwillumbah that appears to meet these requirements is Knox Park. However, the installation of a BMX park in Knox Park would have a significant impact on the park and potential future uses. The cost to construct a new park is estimated at approximately \$50,000

c) Reconfigure the existing facility

The existing facility could be upgraded by redesigning the facility to make it less prone to inundation and more functional. This could be achieved either by importing more dirt or potentially reconfiguring the dirt on-site to make a smaller facility.

The estimated costs to reconfigure the on-site dirt to a smaller facility are approximately \$8,000.

The cost to redesign the facility by importing additional dirt will be dependant upon the design and how much soil is required.

d) Make facility safe and leave in current state

As a minimum the park would need to be made safe by removing the shelter that appears to be an attractant for drug use and other anti-social behaviour and any other elements that are of concern such as exposed metal in tyres.

COMMENT

Although the consultation process identified a number of regular users of the park, Council has received minimal requests to upgrade the facility in the past. It may be assumed from this that the facility users have been reasonably satisfied with the standard to date. This was strongly indicated at the meeting with Murwillumbah High School students.

However, it is also worth considering potential options for making the facility more functional and in doing so, this may increase the usability of the park. A number of aspects require consideration in redesign or redevelopment of the park including cost; requirement of users such as skill levels and type of activity undertaken i.e. BMX, mountain bike etc. To determine this will require consultation with facility users and research into design considerations and options.

Accordingly, it is recommended that Council implement option d) immediately and commence a consultative process with the various stakeholders to consider options for the future of the facility which will be the subject of a subsequent report to Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES

017 [CNR-OC] Water Supply Drought Management Strategy

ORIGIN:

Manager Water

SUMMARY OF REPORT:

The NSW Department of Water & Energy's *Best-Practice Management of Water Supply and Sewerage Guidelines* requires the development and implementation of a sound Drought Management Strategy.

The objective of such a strategy is to ensure during periods of water shortages the responsible use of the region's water resources. It aims to ensure the reliability of the water supply whilst recognising the needs of the community and protecting access to water as an essential service.

Council engaged the services of Montgomery Watson Harza (MWH) consultants to assist in the preparation of the Drought Management Strategy.

The report identifies a number of recommended actions to finalise and implement the strategy.

RECOMMENDATION:

That the Drought Management Strategy be placed on public exhibition for a period of six weeks.

REPORT:

The NSW Department of Water & Energy's *Best-Practice Management of Water Supply and Sewerage Guidelines* were implemented to encourage continuing improvement in the performance of NSW Local Water Utilities (LWU). The guidelines state:-

"LWUs which achieve the outcomes required by these guidelines will have healthy and sustainable water supply and sewerage businesses and will have demonstrated best practice management of these businesses as well as their compliance with National Competition Policy."

The guidelines identify six criteria for best-practice management of water supply and sewerage including the development and implementation of a sound Drought Management Strategy.

Council engaged the services of Montgomery Watson Harza (MWH) consultants to assist in the preparation of the Drought Management Strategy. The strategy is provided as an attachment to this report.

An overview of the Drought Management Strategy Report is as follows:-

1. Introduction.
2. Water Supply Background - Provides data on population, water demand, water resources, water supply system and water quality for each water supply system.
3. Demand Management and Restrictions - Outlines details of the plan including the restriction trigger levels, details of the actions to be taken under each level and the removal of restrictions.
4. Contingency Plans - Addresses the contingency options available for the water supply should a drought continue.
5. Implementation of Strategy - Provides guidance on implementation aspects such as system monitoring, consultation with stakeholders and external agencies.
6. Recommendations - Recommendations for the implementation of the Drought Management Strategy.

The Strategy Report makes the following recommendations:-

1. The current Council drought management policy be revised including the current restriction triggers and targeted savings as outlined in this report. A further review of the restrictions triggers should be undertaken in 2012. At this stage the preferred contingency option will likely be available and the actual performance of the demand management program will be clearer.



2. The cessation level for flow bypass requirements at Bray Park Weir be set at a level of 50 % of the capacity of the Clarrie Hall Dam. This proposal should be reviewed in consultation with DWE and may be considered to accommodate growth. A revision of the proposed Conditions Statement for the Upper Tweed may be required.
3. Tweed Shire pursues a pipeline link to the SEQ Water Grid with a capacity of up to 20 ML/day (a volume of 14 ML/d for 2014 and 18 ML/d for 2018 required to provide continuous supply under worst case conditions), as the preferred contingency plan for the Bray Park water supply system. This option should also be further investigated as part of the Bulk Water Options Assessment study as an option to improve reliability of supply.
4. Prior to 2012 (or other approval date as advised by the Queensland Water Commission), the preferred contingency plan would be temporary desalination package plants to a capacity of 16 ML/d. Such an option would likely be triggered at 40% level in the Clarrie Hall Dam.
5. A Blue Green Algae Management Plan be developed for Council's three water bodies in accordance with the template provided in the Water Directorate's management protocols.
6. A catchment management plan and land management guidelines be developed for the Upper Tweed catchment (upstream of Bray Park Weir).
7. An additional mixer be installed in the Clarrie Hall Dam to enhance the capacity, flexibility of the existing system and to provide system redundancy.
8. A register of critical customers be developed for use in the drought communications plan.
9. Monitoring of the Tweed River and Doon Doon Creek flows be upgraded to enable monitoring as required under the draft Department of Water & Energy's Conditions Statement.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Compliance with the NSW Department of Water & Energy's *Best-Practice Management of Water Supply and Sewerage Guidelines*.

POLICY IMPLICATIONS:

If adopted after exhibition, amend relevant water supply policies in accordance with strategy recommendations.



UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Tweed Shire Council Drought Management Strategy - Final Report (ECM 3395049)
-



O18 [CNR-OC] Richmond-Tweed Regional Library Superannuation Contribution

ORIGIN:

Director Community & Natural Resources

SUMMARY OF REPORT:

Council has received an invoice for an additional \$25 406 GST inclusive for Tweed Shire Council's contribution toward the increased Superannuation Liability of the Richmond-Tweed Regional Library. This additional contribution was anticipated and included in the 2009/2010 budget allocations and therefore will not impact on other programs. The contribution is considered to be equitable on the basis of the services provided to Council.

RECOMMENDATION:

That Council approve the additional \$25 406 GST inclusive payment for Tweed Shire Council's contribution toward the increased Superannuation Liability of the Richmond-Tweed Regional Library.



REPORT:

Council has received an invoice for an additional \$25 406 GST inclusive for Tweed Shire Council's contribution toward the increased Superannuation Liability of the Richmond-Tweed Regional Library. This additional contribution was anticipated and included in the 2009/2010 budget allocations and therefore will not impact on other programs.

The contribution has been calculated as per the agreed formula used to calculate each Council's contribution. The Library is a very efficient and effective way to provide library services to the community and has been for a long period of time. Tweed's contribution is the lowest per capita contributing Council within the group. Of the other Councils, Byron and Ballina have not included any additional contribution and Lismore has included approximately 80% of their increase.

The contribution is considered to be equitable on the basis of the services provided to Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Budget allocation has been provided for in 2009/2010 resulting in no impact on other programs.

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] Gordon Darling Foundation Grant Funding

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

The Gordon Darling Foundation has awarded grant funding of \$4630 (GST inclusive) to the Tweed River Art Gallery.

RECOMMENDATION:

That Council:

- 1. accepts the Gordon Darling Foundation grant of \$4630.**
- 2. executes all documentation required through the Gordon Darling Foundation funding agreement.**
- 3. votes the expenditure and includes the funding as part of the 2009/2010 Art Gallery budget.**

REPORT:

The Gordon Darling Foundation has announced the success of the application submitted by the Tweed River Art Gallery in May 2009. A copy of the letter of offer is reproduced in this report.

The grant funding of \$4630 (GST inclusive) has been awarded to assist with the publication associated with the exhibition titled *Seduction & Subversion: the art of James Guppy 1989 - 2009*. This exhibition is an initiative of the Tweed River Art Gallery and is a major touring exhibition marking the 20th anniversary of the Gallery.

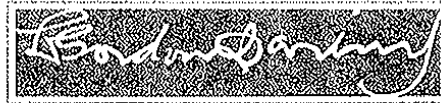
The extensive tour includes private and public loans of art works, and will be hosted by 10 regional gallery venues over 2 years.

The success of the Art Gallery's application is an excellent result in a competitive funding round, reflecting the strength of the application and the modest funding request.

The grant funds will primarily cover the fees associated with printing the 48 page publication, with some funding also covering the graphic design fees.

The tour of the exhibition is as follows:

Gallery	Dates
Tweed River Art Gallery	2/10/09 – 15/11/09
Ipswich Regional Art Gallery	28/11/09 – 17/1/10
Bathurst Regional Art Gallery	5/2/10 – 21/3/10
Manning Regional Art Gallery	9/4/10 – 23/5/10
Wollongong City Gallery	4/6/10 – 25/7/10
Orange Regional Gallery	6/8/10 – 19/9/10
Logan Art Gallery	13/10/10 – 13/11/10
Manly Art Gallery & Museum	13/12/10 – 30/1/11
Coffs Harbour Regional Gallery	11/2/11 – 15/4/11
Albury Regional Gallery	6/5/11 – 26/6/11



GORDON DARLING FOUNDATION

CHAIRMAN : GORDON DARLING AC CMS

DEPUTY CHAIR : MARILYN DARLING AC

TRUSTEES : JAMES MOLLISON AC, ALISON CHOOK AC, PHILIP BAGOR AM, RON RADFORD AM

ADMINISTRATION : AILEEN ELLIS, SHERRIE ANTONIO

Susi Muddiman
Director
Tweed River Art Gallery
PO Box 816
MURWILLUMBAH NSW 2484

29 June 2009

Dear Susi

I wish to confirm my advice that the Trustees have awarded Tweed River Art Gallery a grant of \$4,630 (inc. GST) to assist with the publication associated with the exhibition *Seduction and Subversion: The art of James Guppy*.

A tax invoice is required before payment can be made.

Grants from the Foundation are subject to the following conditions:

- The Foundation's logo should be on, or opposite to, the title page of the publication with the accompanying wording "Publication Sponsor" or similar.
- The Foundation's logo must also be used on all material published in relation to the project - invitation, room brochure; educational material and promotional material (minimum height of logo 8mm). The logo is available electronically or as a hard copy bromide.
- At the conclusion of the project, the recipient completes the Final Grant Report.

The Trustees request that the Foundation be kept informed of the progress of the project and are advised of any changes made to the project as outlined in the application.

Regards

Aileen Ellis

TELEPHONE (03) 9826 3165 • FACSIMILE (03) 9888 3187
BOX 7456 • 51 RIVER ROAD PO • MELBOURNE • 3066
E MAIL gdarling@tweedartgallery.com.au

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Council must meet the obligations of the Gordon Darling Foundation funding agreement. The offer of funding is conditional upon Council entering into a legally binding agreement with the Foundation. The required reporting and grant acquittal obligations of this funding will be completed by the Art Gallery Director.

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.

O20 [CNR-OC] Federal Government Visions of Australia Program Grant Funding

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

The Federal Government's Visions of Australia Program has awarded an Exhibition Development grant of \$30 415 (GST inclusive) to the Tweed River Art Gallery.

RECOMMENDATION:

That Council:

- 1. accepts the Federal Government's Visions of Australia funding of \$30 415.**
- 2. executes all documentation required through the Visions of Australia Funding Deed under the Common Seal of Council.**
- 3. votes the expenditure and includes the funding as part of the 2009/2010 Art Gallery budget.**

REPORT:

The Federal Government, through the Visions of Australia Program, has announced the success of the Exhibition Development application submitted by the Tweed River Art Gallery in March 2009.

The Exhibition Development grant funding of \$30,415 (GST inclusive) has been awarded to develop, as an initiative of the Art Gallery, a touring exhibition titled *Surface Tension: the art of Euan Macleod 1991-2008*.

The success of the Art Gallery's application is an excellent result in a competitive funding round, reflecting the strength of the application, the subject matter of the exhibition and the growing integrity and reputation of the Gallery's professional programming. The grant funds will primarily cover the fees of the guest curator's fees, professional writing fees and administrative costs involved in travel and photography of art works.

The tour of the exhibition is as follows:

- SH Ervin Gallery, Sydney - 12 November 2010 to 16 January 2011
- Tweed River Art Gallery - 28 January to 20 March 2011
- Newcastle Region Art Gallery - 8 April to 5 June 2011
- Morningside Peninsula Regional Gallery - 22 June to 15 August 2011
- Orange Regional Gallery - 27 August to 9 October 2011
- University of Queensland Art Museum - 28 October to 11 December 2011

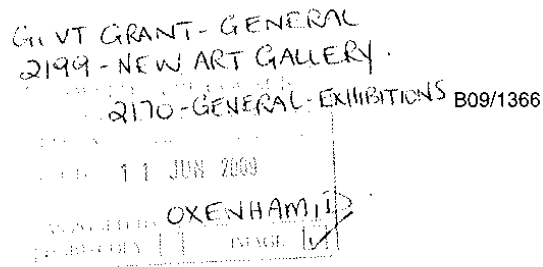
A copy of the letter of offer from The Hon Peter Garrett, Minister for the Environment, Heritage and the Arts and letter from Department of the Environment, Water, Heritage and the Arts are reproduced below.



The Hon Peter Garrett AM MP

Minister for the Environment, Heritage and the Arts

Mr David Oxenham
Director
Community & Natural Resources
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484



Dear Mr Oxenham

04 JUN 2009

Thank you for your application for funding from the Visions of Australia program. I am delighted to advise you that, on the recommendation of the Visions of Australia Committee, I am offering funding of \$27,650 to contribute towards the development costs for the exhibition *Surface Tension: The Art of Euan Macleod 1991-2008*.

The funding is conditional upon you entering into a legally binding Funding Deed with the Commonwealth through my Department. The Funding Deed will not be finalised until any overdue acquittals of previous funding provided by my Department to your organisation are completed.

You should note that pursuant to the terms of the Funding Deed, you are required to acknowledge the Australian Government's support for your project. This acknowledgement is an excellent opportunity for audiences to be made aware of Australian Government funding of Visions of Australia exhibitions.

A Departmental Officer will contact you shortly and provide you with copies of the Funding Deed for signature. An annexure to the Funding Deed contains guidelines for acknowledgement of both the Visions of Australia program and the Australian Government. In the interim, if you have any queries, please contact the Manager, Visions of Australia, Ms Maria Graviyas, by telephone on 02 6275 9519 or by email at visions.australia@environment.gov.au.

NOTE
copy also received for Susi Muddiman

Parliament House, Canberra ACT 2600

Telephone (02) 6277 7640

Fax (02) 6273 6101

Since its inception, Visions of Australia has been providing Australians, particularly those in regional areas, with the opportunity to have access to a wide variety of Australian cultural material. Should you accept the offer of funding, your project will be contributing to the continuation of this achievement. Please accept my best wishes for success with your exhibition development project.

Yours sincerely



Peter Garrett

cc. Ms Susi Muddiman, Director, Tweed River Regional Art Gallery



Australian Government

Department of the Environment, Water, Heritage and the Arts

our reference
D32/2

Mr David Oxenham
Director
Community and Natural Resources
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

TWEED SHIRE COUNCIL
FILE NO: 2170, 2180, 2155
DATE: 18 JUN 2009
BY: OXENHAM, D
FOR: MUDDIMAN, S.

cc Ms Susi Muddiman, Art Gallery Director, Tweed River Regional Art Gallery

Dear Mr Oxenham

RE: *Surface Tension: The Art of Euan Macleod 1991-2008* (D32/2)

I refer to the recent letter from the Minister for the Environment, Heritage and the Arts, the Hon. Peter Garrett AM MP, offering your organisation Funding from the Visions of Australia Program of \$30,415 (GST inclusive) towards the Development of the above Exhibition.

You also indicated in your Application that you were reliant to some extent on Other Contributions which were not at that stage confirmed. This applies to \$3,000 from the Tweed River Art Gallery Foundation Inc. and \$10,000 from the Gordon Darling Foundation. Could you please provide written confirmation at the time of returning the Funding Agreement, either that the Other Contributions specified have been confirmed, that other contributions have been secured in their stead, or, where this is not the case, information in relation to the status of efforts to procure other contributions to ensure the Activity can proceed to completion and continues to comply with Visions of Australia Objectives and Program Guidelines. Please note that under clause 6.1.3 of the Funding Agreement, the Commonwealth has a discretion in relation to continued funding for the Activity in certain circumstances.

The offer of Funding is conditional upon your organisation entering into a legally binding Funding Agreement with the Commonwealth through the Department of the Environment, Water, Heritage and the Arts. The Funding Agreement will not be finalised until any overdue acquittals of previous funding provided under the Visions of Australia Program to your organisation are completed.

NOTE

COPY RELIEVED FOR SUSI MUDDIMAN

Related doc: 2179129



Enclosed are two copies of the Funding Agreement. **This is an important legal document** which specifies your obligations in relation to the Funding, including your obligation to provide a Final Report in written and electronic form (including an acquittal of the Funds) at the end of your Activity. You should read the document carefully and seek independent advice if required. You should note that the Funding is approved only for the Activity as specified in your Application. You may not change any aspect of that Activity unless you notify us and obtain our prior agreement in writing. Failure to do this may result in you being required to repay some or all of the Funding.

If you wish to accept this offer of Funding, please ensure that both copies of the Funding Agreement are signed by the relevant authorised office holder/s of your organisation. **Do not date the Funding Agreements.** Both signed copies of the Funding Agreement must be returned addressed as follows **within 20 Business Days** of the date of this letter, after which time the offer of funding lapses:

Ms Maria Gravias
Manager
Visions of Australia
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
CANBERRA ACT 2601.

The Funding Agreement will commence when the Commonwealth signs and dates the two copies of the Agreement. One copy of the Funding Agreement will be returned to you for your records. After you receive the signed copy of the Funding Agreement you should not undertake any work on the Activity until the starting date you have specified in your Application (Attachment A to the Funding Agreement) as the Commonwealth is not able to pay for any work that you do prior to that date.

At the same time that you return the signed copies of the Funding Agreement you should also provide:

- certificates of currency or other evidence of your compliance with the insurance requirements of clause 24;
- details of your organisation's financial institution on the attached form;
- where applicable, written confirmation that you have obtained any previously **unconfirmed Other Contributions** or complied with clause 6 of the Funding Agreement; and
- a tax invoice for any Taxable Supply in accordance with clause 5.1.3.

Once you have complied with the above requirements the Funds will be paid directly into the bank account established in accordance with the requirements of the Funding Agreement (see Item B.1.4 of the Schedule) providing your Activity is due to commence within the next 60 Business Days. Where your Application indicates that this is the case, but you will not be starting on the indicated date for any reason please contact either Ms Gravias or myself as a matter of urgency.



Please note that where your Application indicates that you will not be commencing your Activity within the next 60 Business Days, the Funding will not be paid until 60 Business Days prior to the start of the Activity (in accordance with Item B.1.2 of the Schedule) and after you have provided written confirmation that your Activity will commence within the next 60 Business Days.

Please note clause 14 of the Funding Agreement which relate to participation at public events by the Minister and others; and to acknowledgement and publicity. You should also note the requirements of Annexure B to your Funding Agreement. Please contact either Ms Gravias or myself if you have any queries in this regard.

Since its inception, Visions of Australia has been providing Australians, particularly those in regional areas, with the opportunity to have access to a wide variety of Australian cultural material. Should you accept the offer of funding, your Activity will be contributing to the continuation of this objective.

If you have any questions concerning your offer of funding or any other aspects of the Visions of Australia Program please contact Maria Gravias on (02) 6275 9519 or email visions.australia@environment.gov.au.

Yours sincerely

Jane Greagg
Director
Collections Support and Access

16 June 2009

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Council must meet the obligations of the Visions of Australia Funding Deed. The offer of funding is conditional upon Council entering into a legally binding Agreement with the Commonwealth through the Department of the Environment, Water, Heritage and the Arts. The required reporting and grant acquittal obligations of this funding will be completed by the Art Gallery Director.

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] Allocation Home & Community Care (HACC) Funding for Tweed Community Options and Tweed Shire Council Community Worker (HACC)

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

Tweed Shire Council Community Options has received a Funding Agreement package from Department of Ageing Disability & Home Care ("DADHC") dated 19 May 2009 for the period 1 July 2009 to 30 June 2012. The Funding package contains detailed contractual agreement between DADHC and Council that includes; Service Provider Detail, Funding Services Report, Summary of Funded Services and Outputs, Service Details, Outlet and Property Details.

Correspondence from DADHC noted that they are pleased to provide the funding package to Tweed Shire Council and invite Council to review the package carefully and return documentation once signed under Council seal.

Provision of HACC Case Management services for frail aged people and people with disabilities, and their carers has been an ongoing service for eligible and prioritised residents of the Tweed Shire for more than 15 years. The program utilises funding from the State and Commonwealth Governments, who jointly fund HACC services. DADHC administers the fund.

RECOMMENDATION:

That Council:-

- 1. Accepts the Funding Agreement Package for the period 1 July 2009 to 30 June 2012.**
- 2. Accepts \$645,368 in funding for Tweed Shire Community Options and Tweed Council Community Worker Home & Community Care for 2009-2010 Financial Year and votes the expenditure.**
- 3. Signs and executes the relevant Service Contract documents under the Common Seal of Council.**

REPORT:

Tweed Community Options is one of approximately 60 funded organisations throughout NSW who provide case management services to residents of NSW.

Residents who refer to Community Options need to be eligible for HACC services. They are then prioritised to receive case management assistance once a screening and comprehensive assessment is undertaken to identify their needs and Community Options' capability to support them. Should case management not be appropriate or available then information and support is given to assist them to link into services that will better meet their needs.

DADHC has guidelines that are implemented by service staff in order to provide the support and resources via an equitable and transparent service model to those people who are most in need of case management. HACC case management involves a case manager who works alongside the client and their family to ensure adequate support services are allocated to the client. The program aims to enable clients to remain at home rather than risk premature entry into residential care facilities or similar accommodation.

HACC funding comprises approximately 60% Australian Government and 40% State Government in addition to Local Government contributions. The Funding agreement package outlines other HACC funding for the Tweed Shire in addition to the Tweed Community Options funds.

A copy of the correspondence from DADHC detailing the funding agreement is provided at the end of this report.

In Schedule 1 Part B of the Service Description Schedule, DADHC have detailed their financial commitment towards the Tweed Shire Council for the Tweed Council Community Worker HACC. In the financial year 2009/2010 this amount will be \$27,544.

Schedule 1 Part D outlines the contractual requirements specific to Tweed Community Options which is described as a HACC multi service outlet. Tweed Community Options is fully funded from the annual HACC case management grant, which also states the required services and their outputs. In the financial year 2009/2010 this amount is \$617,824 which is to be expended in specific categories - each with specific outputs. These HACC services include domestic assistance, social support, personal care, meals service, respite care, case management, home modification, transport, goods and equipment – most of which is administered via a brokerage model of community care while the case manager is securing linkages into ongoing service system for the client.

Schedule 1 Part F of the funding package is DADHC's Service Description Schedule outlining a short description of the Murwillumbah Community Centre/HACC Rooms and the Tweed Heads HACC Centre. Both of these community facilities were originally funded by a partnership involving Tweed Shire Council and HACC funding. This is in keeping with partnerships that involve many other Councils and HACC funding for similar buildings. Maintenance of these facilities is a responsibility of the Tweed Shire Council.



As a result of a close inspection of the forwarded contract which identified minor omissions and miscalculations, further correspondence was entered into that alerted DADHC to this issue (letter from COPS coordinator dated 24 June 2009). A reply dated 7 July 2009 from Peter Blackwell outlining DADHC's position was received by Council. The correspondence confirms that the contract, although requiring minor amendments, is required in order to receive the first quarterly payment. The changes do not affect outcomes and outputs.



**Department
of Ageing,
Disability &
Home Care**

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

HANDICAPPED/DISABLED MATTERS
AGREEMENTS
GOVT GRANT - COMMUNITY OPTIONS

TWEED SHIRE COUNCIL
FILE NO. <u>HACC, AGED SERVICES</u>
DOC NO.
REC'D 29 MAY 2009
ASSIGNED TO <u>CORBETT/G</u>
EMERGENCY <input type="checkbox"/> PRIORITY <input checked="" type="checkbox"/>

AH09/20790
File: 07/2684

Dear Mr Rayner

The Department is pleased to provide your Funding Agreement package for the funding period commencing 1 July 2009.

FUNDING AGREEMENT PACKAGE comprises:

- The **Funding Agreement** (2 copies)
- **Schedule 1 - Service Description Schedule** consisting of the following parts:
 - Part A: Service Provider Details
 - Part B: Funded Services Report (a complete listing of funded services for your organisation)
 - Part C: Summary of Funded Services and Outputs (by Program)
 - Part D: Service Details (one for each funded service)
 - Part E: Outlet Details (one for each outlet)
 - Part F: Property Details (where applicable)
- The **Recipient Created Tax Invoice (RCTI) Agreement** (blue form - 2 copies)
- **Funding Agreement Guide**

The Funding package confirms your organisation's funding for the next period. Subject to the terms of the Agreement, the relevant period for your service/s is specified within Schedule 1, Part B - Funded Services Report.

NEXT STEPS:

You will need to read through the Funding Agreement together with the relevant policies and guidelines to ensure that you understand the terms and conditions of funding. The policies, guidelines and a set of questions and answers are available from the DADHC website at:

<http://www.dadhc.nsw.gov.au/dadhc/Doing+business+with+us/contracts.htm>

ABN 34538109783 **Address** Level 5, 83 Clarence Street, Sydney NSW 2000 **Phone** (02) 8270 2000 **DX** 10485 **SSE TTY** (02) 8270 2167 (for people who are hearing impaired) **Website** www.dadhc.nsw.gov.au
If you require help translating this information, please call the Translating and Interpreting Service on 13 14 50.



Please review the package carefully and return the following to the NGO Funding and Acquittals Unit by 30 June 2009:

- two duly executed copies of the Funding Agreement;
- two duly executed copies of the RCTI Agreement (blue form). Please note GST confirmation is also required at point (f);
- one copy of the completed Schedule 1, Part F: Property Details (if applicable).

Upon the Department duly executing the Funding Agreement, a copy of the Agreement will be returned to you for your records and funding for the July 2009 quarter will be released.

It is important that Service Providers note that funding from 1 July 2009, cannot be released until the Department receives the signed copies of the Funding Agreement.

We look forward to continuing to work with you to provide services to older people, younger people with a disability and their carers. Should you have any questions regarding the Funding Agreement or Schedule contained in this package please direct them to Delma Rigby in the Regional Office.

Yours sincerely



Stephen Chanphakeo
A/Director
NGO Funding and Acquittals Unit
19 May 2009



7th July 2009
Ms Linda Wiggins
Tweed Shire Council
PO Box 816
Murwillumbah 2484

Dear Ms Wiggins

I refer to your email correspondence 24th June 2009 regarding the DADHC Funding Agreement for Tweed Shire Council.

DADHC will shortly be implementing a new Financial Management System (FMS) and as part of the transition to this new system there has some migration problems. Unfortunately the Funding Agreement sent to Tweed Shire Council does contain errors that, in the main, relate to the fact that indexation of 3.3% had not been applied to 2008/09 recurrent funding amounts. Despite these errors I am able to confirm that the amounts and outputs listed in Schedule 1 Part C of the Funding Agreement (attached) have been reviewed and are correct for the 2009/10 financial year.

To ensure that services continue to receive quarterly funding payments the DADHC Funding & Acquittal Unit have advised that Service Providers may return the Funding Agreement containing errors with handwritten amendments or a covering letter that highlight any further issues that require review.

I would also suggest that you attach a copy of your most recent valuations on the two properties in Schedule 1 Part F and return them with the signed Funding Agreement. The information will be updated in the new FMS database.

I trust this information will assist with processing your new Funding Agreement. For further information please do not hesitate to contact Delma Rigby on (02)6620 1421.

Sincerely Yours



Peter Blackwell
Service Support and Development Officer
DADHC Northern

Northern Region, Level 5, 29 Molesworth St Lismore 2480
Phone: 02 6622 8233 Fax: 02 6622 8218 DX: 7708
The Home Care Service of NSW can be contacted on 1800 044 043



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The grant fully funds the Tweed Community Options program.

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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O22 [CNR-OC] Kingscliff Coastline Management and Foreshore Masterplan**ORIGIN:****Design****SUMMARY OF REPORT:**

In order for Council to implement the Kingscliff Foreshore Protection Works as part of the Tweed Shire Coastline Management Plan and the Kingscliff Foreshore Masterplan, a source of beach nourishment sand needs to be secured.

Currently two feasible sources of sand have been identified and both are reliant on approvals for extraction and/or supply being granted by the Department of Lands.

This report details the history of the proposed strategy for foreshore protection and upgrade of the Kingscliff foreshore and recommends Council make representations to the Minister due to the vital need to secure a sand source.

RECOMMENDATION:**That Council:-**

- 1. Writes to the Minister for Lands (Hon. Tony Kelly MLC) seeking a meeting to discuss the Kingscliff Foreshore Protection Works under the Tweed Shire Coastline Management Plan and Kingscliff Foreshore Masterplan, with the aim of seeking his support, to secure a source of sand for the beach nourishment at Kingscliff.**
- 2. Requests the Minister confirm the availability of sand from the Tweed River entrance navigational channel for uses other than supply directly to Queensland beaches under the Tweed River Entrance Sand Bypassing Act 1995.**
- 3. Requests the Minister obtain advice from the Department of Lands on the status of the investigative licence for the dredging of Area 5 in the Tweed River and any options to expedite granting of a licence over this area for extractive dredging.**

REPORT:

Background

In June 2000 Tweed Shire Council (TSC) engaged Consultants to develop the Tweed Coastline Hazard Definition Study. This Study identified and defined the coastline hazards and underlying coastal processes affecting the Tweed Shire coastline. The study mapped the landward extent of the hazard zones for the immediate, 50 year and 100 year planning timeframes. This Study was adopted by Council at the Meeting of 19 September 2001.

At the Council Meeting of 4 September 2002, Council resolved to prepare the Tweed Coastline Management Study and Management Plan.

In July 2005, Tweed Shire Council (TSC) adopted the Tweed Shire Coastline Management Plan prepared by Umwelt Environmental Consultants. The Coastline Management Plan outlines a series of recommendations for each of the coastal villages in the Tweed Shire.

The Kingscliff Foreshore Protection Environmental Impact Study was commissioned in April 2006. The preferred strategy at the time, for the protection of public assets along Kingscliff foreshore and as adopted in the Tweed Shire Coastline Management Plan, was that of a flexible rock seawall extending for approximately 500 metres from the existing seawall at the Kingscliff Bowls Club to the Cudgen Headland Surf Lifesaving Club combined with initial and ongoing sand nourishment.

Following a reassessment by the Consultants of available beach profile data and evaluation of the hazard reduction that would ensue from initial and ongoing sand nourishment, the preferred strategy was amended in December 2006 to involve:

- An underground vertical piled seawall of about 80 metres protecting the Cudgen Headland SLSC only;
- Initial and ongoing sand nourishment of Kingscliff beach approximately between the Cudgen Headland SLSC and the existing seawall at the Kingscliff Beach Club. This would also include dune creation, fencing, provision of access ways and revegetation. Initial sand nourishment is estimated at 250,000 cubic metres with ongoing nourishment of 50,000 cubic metres required over 10 years;
- A linear beach reserve about 15 metres wide within the boundary of the current Kingscliff Holiday Park to act as a buffer to any redevelopment of the site;
- Management of stormwater to include detention, reuse, infiltration and controlled overflows to limit impact of stormwater flows on the beach.
- Ongoing monitoring to review the impacts of predicted long-term recession and climate change to determine if any change in strategy is required.

Also in 2006, Council commenced the Kingscliff Foreshore Masterplan. The masterplan is a planning document that establishes a vision for future upgrade works along the Kingscliff Foreshore from Cudgen Creek in the south, to the North Kingscliff Holiday Park, that will be realised over a period of up to 20 years. The Masterplan was adopted by Council in July 2007.

Current Process

Currently Council is planning to implement a number of projects identified in the Masterplan, which are contained in the precinct between the Cudgen Headland Surf Life Saving Club to the southern boundary of the Kingscliff Beach (Bowling) Club.

The identified projects are:

- Beach nourishment, dune restoration/revegetation and stormwater management.
- Construction of an underground vertical piled seawall to protect the Cudgen Headland Surf Life Saving Club building.
- Redevelopment and reduction in the extent of the Kingscliff Beach Holiday Park. The proposed redevelopment comprises the following key elements:
 - ♦ The provision of an area of public open space in the southern third of the existing caravan park and the closure of the existing entrance;
 - ♦ The creation of a new entrance at the northern end of the existing caravan park with associated visitor parking, reception/office and manager's residence;
 - ♦ A revised layout to cater for 56 short term sites and 16 camp sites providing 72 sites in total with associated road, drainage and electrical works;
 - ♦ Provision of a precinct containing recreation and communal amenities in the centre of the park;
 - ♦ Additional facilities – barbeques and visitor parking – in appropriate locations within the park;
 - ♦ Landscaping and plantings to improve the amenity of the park; and
 - ♦ Works to protect the park and the adjoining area of public space from coastline hazards.
- Creation of a Town Park and linear foreshore reserve in the reduced area of the Kingscliff Beach Holiday Park. The key elements of the Central Park include:-
 - ♦ Boardwalk along beach frontage.
 - ♦ Access platform to beach.

- ♦ Low grass mounding with picnic shelters and barbeques.
- ♦ Toilets and showers.
- ♦ Cenotaph retained in existing position.
- ♦ New promenade connecting Marine Parade to beach.
- ♦ Community Hall to be retained and upgraded.
- ♦ Possible kiosk.
- ♦ New playground.
- ♦ Basement car park

Besides the Construction of the underground seawall to protect the Cudgen Headland Surf Life Saving Club building, which is currently being designed with a view to constructing the wall in the winter of 2010, all of the remainder of the projects hinge on the provision of sand nourishment to Kingscliff Beach.

It should be noted that all of the proposed works listed above would be undertaken on Crown Land and therefore need the approval of the Department of Lands prior to any works commencing.

Sources of Sand

The source of nourishment sand is a significant driver for the implementation of the Kingscliff Foreshore Masterplan. Without the sand the following projects **cannot** be implemented;

- Beach nourishment, dune restoration/revegetation and stormwater management.
- Redevelopment and reduction in the extent of the Kingscliff Beach Holiday Park.
- Creation of a Town Park and linear foreshore reserve in the reduced area of the Kingscliff Beach Holiday Park.

As well, whilst the beach nourishment is not implemented significant assets, namely the Kingscliff Beach Holiday Park and Kingscliff Community Hall, are at risk.

As noted previously, the initial nourishment volume would be in the order of 250,00 cubic metres with ongoing periodic nourishment equivalent to 5000 cubic metres per year (most likely to occur at intervals of approximately 5-10 years). The beach nourishment program would aim to create a dune with a crest level of 5m AHD and to widen the existing beach by approximately 15 metres. This effectively moves the location of the immediate coastal hazard line (erosion risk) seaward. Ongoing nourishment and dune management would maintain the hazard line at a constant location into the future. Monitoring would be required to ensure the effectiveness of the nourishment in protecting beachside assets and to indicate the necessary frequency of re-nourishment in response to changing environmental factors (Climate Change and predicted local long-term recession).

To obtain a source of the required sand Council recently advertised for suitable companies to submit Expressions of Interest (EOI) to provide the sand. It should be noted that the sand needs to be compatible in size, shape and colour to the existing sand on Kingscliff Beach. The EOI process did not identify a suitable, immediately available sand source in the volumes required.

Cudgen Creek has been suggested as a possible source of the beach nourishment sand. Unfortunately there is insufficient sand volume to satisfy the initial nourishment requirements (250,000 cubic metres). Additionally, removal of significant quantities of sand from the littoral system updrift side of Kingscliff Beach will alter the natural Northward movement of sand onto Kingscliff Beach.

However, Cudgen Creek may represent a possible supply of ongoing and/or 'emergency' nourishment, subject to the impacts on coastal processes being addressed.

It has become apparent that the only viable sand sources are as follows:-

1 Tweed River Entrance Sand Dredging

The dredging of the sand bar in the Tweed River entrance has existing extraction approval. It is subject to the Tweed River Entrance Sand Bypassing Project (TRESBP) Agreement under the *Tweed River Entrance Sand Bypassing Act 1995* and is linked to the sand requirements of Queensland to "restore the recreational amenity of the beaches and to maintain it". Clause 20 of the Act states that "*All sand which enters the System becomes an asset of the Project...*".

Therefore, it is anticipated that use of this source of sand would require concurrence of both the NSW and Queensland Governments. The project managers would need to establish if external use of the sand would be permissible under the Act. This option has been raised at numerous TRESBP Working Groups and Advisory Committee meetings but has not been furthered by the project managers.

Ideally the material would be removed, transported and placed utilising a suitable sized dredge, possibly the Port Frederick, which is due to return in 2010. Placement of the sand by dredge onto Kingscliff Beach would be the optimal outcome as this would enable the sand to be placed (by a combination of pumping, spraying and bottom dumping) across the entire width of the beach including nearshore with minimal need for reworking by heavy plant.

2 Area 5 in Tweed River (downstream of Barneys Point Bridge)

Currently there is no existing extraction approval, however an investigation licence is held over the area by Action Sands. An investigation licence allows the proponent to undertake all preliminary investigations prior to committing to a full extractive licence with required approvals. There was a significant delay following the issuing of that investigative licence due to the need for the TRESBP to undertake sufficient monitoring on the impacts of that project on lower estuary shoals.

It is understood that the amount of material potentially available from Area 5, Tweed River is more than required for the Kingscliff nourishment works. Additionally, it may be possible to enhance navigational channels within the lower Tweed River estuary with a well-designed extractive dredging program.

The sand source may require removal of oversize material and fines before placement on the beach. The material could be pumped direct to Kingscliff, in which case some processing equipment would need to be temporarily established near the beach.

Conclusion

Both of the potentially available sand sources listed above are dependent on extraction and/or supply approval being granted by the Department of Lands. As mentioned earlier the Department is also the "owner" of the land on which the Kingscliff Foreshore Protection and Masterplan works are to be undertaken. In recognition of the vital role of the Department of Lands in both securing a sand source and approval of the proposed works, it is recommended that Council writes to the Minister for Lands seeking a meeting. The purpose of this meeting is to enable Council to brief the Minister of the need to secure a sand source and that he may make representations on Council's behalf to Officers of the Department and seek clarification on a number of issues raised by Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Significant financial impacts on major strategic projects.

POLICY IMPLICATIONS:

Policy implications at New South Wales and Queensland state level.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

O23 [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 Tweed Gold Coast Family History & Heritage Association Inc, declines the request for a reduction of fees for hire of Tweed Heads Civic Centre for the annual Antique Fair to be held from 7 to 9 August 2009.**
2. **With reference to the request from Twin Towns Stamp Club Inc, declines the request for a reduction of fees for hire of the South Tweed Community Hall for monthly meetings for the period 1 July 2009 to 30 June 2010.**
3. **With reference to the request from Christmas Day Lunch Committee, provides the Tweed Heads Civic Centre free of charge on 25 December 2009 for the 2009 Christmas Day Lunch for the needy and lonely, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".**
4. **With reference to the request from The Kingscliff Cadet Division, St John Ambulance, provides the small meeting room at Banora Point Community Centre for a reduced fee of \$64 being 50% of the full fee of \$128 for the cadet first aid training on 11 and 25 July 2009, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".**



5. **With reference to the request from Tweed Valley Jazz Club Inc, provides the Murwillumbah Civic Centre a reduced fee of \$95 being 50% of the full fee of \$190 for a free workshop for primary school music students on 22 September 2009, and that Council's support is recognised with the following acknowledgement "This program has been supported by Tweed Shire Council".**

6. **With reference to the request from Murwillumbah Evening Branch of Country Women's Association of NSW, provides the Murwillumbah Civic Centre for a reduced fee of \$215 (including set-up) being 50% of the full fee of \$430 for the Annual Craft Expo on 18 and 19 September 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?
Tweed Gold Coast Family History & Heritage Association Inc	Request reduction of fee for hire of the Tweed Heads Civic Centre from 7 to 9 August 2009 for the annual Antique Fair	\$0	That the request be declined.	A discount has been provided to Applicant for past 7 years. As Applicant derives substantial income from event, it is therefore appropriate for it to pay the full charges.
Twin Towns Stamp Club Inc	Request reduction of fee for hire of the South Tweed HACC for monthly meetings	\$0	That the request be declined.	No reduction has been provided in the past.
Christmas Day Lunch Committee	Request waiver of fee for hire of Tweed Heads Civic Centre on 25 December 2009 for 2009 Christmas Day Lunch for the needy and lonely.	\$180	That the fee of \$180 be waived.	Yes
The Kingscliff Cadet Division, St John Ambulance	Request reduction or waiver of fee for hire of Banora Point Community Centre on 11 and 25 July 2009 for cadet first aid training.	\$64	That the fee be reduced to \$64 being 50% of the full fee of \$128.	Yes
Tweed Valley Jazz Club Inc	Request reduction or waiver of fee for hire of the Murwillumbah Civic Centre on 22 September 2009 for free workshop for primary school music students.	\$95	That the fee be reduced to \$95 being 50% of the full fee of \$190.	Yes
Murwillumbah Evening Branch of Country Women's Association of NSW	Request reduction or waiver of fee for hire of the Murwillumbah Civic Centre on 18 and 19 September 2009 for the Annual Craft Expo.	\$215	That the fee be reduced to \$215 being 50% of the full fee of \$430.	Yes

A copy of each of the requests is reproduced below.

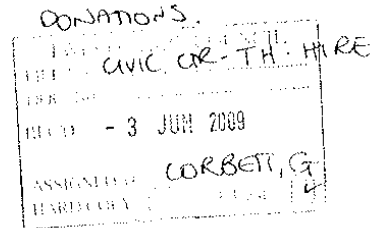


***Tweed Gold Coast Family History
& Heritage Association Inc***

PO Box 6729 Tweed Heads South 2486

Attention Mr Gary Corbett

*Tweed Shire Council
PO Box 816
MURWILLUMBAH 2484*



1 June 2009

Dear Mr Corbett,

On behalf of the Tweed Gold Coast Family History and Heritage Association Inc. Committee, I would like to enquire the cost of hiring the Auditorium and South Sea Island Room, for this year's Antique Fair, to be held 8th and 9th August 2009 at the Tweed Heads Civic Centre, and also for the 7th August so the dealers may be able to setup their displays for the Fair.

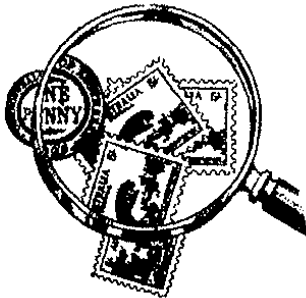
Will the Council be able to help us, as they have in the past nine years, regarding the reduced cost, as we are a non-profit organisation and this is our only fund raising event for the year.

We also ask for the advertising signs, announcing the Fair, to be placed outside the Civic Centre for two weeks before the Fair and if we could place 10 small signs at strategic places within the shire from Friday 7th to Sunday 9th.

Yours faithfully

Ducie Hood

*Ducie Hood
President & Fair Organiser*



ESTABLISHED 1981

Twin Towns Stamp Club Inc.

P.O. Box 432,
Coolangatta.
QLD. 4225.

DONATIONS
HALL - STM TWO COMM CR
CORBET, G

**Tweed Shire Council
PO BOX 816 Murwillumbah
NSW 2484**

26/5/09

**Ref Rent payable on the Home and Community Care Centre
Tweed Heads South**

Greetings

We currently hire the above hall for our monthly meetings, held on the first Monday of each month, and have been doing so for in excess of 10 years.

However, life has been getting more difficult, and whilst our membership numbers remain similar, Stamp Collecting does not attract the younger generation like it used to, and the burden of keeping the Stamp Club financially sound increasingly becomes the responsibility of an older group. Our Club is a non profit organisation, living in the Tweed, with at least 80% being retirees exceeding 65 years old.

With that in mind, we respectfully ask if you could provide us with a subsidised rental rate, or perhaps forego the rise of July 1.

Looking forward to your reply

Yours sincerely


J J Barnard Secretary



Christmas Day Lunch Committee CHARITIES.

CIVIC CTR - TH - HIRE
TWEED SHIRE COUNCIL
FILE NO. DONATIONS
DOC. NO.
DATE 23 JUN 2009
ASSIGNED TO CORBETT, Cr.
ORGANISATION
STATUS

19 June 2009

General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Att: Mr Mike Rayner

Dear Mike

Plans are well under way for the 2009 Christmas Day Lunch for the needy and lonely on Christmas Day.

This will be the twelfth year we have provided this service in the Tweed Shire Council Auditorium.

Our vision is to provide people in need with a traditional Christmas lunch with all the trimmings of Christmas.

We once again ask the Tweed Shire Council to waive its normal hiring fee for the Tweed Heads Civic Centre.

If any more information is required please contact myself on the below number

Thanking You
Yours Sincerely



Karlene Polglase
Co-Ordinator

Christmas Day Celebration Committee
Postal Address: PO Box 364, Banora Point, NSW, 2486
Telephone: 02 6674 2525 Fax: 02 6674 2100



First in First Aid



The Kingscliff Cadet Division
P O Box 544
Banora Point NSW 2486

21st June 2009

The Manager
Tweed Shire Council Cultural Services
The Coolamon Cultural Centre
Murwillumbah NSW 2480

Dear Gary,

RE: Room Hire Banora Point Community Centre

We have booked the large room at the Banora Point community Centre for Saturdays the 11th and 25th of July from 8-30 to 4-30, to hold a group training for the St John Ambulance Australia Kingscliff Cadets. This First Aid Training is being given free of charge to approximately fifteen teenagers who will then be able to volunteer in the community. We hope that you can consider a fee reduction or waiver for these 2 dates to help support this volunteer group of young people.

Thanking you for your consideration.
Yours truly,



Shelley Wilson
St John Ambulance Australia



TWEED VALLEY JAZZ CLUB INC

P.O Box 5147, South Murwillumbah 2484

Mr. Garry Corbett,
Manager, Community & Cultural Services,
Tweed Shire Council,
MURWILLUMBAH.

29/6/09

DONATIONS.
CIVIC CAR - MBAH HIRE
CORBET, G
NAME

Dear Mr. Corbett, BOOKING CIVIC CENTRE

I refer to my previous letters of July, 2008 and Councils affirmative response and advise that once again our club will be conducting a free workshop for Primary School music students at the Civic Centre on Tuesday 22nd September, 2009 from 10AM to 12 NOON

The booking has been confirmed with Mr. David Martain and we seek Councils assistance by way of a reduction/waiver of the booking fee.

The clubs involvement in school and community activities was set out in my letter of 9/7/09 and this year we conducted an afternoon tea and music for seniors during Seniors week. Our commitment to school education in music is ongoing as is our financial support in providing \$600 plus trophies to the winners of four jazz sections at the current Murwillumbah Festival of Performing Arts.

Any assistance from Council would be greatly appreciated and I look forward to your reply in due course.

Regards,

GRAHAM ROBINSON -
SECRETARY

President:
Peter McLaughlin Ph: 02 6677 1365

Vice President:
Joan Daniels Ph: 02 6672 3190

Secretary:
Graham Robinson Ph: 02 6672 3392

DataWorks Document Number: 3051711



Country Women's Association of NSW

ABN 82 318 909 926

Incorporated in 1931 by an Act of NSW Parliament

All Communication to be addressed to the Secretary of Murwillumbah Evening Branch Branch/Group

Miss Janet Twohill
371 Dulguigan Road
MURWILLUMBAH NSW 2484

CONTRIBUTIONS. HIRE

TWEED SHIRE COUNCIL

TEL: 66 214 6142 FAX: 66 214 6141

REC'D 30 JUN 2009

ASSIGNED TO CORBETT, G.

29 June 2009

Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Dear Sir

Re: Hire of Murwillumbah Auditorium

Murwillumbah Evening Branch of CWA has secured the Murwillumbah Auditorium for their Annual Craft Expo to be held on 19 September 2009.

We now seek a waiver/reduction of the hire fees for Friday, 18 September 2009 between 12 noon and 4.30pm and Saturday, 19 September 2009 (all day).

If you require any further information regarding the above please do not hesitate to contact me on (02) 66721769 (a/h).

We look forward to your favourable response in the near future.

Yours faithfully

Miss Janet Twohill
Hon. Secretary
Murwillumbah Evening Branch of CWA

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

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

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

POLICY IMPLICATIONS:

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

Festivals Policy.

Donations Policy.

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

