



# **AGENDA**

## **OPERATIONS COMMITTEE MEETING**

**Thursday 28 May 2009**

**Mayor: Cr J van Lieshout**

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



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## REPORTS THROUGH GENERAL MANAGER

## REPORTS FROM THE GENERAL MANAGER

### 01 [GM-OC] Federal Government Jobs Fund \$650M - Local Jobs, Getting Communities Working & Infrastructure Employment Projects - Update

#### ORIGIN:

**General Manager**

#### SUMMARY OF REPORT:

The Jobs Fund is a \$650 million Australian Government initiative. The aim of the fund is to create jobs, build skills and produce long-term improvements in communities affected by the global economic downturn. The Jobs Fund will provide one-off grants up to \$2 million from 1 July 2009 and not extending beyond 30 June 2011.

The grant has three streams:

1. Local Jobs, \$300 million;
2. Get Communities Working, \$200 million; and
3. Infrastructure Employment Projects, \$150 million.

Closing date for round one was 22 May 2009 at 4.30pm. Council officers identified and made application for four (4) projects under the scheme.

#### RECOMMENDATION:

##### **That Council:**

1. **Lobbies the Federal Member for Richmond to have the Tweed area identified as a Priority Local Government Area.**
2. **Notes the submission by officers of the applications:**
  - a. **Jack Evans Boatharbour;**
  - b. **To improve and upgrade the Auditoria Facilities at Murwillumbah and Tweed Heads; ;**
  - c. **Building up Tweed's farmland environmental capacity; and**
  - d. **Cycleway Construction at Kyogle Road, Bray Park**

## **REPORT:**

The Federal Government \$650 million Jobs Fund is a one-off discretionary grants program commencing on 1 July 2009 and not extending beyond 30 June 2011. The aim of the fund is to support social or infrastructure projects that create jobs and employment opportunities in communities that are affected by the global economic downturn.

Closing date for round one was 22 May 2009 at 4.30pm. Local Government is eligible to apply for funding.

Seven Local Government 'Priority Areas' are listed for urgent assistance. Tweed Shire is not currently listed as a Priority Area. However, a statement from the Jobs Fund Team, Australian Government Department of Education, Employment and Workplace Relations provides that "Project proposals are not limited to identified Priority Areas", therefore Tweed Shire maybe eligible to apply for the one-off grant funding.

## **FUNDING STREAMS:**

The Jobs Fund has 3 available streams:

1. Local Jobs, \$300 million over 2-years
  - Community infrastructure projects focusing on environmental-friendly technology and heritage.
2. Get Communities Working, \$200 million over 2-years
  - Seed capital for self-sustaining projects which create jobs and provide activities and services that improve community amenities.
3. Infrastructure Employment Projects, \$150 million over 2-year
  - Investment in infrastructure projects that generate jobs in regions affected by the economic downturn.

## **ELIGIBILITY CRITERIA:**

Proposed projects must meet a common set of gateway criteria:

1. The Local Government area has high unemployment or vulnerable to rising unemployment due to the economic downturn,
2. Proposed projects are viable and ready to start and
3. Proposed projects are self-sufficient and not requiring commonwealth funding beyond 30 June 2011.

Proposed projects also must meet at least one of following four target areas:

1. Create jobs or retain people in jobs at risk in the downturn,
2. Build skills for the future,
3. Build community infrastructure or improve amenities which generate jobs and
4. Provide seed funding for social enterprises to start-up, expand, improve and generate jobs.

## 1. LOCAL JOBS FUNDING STREAMS:

The \$300 million Local Jobs stream has an emphasis on community based infrastructure with a focus on promoting green technology, heritage and environmentally friendly projects.

- \$60 million is dedicated for heritage-related projects,
- \$40 million dedicated for commuter bike paths,
- \$200 million remaining for other projects,
- \$2 million maximum funding on individual projects and
- Projects are determined on a case-by-case basis.

- i. Heritage Projects, \$60 million - Projects will be directed to the Department of the Environment, Water, Heritage and the Arts (DEWHA) for assessment in consultation with the Australian Heritage Council.

Heritage grants are available in 5 broad categories:

1. National Heritage-listed places,
2. Heritage properties managed by the National Trust,
3. Community grants (\$1million to \$100,000) for heritage places of local, state or national significance,
4. Community grants (\$100,000 to \$20,000) and
5. National heritage project focussed on places listed in or being listed for inclusion in World Heritage List.

Proposed projects must deliver positive heritage outcomes with project assessments taking into account:

- Projects which contribute to the heritage value of a place including conservation, protection, adaption and interpretation works,
  - Projects that are consistent with the principles of the Burra Charter,
  - Extent to which projects contribute to priority themes identified by the Australian Heritage Council which include elements designed to promote awareness of the activity and the social and economic value of the heritage property and
  - The project provides ongoing direct or indirect social and economic benefit to the community, increased tourism, increased utilisation, value or rental returns of the heritage property.
- ii. Bike Path projects, \$40 million - a joint funding contribution of 50 percent is expected. Recommendations will be directed to the Minister for Infrastructure, Transport, Regional Development and Local Government or their Delegate.

Funding is available for new, extensions or refurbishment of existing:

- Off-road bike paths,
- On-road bike lanes and
- Bicycle parking facilities.

The majority of the funding must be used for construction; however, project management costs and payment of salaries and employee on-costs for additional people employed on the project are fundable.

iii. Other Green Technology and Environmentally friendly projects, \$200 million - A diverse range of innovative employment and community projects will be considered and include but not limited to such projects as:

1. Provision of energy audits and advice for the community or non-profit organisation in readiness for the impact of climate change,
2. Installation of energy efficiencies for buildings to reduce carbon emissions,
3. External landscaping to improve outdoor energy efficiencies and amenities such as shading, water features and appropriate landscaping,
4. Protection, conservation and interpretation of historic, indigenous or natural heritage places,
5. Waterways improvement, conservation and care,
6. Projects which support 'community hubs' in areas of need,
7. Land, water and wildlife survey and data collection,
8. Access control, bush regeneration, habitat protection and restoration,
9. Environment weed control and walking track construction and restoration and
10. Activities to care for the natural environment and providing community education, including archival projects.

## **2. GET COMMUNITIES WORKING FUNDING STREAM**

The \$200 million Get Communities Working stream over two years, aims to ensure communities suffering from entrenched disadvantage, vulnerability or exceptional circumstances as a result of the economic downturn are in the best position for a future recovery. The funding is not ongoing applying only to 30 June 2011.

The focus of the stream is on the delivery of employment and social projects that build capacity improve amenities and provide opportunities for job seekers. Ultimately the projects will link people with training and employment to other opportunities in the affected communities.

- Projects are assessed on a case by case basis and
- Maximum funding is \$2 million for an individual project.

The stream will fund a diverse range of innovative projects with examples provided but not limited to:

- Expanding local government jobs to provide additional services,
- Health and welfare projects for example in food preparation and food handling,
- Community facilities upgrades in areas of location disadvantage,
- Seed funding to start, establish or expand social enterprises in the area,
- Labour pool projects for non-profit agencies,



- Assistance to establish service hub models to improve crisis assistance, referral agencies and concurrent services, local transportation and access to venues for workshops training and community meetings and
- Community organisations to engage retrenched workers with skills to help them improve the organisations capacity.

### **3. INFRASTRUCTURE EMPLOYMENT PROJECTS FUNDING STREAM**

The \$150 million Infrastructure Employment Projects stream over two years builds on the previous \$800 million Community Infrastructure Program announced by Prime Minister Rudd on 18 November 2008 and 3 February 2009.

There is no cap on individual project amounts that can be funded under this stream. However it is expected these projects will be jointly funded with the State and/or Local Government.

Projects that will be considered for funding under this stream will target local community needs and will create jobs in construction, related industries and the general community.

A wide range of infrastructure projects subject to the needs of the community including new and major renovations or refurbishments will be considered.

Funding can be used for construction or fit-outs, project management costs and payment of salaries, wages to employ people. It is expected the majority of the funding will be used for construction.

Examples provided include but not limited to:

- Social and cultural infrastructure,
- Recreation facilities,
- Tourism infrastructure,
- Children, youth and seniors facilities,
- Access facilities including road and rail infrastructure and local government owned or managed airport related infrastructure and
- Environmental initiatives.

Funding will not be provided for any ongoing costs, operational or maintenance, activities that breach Occupational Health and Safety or Public Safety will also not be funded.

#### **RELEVANCE TO COUNCIL**

In the short timeframe available Council officers have identified four (4) projects that meet the eligibility criteria.

#### **1. Jack Evans Boat Harbour**

A Ministerial Task Force was formed to manage the creation of the Tweed Heads Economic Development Strategy and subsequently the Tweed Heads Town Centre Masterplan. The Masterplan was completed in August 2004 and launched by the

Honourable Diane Beamer MP, Minister Assisting the Minister for Infrastructure and Planning.

Following release of the Masterplan a Project Facilitation Team (included representatives from Department of Infrastructure, Planning and Natural Resources, Department of State and Regional Development, Department of Lands, Tweed Economic Development Corporation and Tweed Shire Council) was established to oversee implementation and Council appointed a landscape architect to project manage implementation of works in Jack Evans Boat Harbour.

Concept plans for Jack Evans Boat Harbour were developed to reflect the Tweed Heads Masterplan objectives, being:-

- Provide a mix of uses and activities that activate the area, day and night, catering for all ages.
- Provide areas for passive and active recreation that caters for the needs of the diverse range of user groups and community desires for the land.
- Establish a high profile point of difference to the Gold Coast beach environment.
- Create a safe, controlled and easily accessible environment
- Improve connections to the surrounding areas, in particular Bay Street and Duranbah Beach.
- Employ Water Sensitive Urban Design techniques to protect and improve water quality
- Complement the surrounding land uses and facilities.
- Make provision for celebrating local Aboriginal and European cultural heritage.
- Provide a safe, clean and accessible swimming lagoon for people of all ages and abilities.

The Concept Schematic Design Plan is attached to this report.

The concept plan was placed on public exhibition between April and June 2006. The consultation began with a public launch opened by the Minister for Aboriginal Affairs at the old caravan park site at Jack Evans Boat Harbour and models and information boards were left on exhibition at a number of public places. Sixty one community members replied formally to the consultation, however over 50% of these responses commented on proposed development in the Coral Street commercial area, which was not part of the project on exhibition (the Coral Street proposal is a project of the NSW Lands Department). Of the feedback that responded directly to the Jack Evans Boat Harbour design the results are summarised below:-



Comment Type	%	Details (summary)
Positive / General	62%	<ul style="list-style-type: none"><li>• Open Parkland &amp; 'natural' spaces to be re-created</li><li>• Retain 'unique' character of Jack Evans Boat Harbour</li><li>• Positive social and community benefit</li><li>• Retain and improve BBQ and picnic facilities</li><li>• Water Sensitive Urban design to improve drainage and water quality of the harbour</li><li>• Creation of opportunities for market space, public art and street performance</li><li>• Support for Kiosk proposal</li><li>• Completion of walking track and regional cycle-way</li><li>• Strong support for IPPP.</li><li>• Acknowledgement of historic water lines and history of port at Wharf Street</li><li>• New Toilet facilities</li></ul>
General Suggestions	20%	<ul style="list-style-type: none"><li>• Request for more active play facilities such as courts</li><li>• Consider shark nets / surveillance</li><li>• CCTV proposal</li><li>• Ensure access to beach/water for small boats and surf lifesaving training</li><li>• Re-consider location of interstate bus set down point</li><li>• Concern about recurrent costs and maintenance standards</li><li>• Consider dog-off leash opportunities due to current use</li></ul>
Negative	18%	<ul style="list-style-type: none"><li>• Insufficient Car parking, no parking meters</li><li>• Expense</li><li>• Insufficient consultation</li><li>• Loss of mangroves on Northern bank &amp; possible destruction of sea-grass beds.</li></ul>

The majority community response to the Jack Evans Boat Harbour concept design was positive and at its meeting held 15 August 2006 Council resolved to adopt the Jack Evans Boat Harbour design concept. At this meeting Council also endorsed Option 1 for staging of the works with an estimated cost at that time of \$6m.

#### Design Contract

During 2007 Council conducted a tendering process to select a design consultant for Jack Evans Boat Harbour design, development and contract documentation. From a large number of original expressions of interest a short list of 4 consultants was produced. On 2 October 2007 Council resolved to accept the tender from Aspect Studios to the value of \$363,134 for the design of Stage 1 works.

Aspect Studios are a landscape architect consultancy and have overall responsibility for the Jack Evans Boat Harbour design process. They have also engaged a multi-disciplinary group of sub-consultants to handle specialist aspects of the design which include coastal processes (sand movement within the harbour, shore line stability, tidal impacts, currents etc), land forming, drainage and stormwater treatment and general civil engineering. In June 2008 the consultants

presented further developed concept designs to the Council Administrators. These June 2008 concept plans were a more detailed development of the concept plan adopted by Council in August 2006. The Administrators gave the "go ahead" to finalise the designs.

The consultants presented final draft plans to a Council workshop in March 2009. Apart from a few minor issues there was general agreement plans and the consultants are now in the process of finalisation the plans and documentation.

#### Scope of Design Project

The final design plans indicating the scope and detail of the project were placed on public exhibition together with a Part V Planning Application on 15 April 2009 and the exhibition period has now closed. Council staff are now preparing an analysis of the submissions received and a determination report is to be submitted to Council in June 2009.

The project scope advertised on 15 April 2009 for a period of 28 days, was based on receipt of a substantial grant from the Federal Government's Strategic Infrastructure Fund. The scope has now been pared down for the purpose of this application because the maximum grant available is \$2 million. Attachment 2 to this report shows the original scope of works. The works applied for in this application will delete Items 7, 8, 9 and 10.

The proposed works commence some distance to the north of Bay Street and are not dependent on the proposed closure and activation of Bay Street. The proposed works also terminate at Coral Street and are not a part of the proposed commercial developments by the NSW Department of Lands in that area.

#### Conclusion

The Jack Evans Boat Harbour project will greatly enhance the amenity, useability and environment of the Tweed Heads town centre and provide an economic and employment stimulus for further economic and tourist growth in the area. It is a very worthwhile project and an additional \$2 million from the Jobs Fund grant would be of great benefit in complementing Council's existing funding sources for this project.

The total value of the works for the revised scope of this application is \$5,597,000. The works are a scaled down project with works concentrating on the northern end of the site and include:

- Civil (stormwater and levelling of Old Border Caravan Site)
- Revetment along the northern edge (Zone E)
- Beach area (part of Zone D)
- Amenities and Kiosk (Zone C)

Whilst this reduced scope of works does not include the section adjacent to Twin Towns Services Club and the section connecting into Chris Cunningham Park, it nevertheless includes the full reforming and landscaping of the Old Border Caravan Park area and will be a tremendous asset for the Tweed.

Grant amount requested approximately \$2 million (the balance of funding is included in the 2009/2010 Draft Budget).

**2. Enhancement of Tweed and Murwillumbah Auditoria**

Upgrade of both the Tweed and Murwillumbah auditoria to maximise their capacity as performing arts facilities and generate potential for future cultural activity. Both auditoria are considered valuable cultural assets and continue to provide our community with accessible venues to produce concerts, performances, workshops, seminars and forums. In keeping with the 1970's style of architectural and civic design, both auditoria were built for multi-purpose community use, and accordingly both venues present limitations in line with encouraging new audiences and high quality touring productions. Grant amount requested approximately \$1,308,000.

**3. Building Up Tweed's Farmland Environmental Capacity**

Employment of 1 project officer to develop ecological restoration projects on agricultural land including use of local contractors to undertake works and build capacity of those contractors and the landholders. Anticipated outcomes 5 ha of agricultural land revegetated with perennial species for improved water and air quality, carbon sequestration, habitat/ biodiversity enhancement, soil conservation and erosion control. Grant amount requested \$500,000 over 2 years.

**4. Cycleway Construction at Kyogle Road, Bray Park.**

Construction of a concrete cycleway 348 metres long and a retaining wall between Riveroak Drive and Ray Street, Bray Park. This construction will provide a safe pedestrian and cyclist link from the existing and developing residential areas west of Bray Park to retail, commercial and public amenities areas of Bray Park and Murwillumbah. The cycleway construction will also improve road safety on Kyogle Road at Bray Park and encourage walking and cycling. Grant amount requested is approximately \$180,000.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Grant funding requested:

- 1. Jack Evans Boat Harbour** - Total \$5,597,000 - request \$2 million grant funding (the balance of funding is included in the 2009/2010 Draft Budget).
- 2. Enhancement of Tweed and Murwillumbah Auditoria** Grant amount requested approximately \$1,308,000.
- 3. Building Up Tweed's Farmland Environmental Capacity** - Grant amount requested \$500,000 over 2 years.
- 4. Cycleway Construction at Kyogle Road, Bray Park** Grant amount requested is approximately \$180,000.

**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](http://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. Jack Evans Boat Harbour Schematic Design Plan Public Display, April-May 2006 (DW 1922188).
  2. Detailed Landscape Design - Fact Sheet 6 - Exhibition Copy (ECM 2055345).
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**O2 [GM-OC] Review of Tweed Economic Development and Tweed Tourism**

**ORIGIN:**

**General Manager**

**SUMMARY OF REPORT:**

On 1 July 2010 both funding and performance agreements with Tweed Economic Development Corporation (TEDC) and Tweed Tourism, held with Council will lapse. Both these agreements require Council to meet with both organisations to review future directions.

This report recommends Council undertake an independent review of the vision, goals and objectives for each of these organisations as well as looking at alternative delivery models.

A budget for the project has been set at \$15,000 and the Terms of Reference proposed to be forwarded to at least three suitable consultants to provide a quote.

**RECOMMENDATION:**

**That Council:**

- 1. Endorses the Terms of Reference for the Review of Council's Involvement in Economic Development and Tourism Development;**
- 2. Endorses a project budget of \$15,000 to be allocated from the existing 2008/09 economic and tourism development budget; and**
- 3. Forwards the Terms of Reference to a minimum of three (3) suitably qualified consultants with an invitation to quote.**

## **REPORT:**

### **Background**

Twenty years ago Tweed Shire Council focused all of its resources towards economic development and tourism development internally. This included staffing and running the visitor information centres itself. Increasing criticism regarding the level of performance and associated costs motivated Council to undertake an initial review of these arrangements. This review was conducted by the Hunter Valley Research Foundation into tourism within the Tweed. As a result of this work Council established the Tweed and Coolangatta Tourism Inc (TACTIC) now Tweed Tourism. This was followed by a review of Council's resources committed to economic development which led to the establishment of the Tweed Economic Development Corporation (TEDC).

### **Strategic Direction**

TEDC and Tweed Tourism are both independent organisations with a board who and are solely responsible for staffing and financial reporting. A considerable portion of each organisation's funding is reliant upon direct funding from Tweed Shire Council. Council has staff and councillors nominated to each board for accountability.

To maintain consistency and continuity four year agreements were established with each organisation to stabilise funding and guarantee performance.

Currently each organisation has a funding and performance agreement which are both due to expire on 30 June 2010. Both of these agreements require Council to meet with the respective organisation six (6) months prior to the expiration of these agreements.

### **TEDC - Key Undertakings**

In accordance with the four year agreement TEDC key undertakings to Tweed Shire Council are:

- (a) to advise, liaise and inform Tweed Shire Council planning and policy decisions which have the potential to impact on the Tweed economy
- (b) to promote employment growth through business investment/growth, attraction and expansion
- (c) to undertake promotion and marketing of the Tweed as a business/investment location
- (d) in partnership with Tweed Shire Council, create the climate and culture for economic growth through effective, sustainable, strategic economic planning.



## **Tweed Tourism – Key Undertakings**

In accordance with the four year agreement Tweed Tourism key undertakings to Tweed Shire Council are:

- (a) to advise on tourism development
- (b) to undertake tourism promotion and marketing
- (c) to provide visitor information services, including operation and staffing of approved information visitor centres
- (d) to provide an effective and efficient web site and printed materials.

## **Purpose and Scope of Study**

This report proposes to undertake a review of Council contribution and expectations in relation to resources, funding and delivery of economic and tourism development support. The review is intended to inform Council on how these organisations are performing and whether Council is achieving value for money prior to discussing future arrangements with TEDC and Tweed Tourism.

The project will undertake an independent expert review of how Tweed Shire Council currently facilitates and supports economic and tourism development.

The review will inform Council of the effectiveness of arrangements, research and make recommendations in regard to the vision, goals and objectives for Tweed Shire post 2010 and provide economic development and tourism delivery options.

The sole purpose of the review is to be an advisory document to Council.

## **Terms of Reference**

In making recommendations the consultant must:

- (a) Research and report on each organisation's success in delivering the key undertakings as outlined above
- (b) Determine in consultation with Councillors and Council staff a vision, goals and objectives to deliver and promote economic and tourism development in Tweed Shire post June 2010
- (c) Provide in some detail an analysis of a number of delivery models, including continuation of the current arrangements that could appropriate deliver the vision, goals and objectives as outlined in (b) above
- (d) Make recommendations in regard to appropriate funding levels required to support the delivery of those objectives



## **Conclusion**

This report recommends that Council endorse the attached Terms of Reference and a project budget of \$15,000 to undertake this review. These funds will be allocated from Council's Economic and Tourism budget.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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1. Review of Council's Involvement in Economic Development and Tourism Development - Terms of Reference (ECM 2053805)
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**O3 [GM-OC] Telecommunications Infrastructure Action Plan****ORIGIN:****General Manager****SUMMARY OF REPORT:**

Last year Council approached the Tweed Economic Development Corporation (TEDC) about assisting in the development of a review of telecommunications infrastructure in the Tweed and to identify the impacts poor communications are having on existing and relocating businesses.

TEDC have undertaken some background research as well as engaging an independent consultant to prepare a plan to identify how Council can get involved in improving the existing infrastructure gap.

This report recommends the establishment of a group to oversee the implementation of the recommended actions for Council which are identified in Action Plan.

**RECOMMENDATION:****That Council:**

- 1. Endorses the Telecommunications Infrastructure Action Plan.**
- 2. Establishes a group to implement the actions relevant to Council identified in the Telecommunications Infrastructure Action Plan comprising of:**
  - a. one (1) member nominated by the Director of Technology and Corporate Services**
  - b. one (1) member nominated by the Director of Planning and Regulation**
  - c. one (1) member nominated by the Director of Engineering and Operations**
  - d. one (1) member nominated by the Manager of Business and Economic Development**
- 3. Requires this group to report back to council within six (6) months to bring a set of draft policy provisions and detailing any other progress to implementing the identified Council actions from the Telecommunications Infrastructure Action Plan.**

## **REPORT:**

Late last year Council approached the Tweed Economic Development Corporation (TEDC) regarding the poor telecommunications infrastructure in the Tweed and how it is having a negative impacting on doing business. At this stage it was generally agreed that the issues needed to be quantified and a direction forward needed to be agreed so that the Tweed does not get bypassed on the rapidly emerging information super highway.

The terms of reference established for the project are summarised below.

- Review and recommend essential telecommunications infrastructure requirements for subdivisions and developments and propose methods of using the planning processes to impose these requirements.
- Review of primary Internet Service Providers operating within the Tweed and establish a strategy to lobby for increase coverage.
- Investigate the revised Federal Government's Australian Broadband Guarantee program and its implications for Tweed business.
- Investigate and propose initiatives for regional telecommunications partnerships.

TEDC prepared a background briefing paper which gave a good summary of the emerging technologies.

Given the technical nature of the field it was essential to get some technical expertise to provide some input into the project. As a result TEDC engaged GDI Consulting who are an independent information, communications and technology consultancy practice.

### **Broadband in the Tweed**

The Action Plan identifies several large national telecommunications carriers that provide broadband services to the Tweed. Others have been identified who are open to establish a presence within the Tweed. Table 1 below was presented in the Plan and identifies the current and proposed providers and the services which form their areas of interest.

**Table 1: Broadband Providers Within the Tweed Region**

	Radio / Microwave	WIMAX	2G/3G	FttP %	ADSL	Dark Fibre	Backhaul	Satellite
Cirrus Communications		✓					✓	
Soul	✓		✓		✓		✓	
Pivit #	✓			✓		✓	✓	
Macquarie Telecom ∅				✓				
Optus	✓	✓	✓		✓		✓	✓
Telstra	✓		✓	✓	✓		✓	✓
Allegro Network #		✓					✓	
Fujitsu Australia #				✓				
NextGen							✓	
Country Energy						✓	✓	
Vodafone			✓					

Source: (Telecommunications Infrastructure Action Plan, CDI, P. 29)

**Notes:**

- # No infrastructure currently in Tweed Shire
- ∅ Only to large corporate clients in metropolitan areas
- % "Fibre to the Premises" (FttP).

As the table shows not all providers are interested in providing a full spectrum of services. Additionally costs associated with providing services to areas with limited populations may not prove commercially viable. As a result more remote rural areas are presented with far fewer options for broadband services.

The Action Plan states;

*"Developers can play a significant key stakeholder role in the deployment of telecommunications infrastructure by including the provision fibre ducts along with other underground utilities such as water, power, sewerage' etc' within their developments.*

*This is particularly so given the latest development trends towards mixed-use developments and master planned communities. These forms of development bring together both residential and a diverse range of retail and commercial operations and institutions such as education within the same precinct. These precincts can provide an excellent environment not only for telecommunications but a broad range of broadband enabled content."*

Below in Table 2 the consultants have contacted all of the major urban developers within the Tweed to canvas their position on providing broadband within their developments.

**Table 2: Urban Developments in the Tweed and their Position on Broadband**

Developer	Project Details	View on Broadband
Heritage Pacific	Pottsville Employment Land 50ha Service industry / Logistics / distribution / technology	Planning fibre to the premises. Planning open access Smart metering for power
Leda	Cobaki Lakes (5,500 lots) Kings Forest (4,500 lots)	Project manager is keen on fibre to the lot. Believe Council should have a fibre policy
Steve Macrae Developments	Pacific Heights (2100 lot equivalent) 184 ha Master Planned Community	Planned as community title offering fully integrated water cycle management and FttP telecommunications network
Peter Mitchell	Industry Central	Infrastructure for stages 1&2 already completed (30 lots) using Telstra's copper. However, interested in reviewing latest technology before stage 3 in late 2009
Metricon	Riva View Murwillumbah Seabreeze Pottsville Area E, Benora (900+lots)	Riva View and Seabreeze have Telstra copper deployed, there is interest in other opportunities for Area E.
Seaside City Developments	Seaside City	Several contact attempts unsuccessful
Zimmer Land P/L	Nightcap Village, 2954 Kyogle Road, Kunghur	Several contact attempts unsuccessful

Generally there is interest in providing some form of broadband as a service to their future land owners however there is a trade off. Providing the infrastructure comes at a cost which must be recouped from land sales. This will ultimately increase lot prices. However, through marketing, this can be promoted as a value added product and the higher prices can be justified.

### The Way Forward

*“Where the private sector has deployed affordable and high-quality services, broadband is not an issue, but in other communities, local and regional governments have found many ways to involve themselves in encouraging the provision of broadband infrastructure access to their constituents, with the most successful beginning with the same first step: which is establishing a clear vision, and communicating why broadband access matters.*

*It is now a growing expectation that new residential developments are capable of being wired for broadband data access. However, many residential estates have been built with out any adequate provision for the installation and establishment of appropriate broadband infrastructure. Installation of such infrastructure after an estate has been completed (retrofitting) is often costly and may in some circumstances comprise or limit the type of infrastructure that can be used to deliver broadband services.*



*The attached Telecommunications Infrastructure Action Plan presents a number of options to progress Telecommunications within the Tweed. Tweed Shire Council need to consider amending the planning regulations to require the provision of facilities in all new estates and building developments to ensure that the rollout of broadband infrastructure can be performed as a matter of course as opposed to the current costly process of retrofitting.*

*This type of adjustment would encourage more thought and consideration by developers and infrastructure providers alike, to consider value added services to estates beyond simply the accommodation of minimum levels of broadband access to new residents and offices.*

*It is envisaged that in all the future developments, all residents and occupants will be able to regard access to digital broadband services as a right and the only issues to be determined will be choice of provider(s) and the level of choice of broadband service. Similarly and more importantly, as of right access to digital broadband services by industry and commercial operators moving into the business parks or master planned estates.*

*In the case of the Tweed Shire, there is a requirement to improve the telecommunications capacity across the region as it is currently underserved by choice of telecommunications service providers and broadband capacity. The opportunity exists to bring together a number of stakeholders with the potential to develop a blue print for the development of a regional open access broadband network that will greatly enhance economic and social development throughout the region.*

*Developers can play a significant key stakeholder role in the deployment of telecommunications infrastructure, by including the provision of fibre ducts (pit and pipe) along with all other underground utilities. It is important to educate the development industry on the importance of technologies such as broadband and increase their uptake of this service in the business, property development and community sectors. TEDC accepts it has a significant role to play with Council in the interface with developers in encouraging them to embrace the importance of providing this essential and critical telecommunications infrastructure.”*

## **The Future of Telecommunications in the Tweed**

*“Broadband technology is seen to be a key driver of economic growth over the next 20 years and will support information services that will permeate community life and business. It will pave the way to open up new markets and achieve productivity gains across global economies.*

*For the Tweed it will:*

- enable and encourage the attraction of new job generating investment in the fields of commercial and industry development as well as encourage growth in home based businesses*
  - assist and is critical to managing future health and aging services, such as aging in place through tele-health and e-health*
-

- *enable TSC to provide the type of telecommunication service interface necessary to enable improved delivery of services generally, but specifically in the lodgement, tracking and monitoring of DA's and other like local government Services*
- *be critical in encouraging and managing growth in education across the broad spectrum of tertiary and secondary services including trades and other skills development*

*The importance of this technology has been realised by TEDC and TSC, who in collaboration have developed a Telecommunications Infrastructure Action Plan for the Tweed Region. It sets out to define broadband telecommunications from a global perspective and reviews approaches being undertaken to develop broadband infrastructure both internationally and domestically.*

*In most countries, broadband telecommunications infrastructure is delivered by private sector companies on a commercial basis and in most cases the private sector has not demonstrated a willingness to invest in regional areas without some strategic involvement by government.*

*Increasingly a view is being formed that broadband telecommunications infrastructure is a utility and strategic government involvement in its development is necessary.*

*The report has identified a number of common attributes across a broad spectrum of telecommunications infrastructure development projects both in Australia and overseas.*

*These include:*

- *The identified need for strategic planning for telecommunications infrastructure to meet the future needs of business and residents.*
- *The need for government to take a leading role in facilitating the development of broadband infrastructure.*
- *The development of broadband infrastructure has been a partnership between key stakeholders from both the supply and demand side of the market.*
- *In all cases the focus of development of the broadband infrastructure is on the economic and social benefits derived from it.*
- *The proponents have taken a long-term horizon view on the development of broadband, similar to the other utility infrastructure such as roads, electricity, sewage and water."*

## **Networking the Nation – Federal Government**

The Action Plan addressed the Federal Government's emerging commitment to National Broadband Network as the tender process was progressing. Despite this the Plan made the following statements in relation to the tender process.

*"The Australian Government has announced the intent to develop a National Broadband Network and is currently evaluating responses to its tender. Telstra*

*have chosen a non-compliant position to the tender due their position that it is not commercially sustainable under the Government's terms and conditions. There remain five further respondents; however three of these have interest in specific regions which do not include Tweed Shire.*

*The Australian Government's stated direction is to develop a fibre to the node (FttN) network that will deliver 12 Mbps to 98% of the population of Australia. Whilst the definition of a Node is yet to be determined, it is conceivable that the telecommunications cabinet (copper cable aggregation point) at the street corner is likely to be included as a node”.*

Since completing the final draft of the Plan the Federal Government announced that they would be rejecting the tender process and establishing a fund of \$43 billion to establish a Next generation Broadband Network. This infrastructure will be established in competition to the existing Broadband network. The consultants have responded to the Federal Government's position very positively in recent correspondence as follows;

*“As discussed, the recent announcement of the \$43Bn Next Generation Broadband Network (NBN) by the Federal Government will result in significant changes to the telecommunications market in Australia. The Federal Government has acknowledged the vital importance of broadband infrastructure to catalyze business and community growth, and that the current telecommunications market is largely unable to accelerate Australia's position from near the bottom of the table of developed countries to a position of international best practice for broadband services. We commend the Federal Government's strong vision.*

*The announcement of an NBN corporation or government body that will build and operate a national open access fibre optic network is significant and if it goes ahead as planned, will be one of the largest capital projects ever attempted in Australia. While the benefits of a low cost fibre optic network that offers access to all service providers are very attractive, we suggest there is a lot of work to do, both technically, commercially and competitively for this initiative to succeed and deliver the type of community benefit that is needed.*

***Implications for Councils:***

*The NBN planning is for fibre connections to 90% of premises for the metro and urban parts of much of the cities in Australia with up to 100Mb/s download speed. The remaining 10% of premises are to be connected using wireless technology with download speeds of up to 12Mb/s.*

*There is an intention to ensure assets that facilitate the rollout will be available without restriction – including power lines, existing water and other underground infrastructure. Many of these assets are in the ownership of councils and power authorities, and where they are not suitable, compulsory rights to excavation for fibre optic cables with associated fibre cabinets mounted in the streetscape is likely. New business and residential developments will be mandated to install fibre optic infrastructure for connection to the NBN.*

*All this is expected to take place over eight years, and the process of prioritizing areas for cable and wireless installation will be one of some complexity. Areas that*

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*are not broadband connected at these enhanced speeds early in the network rollout are likely to be disadvantaged, and we presume that these will be locations where the community has been unable to demonstrate their understanding of the federal initiative and/or have not been able to demonstrate their ability to actively intervene in the process to maximize the investment and benefit of the project as early as possible.*

....

*The Federal Government announcement seeks submissions by the 3<sup>rd</sup> of June 2009 on the policy and approach to the deployment of the NBN. We suggest Tweed Shire Council, in conjunction with Tweed Economic Development Corporation, prepare a response articulating a clear understanding of the opportunity for its local government area by clearly articulating the linkages to Council's economic and social growth plans and demonstrating accurate local knowledge of current broadband availability and gaps, and what needs to be done, at a high level, to establish a fibre based open access broadband network in the council area."*

This recommendation has been identified as an important direction for the Action Plan to be forwarded. As a result Council and TEDC have been collaborating in the preparation of a submission to the NTN. This submission will hinge quite fundamentally on the findings of the Action Plan.

As a further announcement of its commitment, the Federal Government has announced a \$4.7 billion initial funding allocation within its budget on 13 May.

### **Current Actions**

Emerging from the preparation of the Telecommunications Infrastructure Action Plan some new areas of focus and new contacts have already emerged. As a result of this Tweed Shire Council, Tweed Economic Development Corporation and Country Energy have jointly prepared a funding submission to the Department of State and Regional Development. This project proposes to run fibre a strategic optic cable from Terranora to Kingscliff and Murwillumbah for \$1.7 million. This would represent a substantial telecommunications backbone for the Tweed region.

Another application has also been submitted to the same funding grant for the establishment of several remotely located mobile phone towers to improve mobile phone coverage around the areas of Uki, Midjungbul, Mooball and Burringbar. This application has been submitted by Tweed Shire Council.

### **Proposed Actions for Council**

The Plan identifies the following actions that can be taken by Council:

1. *"Prepare policies within Council that support the development of communications precincts in both green and brown field developments to be used to establish/house telecommunications street furniture such as towers, nodes, cable cabinets etc.*

2. *Establish regulatory controls on property developers to work with telecommunications carriers to identify precincts that are to be used for telecommunications towers and to include these in their preliminary concept plans to be presented to Council prior to any formal applications for development approval. These precincts could then be allocated for the specific purpose of locating telecommunications towers, in a similar way to land within a development, excised for the purpose of some electricity transformers, etc. utility ie. Pumping station.*
3. *Establish regulatory controls on property developers mandating that ducting (pits and pipes) in all new green field developments suitable fibre cable reticulation with ownership being vested with Council. Infrastructure providers have advised that their business models show viability for green field developments of 300 lots or more.*
4. *Establish regulatory controls on property developers mandating that they lay ducting (pits and pipes) in all new urban renewal developments suitable for optic fibre reticulation with ownership being vested with Council.*
5. *Establish policies within Council to develop fibre optic infrastructure to connect its branch offices as part of its own telecommunications consumption requirements.*
6. *Establish policies within Council to facilitate telecommunications ducting (pits and pipes suitable for optic cabling) to be included in all future capital works programs.*
7. *Establish policies to make available volumetric spare capacity of Council own ducting for use by other parties on commercial terms.*
8. *Lobby the Federal Government to impose regulatory controls on Telstra to make available its last mile pits and pipes for use by other telecommunications service providers including lead-in cables.*
9. *Lobby both State and Federal Governments to achieve better coordination of Agency spending on telecommunications in the Tweed region to achieve improved telecommunications infrastructure development.*
10. *Lobby both State and Federal Governments for financial support to assist Council to facilitate the further development of telecommunications infrastructure.*
11. *Prepare a register of Council facilities that Service Providers can access for use to house telecommunications equipment.*
12. *Work with ACMA to educate property developers and planners on building cabling standards such as the Digital Building Guideline ([http://www.acma.gov.au/WEB/STANDARD/pc=PC\\_569](http://www.acma.gov.au/WEB/STANDARD/pc=PC_569)) along with ACIF's Building Access Operations and Installation Guideline. These guidelines are designed to encourage multi-carrier access by providing greater clarity to carriers, carriage service providers and property developer / owners of multi-tenanted, multi-storey buildings of standard procedures across the telecommunications industry, resulting in savings in the administrative costs of all parties involved, as well as providing improved certainty in terms of the timing for provision of services, access to adequate power supplies, facility documentation requirements and improved security for carrier and property owner facilities."*

The above recommendations are to provide guidance to Council in providing direction for the provision of telecommunications infrastructure within new urban developments. Development of this Action Plan constitutes the first phase of this project. To progress the recommendations of the Action Plan this report recommends that Council establish a group to implement the actions comprising of:

- a. one (1) member nominated by the Director of Technology and Corporate Services
- b. one (1) member nominated by the Director of Planning and Regulation
- c. one (1) member nominated by the Director of Engineering and Operations
- d. one (1) member nominated by the Manager of Business and Economic Development

### **Proposed Actions for TEDC**

To coordinate and accelerate the development of telecommunications infrastructure development for the Tweed the proposed actions identified above should be incorporated and undertaken within the context of a second stage which would involve developing a Telecommunications Infrastructure Master Plan. This Master Plan would consist of:

- *“Creating a vision for Tweed Shire that aligns and underpins the economic and social aspirations of the region and sets the objectives, priorities and timelines.*
- *Identifying areas of demand concentration based on Council's development control plans.*
- *Identifying backhaul requirements to connect the areas of demand concentration.*
- *Identify and engage with key stakeholders that are capable of contributing to the development of an open access next generation community telecommunications distribution network.*
- *In conjunction with the identified key stakeholders, develop a telecommunications Business Case identifying the estimated costs to achieve various stages of development, potential contributions by the stakeholders and the resultant gap to realize a fully integrated, end to end community telecommunications distribution network. This document would form the basis of an application for funding from State and/or Federal governments linked to the National Broadband Network initiative.*
- *As an outcome of the comprehensive planning as described above, lobby government for financial assistance to meet some of the cost gap in deployment of optical fibre into urban renewal projects.*
- *Preparation of technical specifications required to support the regulatory controls on property developers needed to achieve effective deployment of telecommunications infrastructure in greenfield and brownfield developments, as well as Council's future capital works program.”*

Additional to the above, TEDC propose to schedule workshops/events to promoting to business the benefits to be realised from utilising the broad range of advanced applications of ICT, particularly those provided via high speed broadband. ICT solutions have a significant role to play in driving efficiency gains in existing operational processes.

When implemented, these innovations enable vastly improved on-line services and new applications for the information economy that will improve people's lives, lower cost, diversify the economic base and stimulate economic growth.

In response to this, Council is working to provide a range of new online services focusing on development application and planning in the 2009/10 financial year.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

This report makes recommendations to revise Council's subdivision policies to accommodate new telecommunications provisions and actively lobby State and Federal governments to change relevant policies.

**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](http://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. Telecommunications Infrastructure Action Plan - Final Project Report (ECM 2033824)
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**O4 [GM-OC] Tweed Tourism - Funding and Lease Arrangements**

**ORIGIN:**

**General Manager**

**SUMMARY OF REPORT:**

In late March Tweed Tourism put two proposals forward to Council. One was for Council to lease the office space at World Heritage Rainforest Centre at a nominal rent (Murwillumbah Visitor Information Centre) to accommodate their administration function. The second proposal was for Council to consider an additional funding amount of \$250,000 to be able to assist in managing development of the tourism industry in the current economic climate.

On 14 March Tweed Tourism conducted a workshop with Council to discuss these two proposals and their future funding arrangements for the 2009/10 financial year.

This report reviews these two requests and recommends to Council a funding package for Tweed Tourism for the 2009/10 financial year.

**RECOMMENDATION:**

**That Council:**

- 1. Offers Tweed Tourism a Funding Package of up to \$100,000 from the 2009/10 budget which is to be expended in accordance with their funding submission presented to council and on the condition that they seek dollar for dollar matching industry funds up to \$100,000;**
- 2. Endorses the unexpended funds from the 2008/09 Economic and Tourism Budget to be rolled over to the 2009/10 budget to fund the additional Tweed Tourism Funding Package;**
- 3. Offers Tweed Tourism the Lease of the World Heritage Rainforest Centre office space until 30 June 2010 on the terms noted in the body of the report;**
- 4. Executes all documentation under the Common Seal of Council; and**
- 5. Provides the assistance of a Council truck and staff for up to one (1) day to facilitate the move with funding to come from Council's current Economic and Tourism Budget.**

**REPORT:****Background**

On 31 March 2009 Tweed Tourism wrote to Council (Attachment 1) requesting that Council give consideration of a proposed funding increase for the 2009/10 financial year. This was followed by correspondence on 2 April 2009 requesting that Council consider Tweed Tourism be granted a lease over the recently vacated office space at the World Heritage Rainforest Centre (WHRC) (Murwillumbah Visitor Information Centre), Alma St, Murwillumbah.

A Council workshop was held with Tweed Tourism on 14 April 2009 to discuss these matters concurrently. This report considers these two matters separately and proposes a combined package for Tweed Tourism for the 2009/10 financial year.

**Funding Submission**

In Tweed Tourism's letter of 31 March (Attachment 1) and in a formal submission "2009/2010 Funding Submission to Tweed Shire Council" (Attachment 3) distributed at the Workshop held on 14 April, Tweed Tourism has made the following funding submission.

*"Due to the existing economic climate the tourism industry in the Tweed has been experiencing a considerable downturn. It is important that steps be taken to assist the industry to take advantage of new opportunities that have arisen. Tweed Tourism's submission requests an additional \$250,000 in funding from within the 2009/2010 budget to facilitate this aim. The expenditure of the additional funding has been proposed as follows;*

1. \$35,870 *Monies to increase General Manager position to move from 3 days a week (Part Time) to 5 days a week (Full Time),*
2. \$155,000 *Five (5) marketing campaigns. Four (4) vital campaigns include:*
  - a. \$70,000 *Television campaign targeting drive market,*
  - b. \$50,000 *Additional brochure distribution,*
  - c. \$25,000 *Development of web presence,*
  - d. \$10,000 *Local community education,*
3. \$45,000 *Salary for additional staff hours:*
  - e. *Product Development Officer*
  - f. *IT / Help Desk Support*
  - g. *Un budgeted Labour Costs (Kingscliff VIC \$15,000 shortfall)*
4. \$15,000 *General running costs for VIC's and Admin Office*



- h. Better security at VIC's,
- i. Replace and upkeep office equipment,
- j. New Tweed VIC fit out"

### Draft 2009/10 Budget Allocations to Tweed Tourism

Council has a current funding agreement with Tweed Tourism which is due to expire on 30 June 2010. Prior to this date a further report will be submitted for Council to consider the future directions for its involvement in tourism promotion and marketing.

In accordance with the current funding agreement, the 2009/10 draft budget has the following allocations to be paid to Tweed Tourism quarterly;

<b>Council's Draft 2009/10 Budget - Tweed Tourism Allocations</b> (As at 28/4/2009)	
Marketing (A0541.1858) (7 Year Plan - Fixed Amount)	\$120,000
Kingscliff VIC (A0541.3505) (7 Year Plan - Fixed Amount)	\$25,000
Admin & VIC Operations (A0541.3504) (Yearly CPI Increases)	\$331,644
<b>Total 09/10 Draft Budget</b>	<b>\$476,644</b>

Tweed Tourism's funding submission proposes an additional allocation of \$250,000 from Council's 2009/10 budget. This would increase Council's allocation to Tweed Tourism to \$726,644. This funding increase would be effective for the 2009/10 financial year.

### World Heritage Rainforest Centre (WHRC) – Office Accommodation

In 1998 the Murwillumbah VIC was redeveloped through joint funding from the Federal Government, Tweed Shire Council and the National Parks and Wildlife Service (NPWS). This arrangement saw the building providing office accommodation of approximately 120m<sup>2</sup> to the NPWS on a 10 years rent free lease. In return NPWS provided a capital contribution towards the construction, the value of which reflected 10 years commercial rent. This situation finished in 2008 and NPWS vacated the premises in April 2009 for larger office space.

When the NPWS original rent free lease finalised they notified Council that they would take a month by month lease until they found larger commercial premises within Murwillumbah. During this period they were charged a commercial rent of \$1,604 / month (\$19,248 / Year). This was an agreed amount based on the current commercial floor space within Murwillumbah.

The office space is currently vacant and has been freshly renovated in accordance with the NPWS lease agreement.

Tweed Tourism's request to take up this office space was proposed to Council in their letter on 2 April (Attachment 2) and requests consideration of the following;

1. *"That the rental of this space be the same as our current offices in Tweed Heads of \$1260 / month,*
2. *That Council provide assistance with the physical movement in the form of a truck and some men for a day or part thereof."*



Currently Tweed Tourism rents office space for their administration offices in Wharf St, Tweed Heads, at a rate of \$1260 / month. It is logical to accommodate Tweed Tourism's administration within the WHRC office space. The WHRC premises are located within the same building as the Murwillumbah VIC and would provide suitable space.

Tweed Tourism is considered to be the most appropriate tenant for this office space. Given that the funding contract with Tweed Tourism is due to expire on 30 June 2010 it is considered appropriate that a lease with Tweed Tourism be up to that date. A further lease could then be negotiated following negotiation of any funding agreement effective after that date.

The new Tweed Heads VIC has never been considered to accommodate Tweed Tourism's administration as it would require too much valuable space from a very prominent portion of Chris Cunningham Park (Jack Evans Boat Harbour) land which is currently proposed for park rejuvenation. The restrictions on the size of the building were established from early planning work undertaken by the then Ministerial Taskforce for the redevelopment of Tweed Heads.

### **Proposed Package**

Given the situation presented above and the discussions held at the workshop with Tweed Tourism on the 14 April the following recommendation is proposed for Council to offer Tweed Tourism;

1. Additional Funding Package of \$100,000 from 2009/2010 Budget,
2. Lease of WHRC office space until 30 June 2010,
3. Provision of truck and staff for up to one (1) day to facilitate the move.

The allocation of the \$100,000 in item 1 would be allocated as follows;

<b>Proposed Tweed Tourism (2009/10) Additional Funding Package</b>	
WHRC Admin Office – Rental Subsidy	\$19,250
Funding Subsidy (2009/2010)	\$80,750
<b>Total</b>	<b>\$100,000</b>

This Funding Package would consist of a full subsidy towards the commercial rent of the WHRC administration office space. The remaining funds from the \$100,000 would be offered to Tweed Tourism on the basis that they match the funds up to \$100,000. This money will be allocated in accordance with their funding submission presented to the Council / Tweed Tourism workshop.

This Funding Package falls short of Tweed Tourism's requested amount of \$250,000. Council's 2009/2010 budget has limited room to meet the full requested amount. Council should encourage Tweed Tourism to match the proposed funding amount of \$100,000 from matching industry memberships and donations.



**Proposed 2009/2010 Budget Arrangements**

Within the 2008/09 Council budget there remains an unallocated amount within the Economic and Tourism Development budget of \$100,000. These funds were originally proposed to be allocated towards investigating redevelopment options for the WHRC within the 2009/10 financial year. These funds were to complement an additional Seven (7) year plan amount for the capital funds to undertake this redevelopment work of the WHRC.

Given that the WHRC is attractively located commercial office space it continues to present an opportunity to generate a rental return for Council. Furthermore the building does present unique and ongoing maintenance issues which require continued maintenance funding. It is important that a rent be generated from the property to cover these ongoing expenses.

It is recommended that space be offered to Tweed Tourism at market rent previously paid by NPWS with the rent being fully subsidised as discussed above.

This financial situation would have an impact on the 2009/10 budget as follows;

<b>Total Financial Impact of Council's Draft 2009/10 Budget Proposed Tweed Tourism Allocations</b>	
Marketing (A0541.1858) (7 Year Plan - Fixed Amount)	\$120,000
Kingscliff VIC (A0541.3505) (7 Year Plan - Fixed Amount)	\$25,000
Admin & VIC Operations (A0541.3504) (Yearly CPI Increases)	\$331,644
Funding Subsidy (2009/2010 Only)	\$80,750
WHRC Admin Office – Rental Subsidy	\$19,250
<b>Total 09/10 Draft Budget</b>	<b>\$576,644</b>

**Conclusion**

That Council consider the funding proposal put forward in this report and adopt the recommendations to offer Tweed Tourism the proposed package.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Council holds a funding agreement with Tweed Tourism until 30 June 2010. The proposed package is an additional allocation from the 2009/10 budget. This would represent a once off payment as the funding agreement with Tweed Tourism will need to be renegotiated after this date.

The funding of the \$100,000 is proposed to be sourced through the rollover of unexpended funds from 2008/2009.

**POLICY IMPLICATIONS:**

Nil.



**UNDER SEPARATE COVER/FURTHER INFORMATION:**

1. **Confidential Attachment** - Tweed Tourism 2009/10 Funding Request Letter (ECM 2021812)
  2. **Confidential Attachment** - Tweed Tourism Request for World Heritage Rainforest Office Space Lease (ECM 2039981)
  3. **Confidential Attachment** - Tweed Tourism 2009 /2010 Funding Submission to Tweed Shire Council (ECM 2031396)
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**O5 [GM-OC] Tweed Economic Development Corporation (TEDC) Quarterly Performance Report - January to March 2009**

**ORIGIN:**

**General Manager**

**SUMMARY OF REPORT:**

As required by the current Tweed Economic Development Corporation (TEDC) Agreement a quarterly performance report and financial statement is to be provided for Council's review. Below is TEDC's Performance Report for the quarter 1 January to 31 March 2009.

TEDC cancelled their Board meeting for January and as a result the quarterly financial statements for the December 2008 quarter were not adopted by the board until February and subsequently were not reported in their last quarterly report. This report provides both the December 2008 and March 2009 quarterly financial reports. As convention these financial statements are presented as confidential attachments to this report.

**RECOMMENDATION:**

**That Council receives and notes the:**

- 1. Quarterly report from Tweed Economic Development Corporation for the quarter January to March 2009.**
- 2. Quarterly financial report from Tweed Economic Development Corporation for the quarter October to December 2008.**



**REPORT:**

**TWEED ECONOMIC DEVELOPMENT CORPORATION LTD  
QUARTERLY REPORT TO TWEED SHIRE COUNCIL  
January to March 2009**

**1. TEDC Employment Generating Lands – Master Planned Estates (MPE) – Planning Study.**

- The Final Report was presented to Tweed Shire Council (TSC) at a workshop with councilors on April 14<sup>th</sup> 2009
- TEDC continues to work with external interests/investors to develop/embrace a master planned estate/ business park approach to future employment generating land proposals in the Tweed.
- TEDC looks forward to the adoption of the Final EGL-MPE Report by Tweed Shire Council, and working collaboratively with council to develop and implement the recommendations and actions as outlined in the report.

**2. Telecommunications Infrastructure Action Plan.**

- TEDC hosted a combined TEDC board / Tweed Councilors / Tweed Staff workshop on March 26<sup>th</sup> 2009 where a presentation was made by GDI/Gravel Road Consulting who had been engaged by TEDC to provide professional expertise and advice on the development of the Final Telecommunications Infrastructure Action Plan Report.
- The Final TEDC Report incorporating the GDI/Gravel Road Report has been forwarded to Tweed Shire Council.
- TEDC has also joined with TSC and Country Energy in a joint funding application under the NSW Department of State and Regional Development – Local Infrastructure Support Fund (LISF) for a proposed “Building i-Business in Regional Tweed” Project. Total cost of this project is \$1,692,500.00. The project is about extending optic fibre cable from Tweed Heads to Murwillumbah and also extension of the broadband fibre access via Country energy to the broader Tweed villages.
- In response to the federal Government’s recent announcement on the proposal to implement a National Broadband Networks across the country, and in discussion and collaboration with TSC - TEDC is preparing a submission to be lodged by June 3<sup>rd</sup> 2009, putting forward a case for the Tweed in the government’s plans to expand broadband networks.

**3. Tweed Economic Model Table Update 2007-2008**

- The Western Research Institute (WRI) (a branch of the Bathurst University) has completed the 2007-2008 Tweed Economic Model Table update. A full analysis of the final report on the state of the Tweed economy will be made available to council at the earliest opportunity.
- Generally speaking the Tweed remains a 90% plus serviced based economy with minimal changes in agriculture and manufacturing.
- As soon as work program permits TEDC will conduct further analysis into the economic impact of tourism on the Tweed economy.
- Arrangements have been made with Dr. Guy West to install the upgraded user friendly software developed by Dr. Guy West in late May at which time he will also conduct appropriate training of TEDC staff.



#### **4. TEDC Image Library Update & Promotional Product Upgrade**

- TEDC has completed the TEDC Image Library update.
- TEDC is in the process of reviewing and updating the TEDC web site and all TEDC publications as part of the TEDC Marketing and Investment Attraction Strategies review process.

#### **5. Marketing and Investment Attraction Strategies**

- TEDC has completed a review and update of the TEDC Marketing and Investment Attraction strategies which are internal documents for TEDC use, and which focus on employment generating, business and investment attraction.

#### **6. Attraction of Business Industry Events**

- TEDC is conducting research on “Business Conference & Events” program which would provide information on Business Tourism and Business Events as a contributor’s to the Tweed economy generally.
- In capital cities and larger regional areas, business events are marketed by a Convention Bureau. In smaller regional areas this task can be performed by a dedicated business and events officer.
- From an economic perspective, meetings and conventions attract people who are much more likely to be decision makers – and this can promote not only local business prospects, but trade and investment potential as well.
- TEDC research shows that business events and leisure tourism deal with different markets, addressing different decision factors and require different kinds of expertise for marketing and delivering the product successfully. The relationship is typically business to business enterprises, not consumer driven as tourism is. However business events do support tourism, with pre-and post-event travel, higher destination awareness and different seasonality.
- Initial research shows that there are a number of models across the country where this role is part of economic development as distinct from tourism specifically.
- The Tweed now has a number of locations which can accommodate or host such events.
- From our research, what appears to be lacking is “the coordination” of efforts to attract Business events.
- TEDC is investigating the opportunity to develop a Business Event program.

#### **7. Tourism Infrastructure Action Plan incorporating -Tweed River Nature Link Draft Concept (TRNL) & Environmental Education Resource Centre**

##### A) Tweed River Nature Link

- The TEDC is in the process of developing a “tourism infrastructure action plan” which includes a number of proposals for potential Tweed product development, as part of an attempt to increase the tourism industry contribution to the Tweed economy.

Recent Salt Village Resort Research by Colleen Coyne Property Research Consultant, confirmed the need to increase visitor “stay and spend” in the

- Tweed with part of the solution being the need for the development of additional tourism product.
- Colleen Coyne research confirms average visitor stay in Tweed at 2.2 nights compared with average stay on Gold Coast at 4 nights.
- The initial Tweed CBD Redevelopment Concept Master Plan, included plans for the redevelopment of the Jack Evans Boat Harbour, which included jetty facilities to accommodate, specific to type vessels, capable of transporting tourists up the river to Murwillumbah.
- The Tweed River Nature Link draft concept plan, developed by TEDC presents an outline of a proposal to link by river the coastal attractions of SEQ and N.NSW with the Tweed Hinterland at Murwillumbah, including examples and details of similar projects nationally and internationally.
- The Draft TRNL Concept Report has been forwarded to TSC.

B) Tweed Environmental Education Resource Center

- In 2007/08 TEDC was invited to be part of a TSC working group initiated by former TSC Administrator Max Boyd to look at the possibility of developing nature based facilities/tourism product in the Tweed.
- As a result, TEDC developed a Draft "Tweed Environmental Education Resource Center" Preliminary Concept/Feasibility Research Report.
- The Draft "Environmental Education Resource Center" concept report has also been forwarded to TSC.

C) South Murwillumbah Master Plan -Art & Cultural Hub- potential project.

- Another potential tourism project proposal is to create a master plan for South Murwillumbah with the view to developing part of the area as an "Art and Cultural Hub". This project is on hold pending the TSC LEP review process.
- In conclusion: If these project are to progress they require consideration, adoption and/or endorsement by council so that they can be advanced and or promoted by TEDC as investment opportunities in the Tweed.

There is no point in TEDC developing project proposals, if they are not put forward to the body of council for consideration and possible endorsement in principle. Without endorsement by Council, TEDC is not in a position to promote or advance these projects in any form and that includes, the sourcing of government funding to assist and facilitate the advancement of these projects.

**8. Expression of Interest for Directors Regional Development Australia Board**

- This new organisation is a combination of NSW State Government Regional Development Board and the former Federal Government Area Consultative Committee Board.
- The board of TEDC endorsed the nomination of the TEDC CEO for a board position.
- A final announcement on the membership of the new board is expected by end of May.

**9. TEDC 2009/10 Business Plan Review.**

- TEDC has completed a review of the 2009/10 business plan.

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**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

This report recommends Council endorse the quarterly performance review required by Tweed Economic Development Corporation's funding agreement.

**8. TEDC Media & Public Relations**

- Attached is a year to date copy of Estimated Advertising Value and Editorial Value of TEDC media and P.R. activities. The report is a first attempt by TEDC to quantify the level of exposure achieved by TEDC as a result of its activities, and is based on the PRIA multiplier. In the attached summary, no value has been placed on Radio interviews or radio news items.
- Total Advertising Value for year to date is \$17,433.84
- Total Editorial Value for year to date is \$52,301.52
- The combined total is \$69,735.36

**11. Other TEDC Activities**

- Attendance at Muwillumbah, Tweed Heads and Tweed Coast Chamber breakfasts.
- CEO attendance at Tweed Tourism board meetings.
- Presentation by CEO at Wharf Central Launch Tweed Heads March 2009
- TEDC CEO participated as a Panel Member of "Battle of the Burbs" discussion at Jupiter's Casino April 24<sup>th</sup>, sponsored by Queensland Property Council.
- TEDC CEO Member of guest speaker panel at Salt Village – "Catching the Next Property Wave" April 2009, which saw in excess of 200 people in attendance. The panel included Michael Pascoe – economist, Michael Matusik, Gold Coast Property Analyst, Bernard Salt – demographer and TEDC CEO.

**12. TEDC Promotions / Publications**

- TEDC arranged a feature article in the Summer Edition of the Northern Rivers Business Magazine. The Tweed region was the feature region for the month which included the front page as well as several pages of articles on the Tweed, TEDC projects and initiatives.
- TEDC arranged a feature article in the Queensland Business ACUMEN Magazine, 2008 Year Book publication. The magazine has widespread circulation and focused on: What happened in 2008. What happens next? And who is making it happen – and how.
- The TEDC Tweed Pulse publication continues to be well received and in demand from potential new businesses and investors.

**Tweed Economic Development Corporation Media Coverage  
January 09 to March 09**

<b><u>Date</u></b>	<b><u>Headline</u></b>	<b><u>Media</u></b>
12/02/2009	Tourism still central to economic survival	Tweed Sun
24/03/2009	Time to knock living daylights into coast	Tweed Daily News

**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](http://www.tweed.nsw.gov.au) or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).

1. **Confidential Attachment** - Quarterly Financial Statements December 2008 Quarter (ECM 2049218)
  2. **Confidential Attachment** - Quarterly Financial Statements March 2009 Quarter (ECM 2044701)
  3. **Confidential Attachment** - Media Overview (ECM 2050508)
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**O6 [GM-OC] Tweed Tourism Quarterly Performance Report - January to March 2009**

**ORIGIN:**

**General Manager**

**SUMMARY OF REPORT:**

As required by the current agreement between Tweed Tourism and Council a quarterly performance report and summary financial statement are to be provided for Council's review. This report provides the Tweed Tourism's Quarterly Reports for the quarter 1 January to 31 March 2009. All financial information in this report has been provided in a confidential attachment.

**RECOMMENDATION:**

**That Council endorses:**

1. **The Tweed Tourism Quarterly Report for the quarter January to March 2009.**
2. **ATTACHMENT 1 as CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-**
  - (d) **commercial information of a confidential nature that would, if disclosed:**
    - (i) **prejudice the commercial position of the person who supplied it, or**
    - (ii) **confer a commercial advantage on a competitor of the council, or**
    - (iii) **reveal a trade secret**

**REPORT:****Tweed Tourism  
March 2009 Quarter Report****1. FINANCIAL**

*This section has been moved to the Confidential Attachment*

**2. PUBLIC RELATIONS****National TV Media**

- Mercurio's Menu – Tweed episode aired in Melbourne 28 March, Regional Victoria 28 March, Tasmania 28 March and Brisbane will be on 19 April. It will be shown in Sydney and regional NSW on 3 May.
- Channel Ten Weather Reports (Tim Bailey) – This has been postponed yet again. We are still liaising with the producers.
- Talk to the Animals – Sourced several pages of story ideas for the shows researchers. They are going to follow-up with Camp Tailwaggers, Parrot Garden Café, Crystal Creek Miniatures and John Pumpurs (local frog expert).
- Creek to Coast – Buck Buchanan's Banana Cabana was featured on 28 February.

**National Print Media**

- Historic Pub Famil – Group media famil conducted on 8 March has resulted in feature articles in Sunshine Coast Daily (4 April), Queensland Country Life (16 April) and Daily News (26 March). Articles still to come in Sunday Mail (10 May) and various other publications.
- Four-day freelancer famil – undertaken by freelance food and wine writer, Winsor Dobbin. Stories to be published in various magazines over the coming months.
- Two-day Sunday Mail famil – undertaken by Short Breaks writer, Alison Cotes.
- Courier Mail – Provided background information for Phil Hammond famil, resulting in a feature article on Vision Walks.
- Courier Mail – Provided background information for Jeremy Pierce famil, resulting in a feature article on the Tweed Valley (27 February)
- Gold Coast Panache Magazine – General Tweed Valley feature article written by Karen Ransome published in January issue.
- New Zealand Media Famil – 4 New Zealand journalists and Jetstar's PR representative will tour the region on 9/10 May.
- Japanese Media Famil – Planning undertaken for media group from Japan. Famil to be scheduled for some time in July
- Sunday Mail – Full page feature on Crystal Creek Rainforest Retreat, Tyalgum and Chillingham published on February 15 as a result of famil organised in January for freelancers, Nick & Danielle Lancaster.
- Courier Mail – Tweed operators included in 'Take Rover Camping' feature published 6 March as a result of information provided to Phil Hammond.
- Paradise Magazine, GC Bulletin – Waiting on publication of story on wildlife worker, Sherryl Paige, as a result of story pitch to Vanessa Jones.

**Local Media**

- Local media generated by releases and/or information provided on:



- Latest visitor statistics
  - New Chair of Tweed Tourism
- N.B Several other story opportunities and/or angles have been pitched but no response to date

### Industry Liaison

- Corroboree 09 – Planning of Tweed sector of this regional famil involving 16 travel agents from the UK and Europe who will visit the area on 2/3 May.
- Gold Coast Tourism – Met with Ben Pole and Rachel Monaghy to forge closer ties and possible future famil focussed on Tweed and southern Gold Coast.
- Tweed Visitor Guide – Writing of new copy for the forthcoming visitor guide.
- Have also assisted several members on an individual basis, either by providing media contacts, pitching story ideas or, in some cases, referring member services to others. Members assisted in this way recently include Luffley’s Café, Walk of Fame, Repco World Rally, Castle on Hill B&B, Escape Gallery.

### 1. MEMBERS

Membership Numbers at 31/03/09

Associate	61
General	115
Corporate	7
Corp Affiliates	31
Reciprocal	6
<b>Total</b>	<b>222</b>

Membership Revenue

*This section has been moved to the Confidential Attachment*

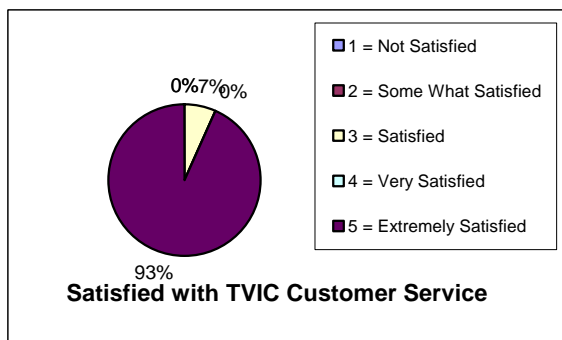
### 2. VISITOR INFORMATION CENTRES

Movement in visitor numbers at each VIC in comparison to previous year

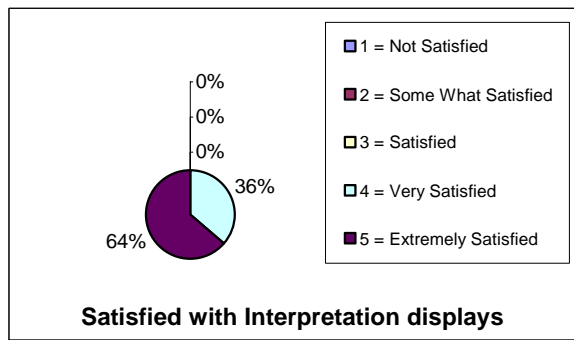
2008 - 2009

	2008/09	2007/08	Variance	2008/09	2007/08	Variance	2008/09	2007/08	Varian
	WHRC			Tweed Heads			Kingscliff		
Sept Qtr	6471	6908	-6.33%	6750	6554	2.99%	2109	1945	8.43%
Dec Qtr	6029	5603	7.60%	5304	5046	5.11%	2167	1791	20.99%
Mar Qtr	6142	5728	7.23%	5462	5524	-1.12%	1788	1895	-5.65%
Jun Qtr									
<b>Total</b>	<b>18642</b>	<b>18239</b>	<b>2.21%</b>	<b>17516</b>	<b>17124</b>	<b>2.29%</b>	<b>6064</b>	<b>5631</b>	<b>7.69%</b>

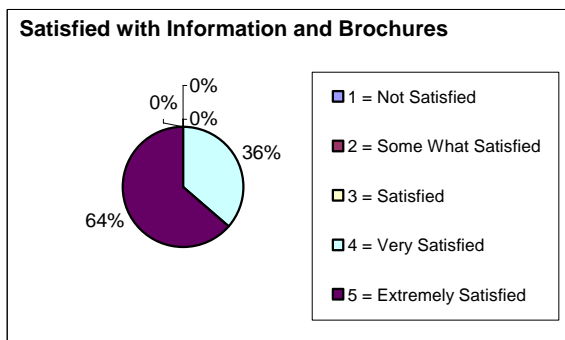
- The results for the March Quarter in Murwillumbah were positive showing increases in numbers in comparison to the same time last year.
- Tweed VIC’s numbers were only marginally down in comparison to the previous year, however it was Kingscliff were the decrease was most noticeable, possibly a direct consequence of Easter being in March last year and April this year.
- Visitors from NSW and Queensland, the drive markets, recorded the highest numbers of visitors. There was a noticeable increase of visitors from Victoria in the Tweed Heads VIC.
- UK & European visitors dominated the international markets this quarter.
- There was an increase of Canadian visitors to Tweed during February and March.



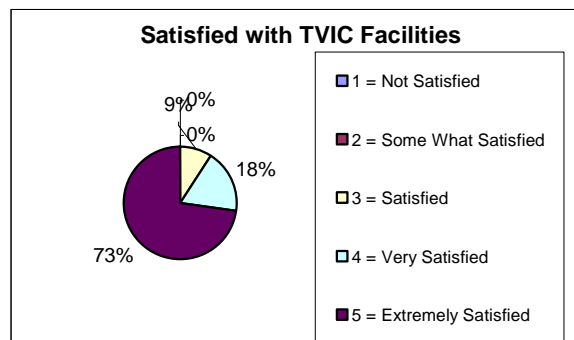
Were our visitors satisfied with our customer service.



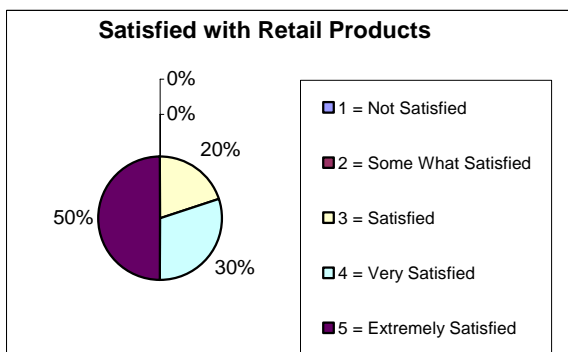
Were our visitors satisfied with our displays.



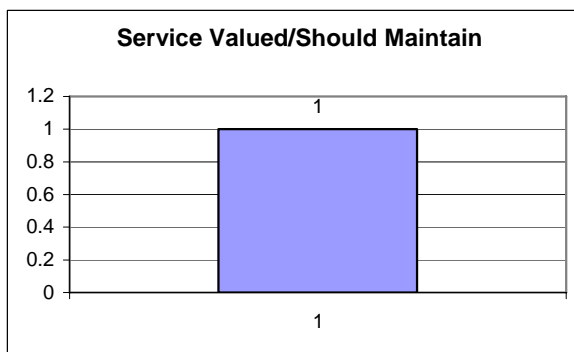
Were our visitors satisfied with our range of information.



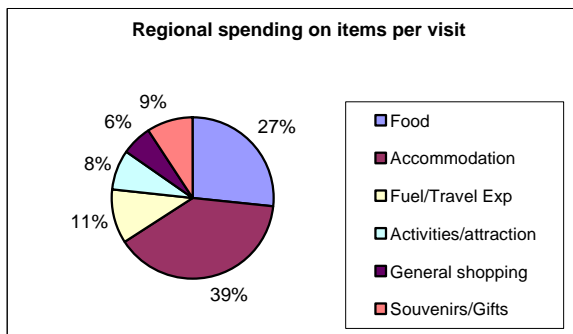
Were our visitors satisfied with our facilities.



Were our visitors satisfied with the quality of retail products



Is our service valued and should it be maintained



Regional spending on items and services in the region.



## Retail Revenue

*This section has been moved to the Confidential Attachment*

## 5. PRODUCT DEVELOPMENT

- National Landscapes “Australia’s Green Cauldron”
- Taste the Tweed – farm tours, Tweed produce list, hampers
- Environment - Bush Walks, Interpretation Centre and Rainforest Way
- Health & Lifestyle
- Business Tourism – MICE
- World Car Rally
- Festivals
- Surfing
- NSW Tourism
- Indigenous Tourism
- Network Nights

## LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

This report recommends Council endorse the quarterly performance review required by Tweed Tourism’s funding agreement.

## POLICY IMPLICATIONS:

Nil.

## UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. **Confidential Attachment** - Tweed Tourism Quarterly Report - January to March 2009 to Council - Financial Confidential Attachment (ECM 2041387)
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## **REPORTS FROM THE DIRECTOR PLANNING & REGULATION**

### **07 [PR-OC] State Emergency Services - Pottsville Unit**

#### **ORIGIN:**

**Building & Environmental Health**

#### **SUMMARY OF REPORT:**

The State Emergency Service (SES) has advised Council of the need for the establishment of a Tweed Coast SES Unit. Estimated construction costs for the proposal is \$120 000. The current budget allocation is \$75 000 (including a \$50 000 SES subsidy) therefore a further \$45 000 is required to fully fund the project.

#### **RECOMMENDATION:**

**That Council votes an additional \$45 000 to the construction of a Tweed Coast State Emergency Services facility in the June 2009 quarterly budget review.**

**REPORT:**

The State Emergency Service (SES) is the designated “combat agency” in the event of flood, storm, tempest and tsunami and is required to co-ordinate rescue, evacuation and welfare of affected communities and damage control. Under the provisions of the **State Emergency Service Act 1989** the council of a local government area must provide to the local SES, free of charge, suitable training facilities, storage and office accommodation. Such facilities and accommodation are to be of a standard approved by the Director-General of the SES.

The Richmond Tweed SES Regional Controller has advised Council of the need for the establishment of a Tweed Coast SES Unit. This will be the third such unit to be established within Tweed Shire, the others being located in Murwillumbah and Banora Point. The need for the unit has been based on the potential isolation of the coastal residential population, from the other unit locations, in a flood event.

In consultation with the SES, a site has been selected for the unit, being Lot 508 DP 728257 Centennial Drive POTTSVILLE as indicated in Photo 1. Council has previously allocated \$25 000 to the project with an additional subsidy of up to \$50 000 to be funded by the SES on a 50/50 basis for the construction of a 2 bay shed facility. The project, however, was placed on hold until such time as further consideration was given, by the SES, as to the infrastructure required to support the provision of services by the agency in the future. The SES has now provided further detail as to their requirements.



**PHOTO 1 – Site of proposed coastal SES unit at POTTSVILLE (Aerial 2007)**

The proposal for the site consists of the construction of a 4 bay shed, office and 12 person training room. Sharing of other facilities with the already established RFS unit on site has allowed costs to be kept to a minimum. Shared facilities will include toilet, shower and kitchenette and the proposed training room. The RFS have agreed to the proposed arrangements and development consent for the proposal has been granted.

An estimated cost of the proposal is \$120 000 therefore an additional \$45 000 is required to be funded by Council to construct the facility.

Further, the SES has recently advised that the \$50 000 subsidy is conditional on that it must be expended in the current financial year and they can not roll it over. Payment of the subsidy is usually following completion of the facility and on presentation of an occupation certificate to the SES. Having said this they have given consideration for the reasons the project had been placed on hold and they have further advised that payment will be made on receipt of Council invoice should the invoice be received by the SES prior to 30 June 2009.

Should Council determine not to allocate the additional \$45 000 to the project the \$50 000 SES subsidy will be withdrawn on 30 June 2009 and consequently Council will bear the full cost of the facility. The SES has advised that no further applications for any building subsidies will be considered for projects before 2010/2011 and no guarantee that an application will be successful.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Should Council not adopt the recommendation to vote an additional \$45 000, the SES Subsidy (\$50 000) will be withdrawn at 30 June 2009 and Council will need to fund the entire project cost of \$120 000.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES****08 [TCS-OC] Tender AC2009-026 Master Operating Lease for IT, Communications & Scientific Equipment****ORIGIN:****Information Systems****SUMMARY OF REPORT:**

This report outlines the tender for Master Operating Lease for IT, Communications and Scientific Equipment with 24 month validity to Council. 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 tenders of Capital Finance Australia Limited (CFAT) and W I Jones Pty Ltd trading as Ozwide Asset Management (Ozwide) as the panel of preferred providers of operating lease finance for desktop computers, file servers, notebooks, communications equipment, scientific laboratory equipment and other hand held devices.

**Attachments A, B and C** 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 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. The tenders from Capital Finance Australia Limited (CFAT) and W I Jones Pty Ltd trading as Ozwide Asset Management (Ozwide) as the panel of preferred providers of operating lease finance for desktop computers, file servers, notebooks, communications equipment, scientific laboratory equipment and other hand held devices for a period of 24 months commencing from 13 June 2009 be accepted.**
- 2. The ATTACHMENTS A, B and C 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.

3. All tender documentation to be executed under the Common Seal of Council.



**REPORT:****Background**

Council Tender AC2009-026 for Operating Lease Finance for IT, Communications and Scientific Equipment invited responses for the provision of:-

Operating lease finance for desktop computers, file servers, notebooks, communications equipment, scientific laboratory equipment and other hand held devices

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

No	Criteria	Weighting
1	Proven ability/record, acceptable references and capacity to provide finance on a timely basis.	20%
2	Lease Rental Rates	40%
3	Acceptability of Council's Master Rental Agreement and Tender Requirement Response	40%

In addition for a tender to be compliant it must comply with Australia Accounting Standards AASB117.

**Master Rental Agreement**

Council worked with Integrity Corporate Finance, Council's leasing adviser, prior to the Tender, to develop a Master Rental Agreement (MRA). A copy of the MRA is provided at **CONFIDENTIAL ATTACHMENT C**. The Integrity MRA document was designed to attract a broad range of tender responses, meet Council's operating needs and objectives, and at the same time ensure Council is adequately protected.

**Tenders Received**

A total of six companies responded to the tender by the closing date after 27 registrations of interest had been received.

The invitation to tender was advertised during April with a closing date of 29 April 2009 and the following companies responded to the tender within the prescribed period:

- Alleasing Pty Ltd
- Capital Finance Australia Limited
- Commonwealth Bank of Australia
- IBM Global Financing Australia Limited
- Macquarie Equipment Finance Pty Ltd
- Ozwide Asset Management



## Tender Evaluation

An independent consultant and Council's Lease Advisor, Integrity Corporate Finance Group Pty Ltd, was engaged to evaluate the responses received and recommend to Council the appropriate course of action.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of the Manager Financial Services, Chief Information Officer and Contracts Administrative Assistant. 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 following table shows the preferred Tenderers against each of the Selection criteria:

Criteria	Name
1	Ozwide Asset Management
2	Capital Finance Australia Limited
3	Macquarie Equipment Finance Pty Ltd

Based on the assessment criteria contained in **CONFIDENTIAL ATTACHMENT B**, it is recommended that the tenderers Capital Finance Australia Limited (CFAT) and W I Jones Pty Ltd trading as Ozwide Asset Management (Ozwide) be nominated as the panel of preferred providers of operating lease finance for desktop computers, file servers, notebooks, communications equipment, scientific laboratory equipment and other hand held devices for a period of 24 months.

Details of Capital Finance Australia Limited (CFAT) and W I Jones Pty Ltd trading as Ozwide Asset Management (Ozwide) relative competitiveness are shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by the Evaluation Committee.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funding is provided within the 2009/2010 Budget for Council Tender AC2009-026 for Operating Lease Finance for IT, Communications and Scientific Equipment.

### POLICY IMPLICATIONS:

Nil.



**UNDER SEPARATE COVER/FURTHER INFORMATION:**

1. **Confidential Attachment A** - Tender Evaluation Report from Integrity Corporate Finance Pty Ltd (ECM 2054853)
  2. **Confidential Attachment B** - Tender Evaluation Panel Report (ECM 2054842)
  3. **Confidential Attachment C** - Master Rental Agreement (ECM 2054797)
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## 09 [TCS-OC] Integrated Planning and Reporting Framework

### ORIGIN:

#### Corporate Governance

### SUMMARY OF REPORT:

The Department of Local Government on 11 May 2009 released circular 09-19, *Integrated Planning and Reporting – Release of Draft Legislation and Guidelines for Consultation*, which contains information on the following documents:

1. Consultation Draft Local Government Amendment (Planning and Reporting) Bill 2009;
2. Consultation Draft Local Government (General) Amendment (Planning and Reporting) Regulation 2009;
3. Consultation Draft Planning and Reporting Guidelines for local government in NSW; and
4. Consultation Draft Planning and Reporting manual for local government in NSW.

The Department is inviting councils to make submissions on the consultation draft documents 1 and 2 by Friday 12 June 2009 and for documents 3 and 4 by Friday 3 July 2009.

Council on 6 March 2007 approved the forwarding of a submission on the Planning a Sustainable Future options paper on “Integrated Planning and Reporting for NSW Local Councils” (copy attached). Council Officers are currently reviewing the draft consultation documents and comparing them with Council’s 6 March 2007 submission to determine whether further comments should be submitted to the Department.

The specific aims of the Integrated Planning and Reporting Framework are to:

- Improve integration of various statutory planning and reporting processes undertaken by councils as required by the *Local Government Act 1993* and the *Environmental Planning and Assessment Act 1979*;
- Strengthen council’s strategic focus;
- Streamline reporting processes;
- Ensure that the *Local Government Act 1993* and the Department’s guidelines support a strategic and integrated approach to planning and reporting by local councils.

The proposed framework if adopted will significantly change the manner and format in which council manages its Management Plan preparation and reporting processes.

**RECOMMENDATION:**

**That Council, due to the timeframe requirements, delegates the General Manager to lodge relevant further submissions, if required, on the consultation draft Integrated Planning and Reporting Framework documents.**

**REPORT:**

As per summary.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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1. Operations Committee Report 6 March 2007 - Submission to the Department of Local Government – “Planning A Sustainable Future” (ECM 1539448)
  2. Department of Local Government Publication – Integrated Planning and Reporting Framework Frequently Asked Questions and their answers (ECM 2054561)
  3. Circular 09-19 Integrated Planning and Reporting – Release of Draft Legislation and Guidelines for Consultation available on the Department of Local Government website [www.dlg.nsw.gov.au/circulars](http://www.dlg.nsw.gov.au/circulars). Copy of circular provided under separate cover to Councillors.
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**O10 [TCS-OC] Payment of Voluntary Goods and Services Tax (GST)**

**ORIGIN:**

**Financial Services**

**SUMMARY OF REPORT:**

Council is required to make a resolution for a Goods and Services Tax Certificate in relation to payment of Voluntary Goods and Services Tax from 1 May 2008 to 30 April 2009.

**RECOMMENDATION:**

**That, to assist compliance under Section 114 of the Commonwealth Constitution, Council certifies that:**

- **Voluntary Goods and Services Tax (GST) has been paid by Tweed Shire Council for the period 1 May 2008 to 30 April 2009;**
- **Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed; and**
- **No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.**

**REPORT:**

The Department of Local Government Circular 01/45 requires councils to have an independent GST review undertaken and a GST Audit Review prepared by an Auditor and lodged with the Department each year.

The approach for the 2004/2005 financial year and for all subsequent years has been for councils to supply a certificate of confirmation to the Department in place of the Audit Review Report. It is no longer mandatory for councils to have their Auditors undertake a review of the GST systems. It is at Council's discretion as to whether an audit review is undertaken to support the sign off of the certificate of confirmation.

By 8 June of each year the Commonwealth seeks from members of the GST Administration Subcommittee (GSTAS) advice on voluntary GST payments by local government bodies.

The timing of this request is to allow the Commonwealth Commissioner of Taxation to make a determination concerning the amount of GST collected in the financial year in question. Information sought by the Commonwealth is simply instances of where voluntary payments should have been, but were not, paid by local government bodies.

Accordingly, local governing bodies are requested to provide the Department of Local Government with this advice before 1 June each year. The Department will then provide the advice to NSW Treasury for confirmation with the Commonwealth Commissioner of Taxation.

Tweed Shire Council's responsibilities extend to developing and maintaining internal controls, which should ensure compliance and reduce the risk of cash flow issues and under/over payment of GST.

The certificate includes the following certification:



**COUNCIL OF TWEED SHIRE**

**GOODS AND SERVICES TAX CERTIFICATE**

***Payment of Voluntary GST 1 May 2008 to 30 April 2009***

To assist compliance with Section 114 of the Commonwealth Constitution, we certify that:

- *Voluntary GST has been paid by Tweed Shire Council for the period 1 May 2008 to 30 April 2009.*
- *Adequate management arrangements and internal controls were in place to enable the Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.*
- *No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.*

*Signed in accordance with a resolution of Council made on 28 May 2009*

.....  
*Joan van Lieshout*  
**Mayor**

.....  
*Barry Longland*  
**Deputy Mayor**

.....  
*Mike Rayner*  
**GENERAL MANAGER**

.....  
*Michael Chorlton*  
**RESPONSIBLE ACCOUNTING OFFICER**



**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://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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**O11 [TCS-OC] Monthly Investment Report for Period Ending 30 April 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 \$121,731,310 invested as at 30 April 2009 and the net return on these funds was \$396,440 or 3.84% annualised for the month.

**RECOMMENDATION:**

**That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at 30 April 2009 totalling \$121,731,310 be received and noted.**



**REPORT:**

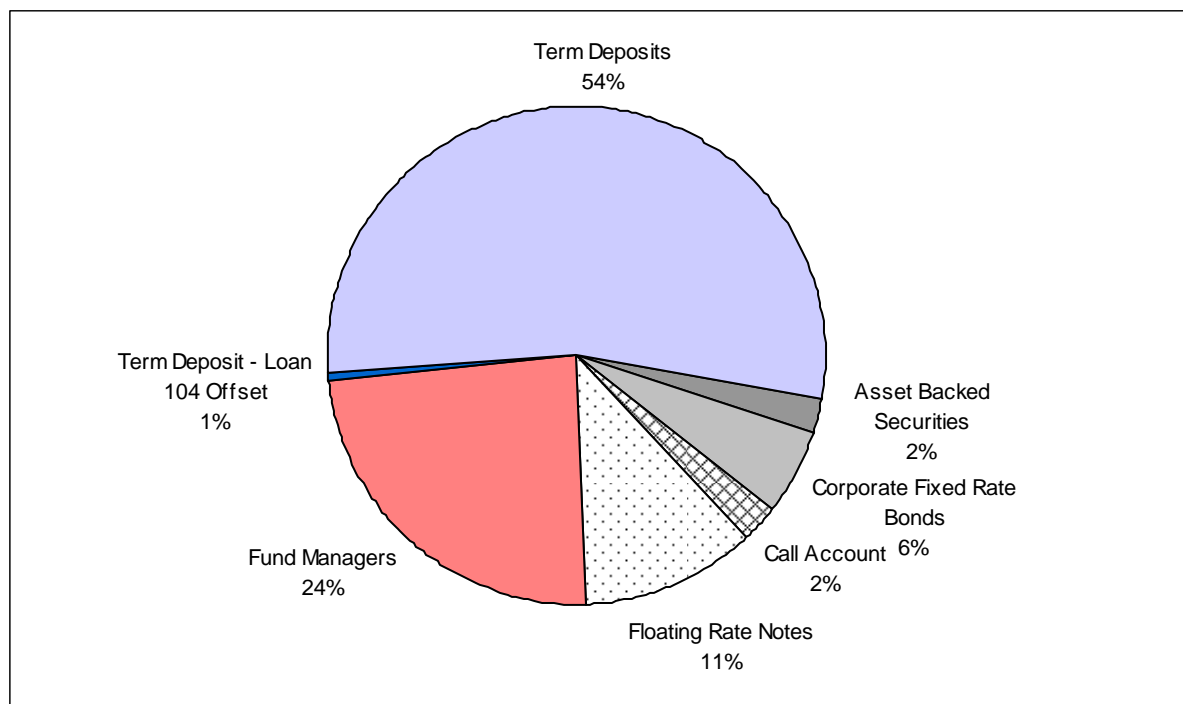
**Report for Period Ending 30 April 2009**

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 2009**

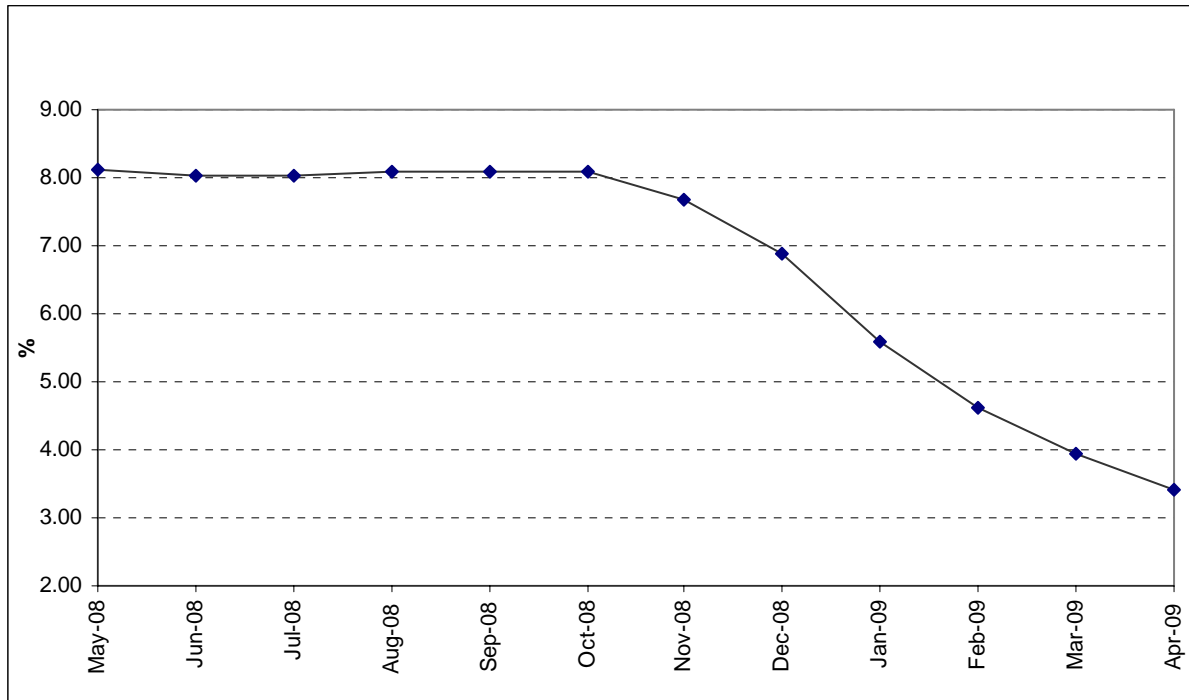
Description	(\$'000)			Total
	General Fund	Water Fund	Sewer Fund	
<b>Externally Restricted</b>	5,682	13,980	14,908	<b>34,570</b>
Crown Caravan Parks	8,732			<b>8,732</b>
Developer Contributions	29,739	19,559		<b>49,298</b>
Domestic Waste Management	8,644			<b>8,644</b>
Grants	3,997			<b>3,997</b>
<b>Internally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

**2. CURRENT INVESTMENT PORTFOLIO BY CATEGORY**

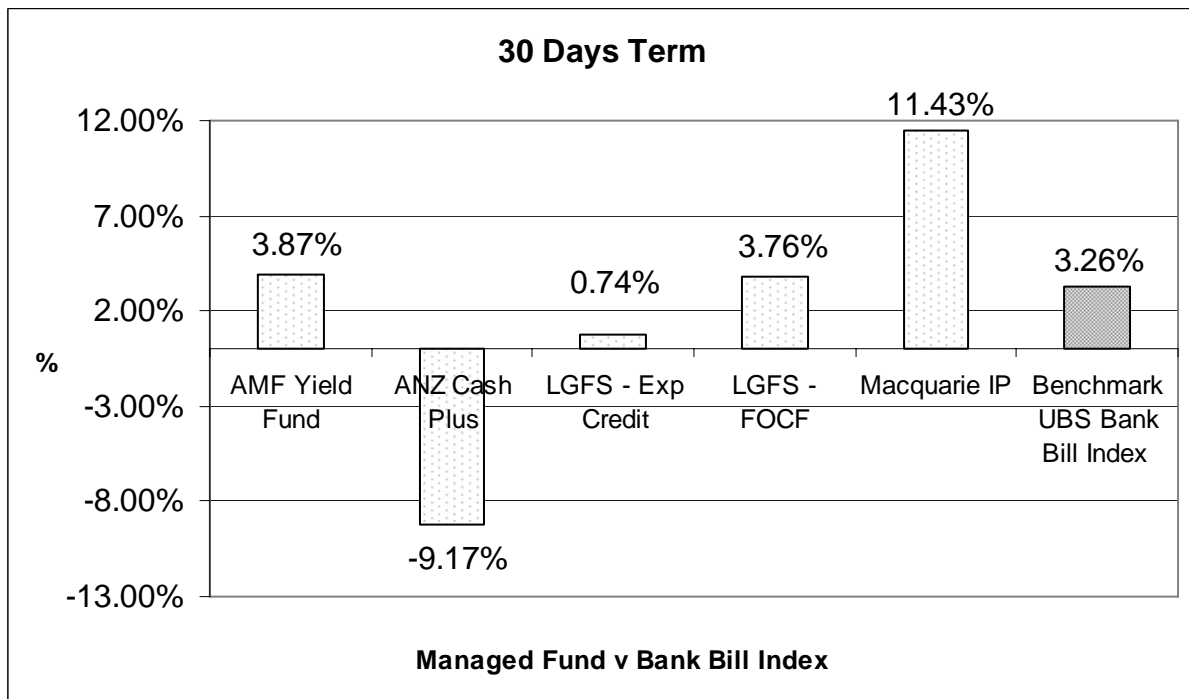




**3. INVESTMENT RATES - 90 DAY BANK BILL RATE (%)**

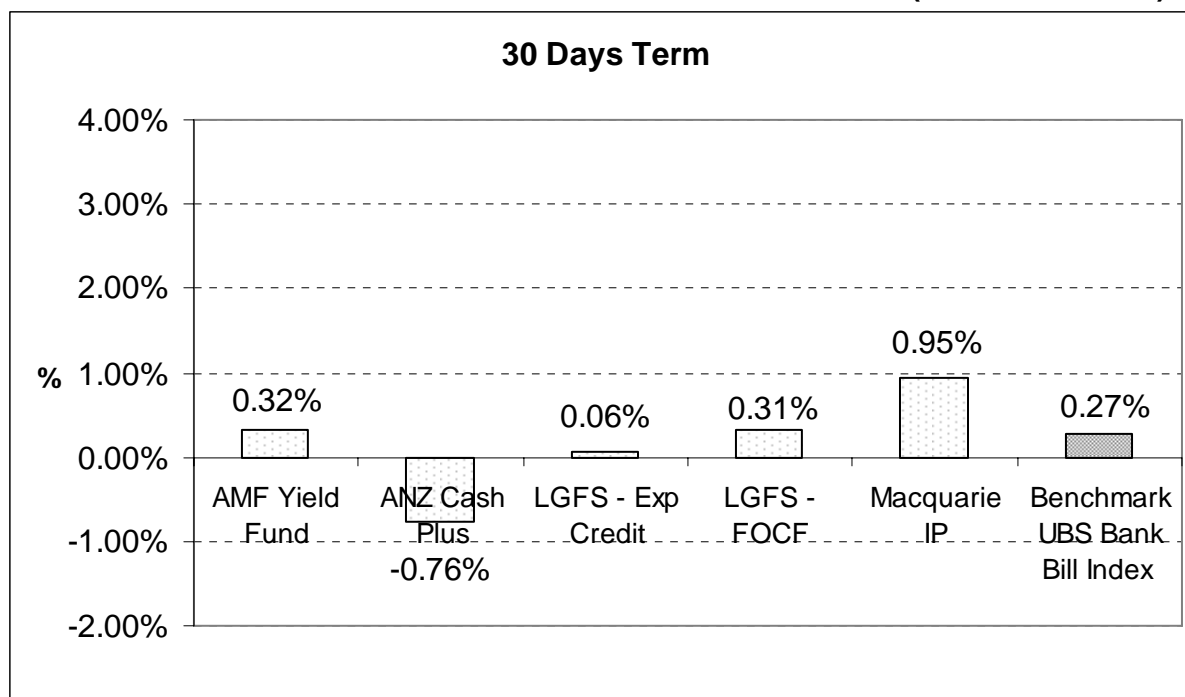


**4. FUNDS MANAGERS PERFORMANCE FOR MONTH - NET OF FEES (ANNUALISED)**





**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	3.78%	\$1,090,427	\$1,093,803	\$3,376	Monthly
ANZ Cash Plus	AA	3.06%	\$892,099	\$885,074	\$2,569	suspended
LGFS - Exp Credit	n/a	19.03%	\$5,508,696	\$5,512,049	\$3,353	Quarterly
LGFS - FOCF	AA-	38.86%	\$10,124,997	\$11,253,562	\$34,124	Monthly
Macquarie IP	A	35.27%	\$11,219,438	\$10,215,432	\$0	Quarterly
<b>Total</b>		<b>100%</b>	<b>\$28,835,657</b>	<b>\$28,959,920</b>	<b>\$43,422</b>	

**7. DIRECT SECURITIES**

Investment Type	Final Maturity	Counterparty/ Product Name	Face Value	Market Value	% Return on Face Value	Credit Rating
ABS	22/01/2018	Merrill Lynch Zero Coupon Bond	2,000,000.00	2,563,038.80	7.28	AA
Bond	08/11/2011	ANZ	1,000,000.00	1,038,650.00	5.15	AA
Bond	22/04/2013	ANZ	1,000,000.00	1,103,770.00	8.65	AA
Bond	02/12/2010	Bank of Queensland	1,000,000.00	1,000,000.00	6.00	BBB+
Bond	02/12/2010	Bank of Queensland	500,000.00	536,210.00	6.00	BBB+
Bond	02/12/2010	Bank of Queensland	1,000,000.00	1,024,140.00	5.55	BBB+
Bond	24/09/2012	Westpac	1,000,000.00	1,067,620.00	4.90	AA
Bond	24/09/2012	Westpac	1,000,000.00	1,067,620.00	5.15	AA





FRN	22/05/2009	Adelaide Bendigo Bank	1,000,000.00	1,005,575.00	3.29	A2
FRN	17/08/2010	ANZ	1,000,000.00	943,386.00	3.36	AA
FRN	20/07/2010	CBA	1,000,000.00	969,476.12	3.38	AA
FRN	21/01/2011	CBA	1,000,000.00	992,201.18	3.55	AA
FRN	21/01/2011	CBA	2,000,000.00	1,984,402.36	3.55	AA
FRN	17/04/2012	CBA	1,000,000.00	1,007,383.47	3.36	AA
FRN	23/11/2012	Deutsche Bank	1,000,000.00	832,521.00	4.09	A+
FRN	24/01/2011	Macquarie/HSBC	2,000,000.00	1,800,643.24	3.67	A
FRN	08/03/2012	Members Equity	2,000,000.00	1,440,480.00	4.17	BBB-
FRN	26/11/2010	NAB	2,000,000.00	1,994,432.92	3.56	AA
FRN	22/07/2010	Westpac	1,000,000.00	989,590.00	4.09	AA
ABS = Asset Backed Security Bond = Fixed Rate Bond CDO = Collateralised Debt Obligation FRN = Floating Rate Note			<b>Total</b>	<b>25,500,000.00</b>	<b>23,361,140.09</b>	<b>4.67</b>

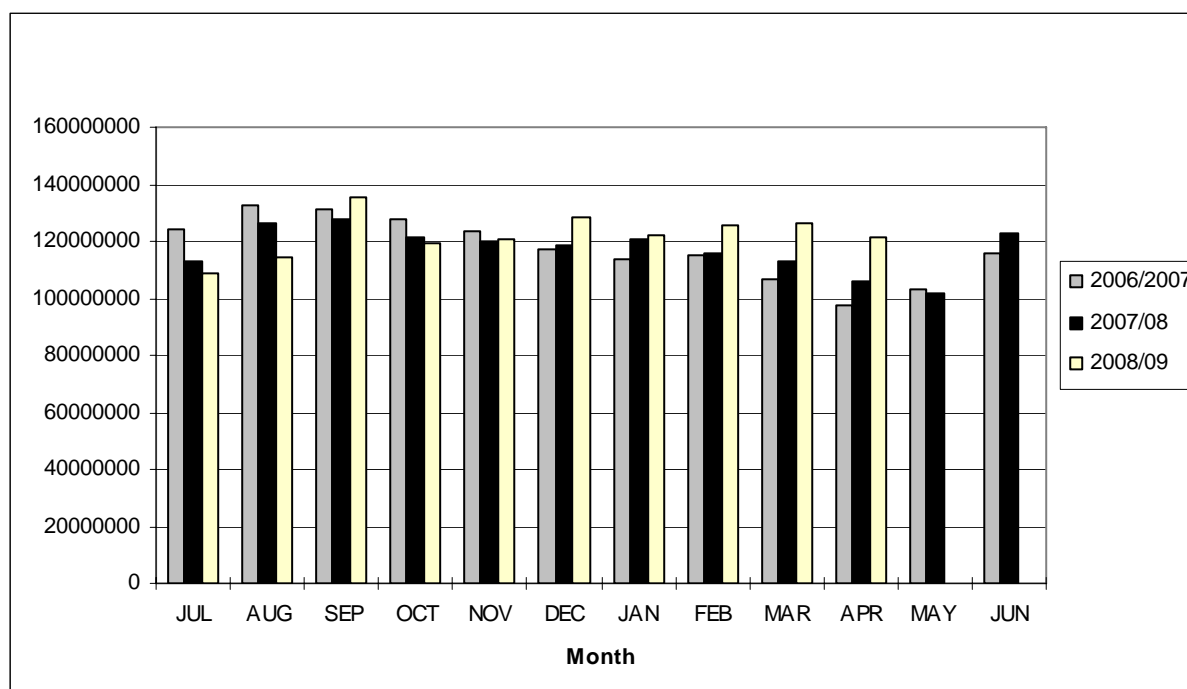
### 8. TERM DEPOSITS

Lodged or Rolled	DUE	Counterparty	PRINCIPAL	TERM	% Yield	INCOME RECEIVABLE
17-Dec-08	<b>05-May-09</b>	National Australia Bank	2,000,000.00	139	5.600	42,652.05
11-Feb-09	<b>13-May-09</b>	Credit Union Australia	1,500,000.00	91	5.300	19,820.55
17-Dec-08	<b>14-May-09</b>	Bank of Queensland	1,000,000.00	148	5.700	23,112.33
18-Feb-09	<b>19-May-09</b>	IMB	1,000,000.00	90	4.300	10,602.74
17-Mar-09	<b>20-May-09</b>	New England Credit Union	1,000,000.00	64	4.000	7,013.70
05-Jan-09	<b>27-May-09</b>	Bank of Queensland	5,000,000.00	142	5.700	110,876.71
11-Mar-09	<b>09-Jun-09</b>	Suncorp	1,000,000.00	90	4.500	11,095.89
08-Oct-08	<b>10-Jun-09</b>	Bank of Queensland	1,000,000.00	245	7.700	51,684.93
16-Mar-09	<b>16-Jun-09</b>	St George Bank	2,000,000.00	92	4.350	21,928.77
05-Mar-09	<b>17-Jun-09</b>	National Australia Bank	2,000,000.00	105	4.200	24,164.38
03-Mar-09	<b>01-Jul-09</b>	Bankwest	2,000,000.00	120	4.000	26,301.37
01-Apr-09	<b>07-Jul-09</b>	Bankwest	3,000,000.00	97	4.300	34,282.19
14-Apr-09	<b>14-Jul-09</b>	LGFS	2,000,000.00	90	4.800	23,671.23
11-Mar-09	<b>14-Jul-09</b>	Bankwest	4,000,000.00	125	4.150	56,849.32
19-Feb-09	<b>21-Jul-09</b>	Adelaide Bendigo Bank	1,000,000.00	152	4.250	17,698.63
15-Apr-09	<b>22-Jul-09</b>	Bankwest	4,000,000.00	98	4.200	45,106.85
27-Jan-09	<b>28-Jul-09</b>	Citibank	1,000,000.00	182	5.080	25,330.41
31-Mar-09	<b>29-Jul-09</b>	Bankwest	6,000,000.00	120	4.300	84,821.92
05-Feb-09	<b>05-Aug-09</b>	Bank of Queensland	3,000,000.00	180	4.900	72,493.15
11-Mar-09	<b>11-Aug-09</b>	Adelaide/Bendigo Bank	2,000,000.00	153	4.250	35,630.14
01-Apr-09	<b>25-Sep-09</b>	Bank of Queensland	2,000,000.00	177	4.500	43,643.84



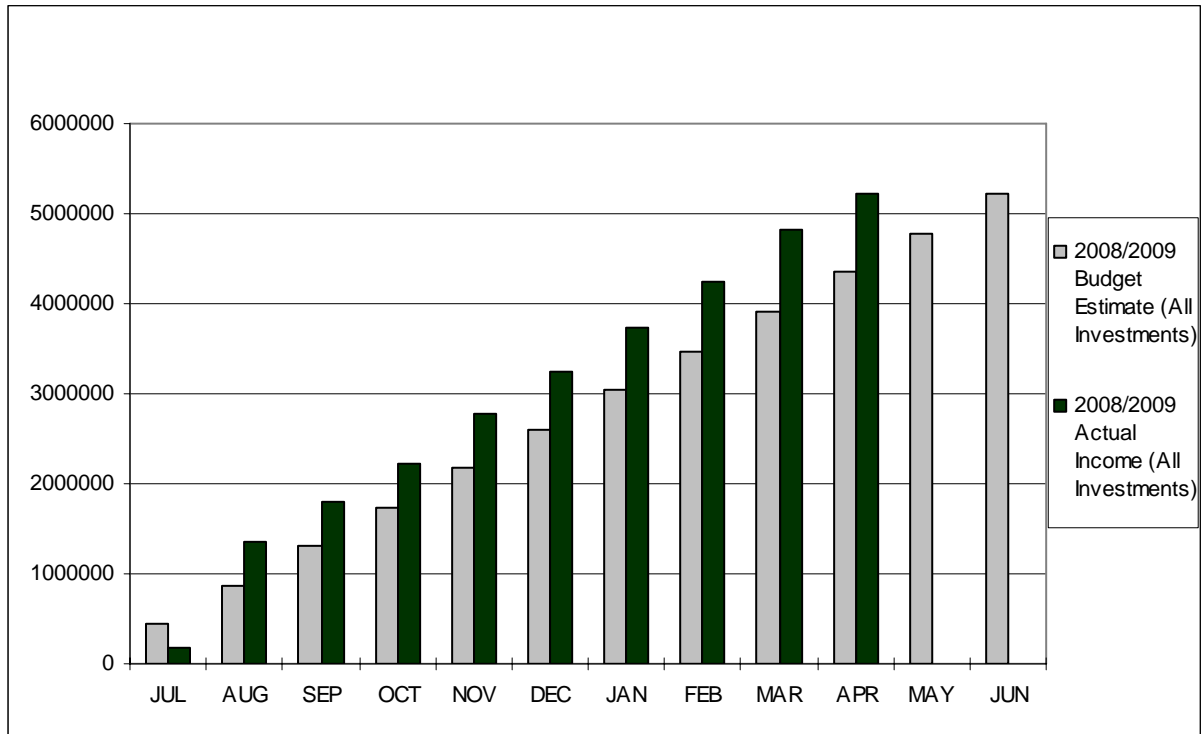
Lodged or Rolled	DUE	Counterparty	PRINCIPAL	TERM	% Yield	INCOME RECEIVABLE
28-Apr-09	<b>28-Oct-09</b>	CBA	910,250.00	183	5.865	26,766.21
17-Feb-09	<b>16-Feb-11</b>	Elders Rural Bank	1,000,000.00	729	4.620	92,273.42
17-Feb-09	<b>17-Feb-11</b>	Adelaide Bendigo Bank	2,000,000.00	730	4.700	188,000.00
12-Nov-08	<b>16-Nov-11</b>	Investec Bank	1,000,000.00	1099	6.880	207,153.97
11-Mar-09	<b>28-May-09</b>	LGFS	5,000,000.00	78	4.190	44,769.86
02-Apr-08	<b>01-Apr-11</b>	Suncorp Metway	3,000,000.00	1095	8.300	747,000.00
12-Nov-08	<b>11-Nov-11</b>	Suncorp Metway	4,000,000.00	1094	6.880	824,846.03
18-Feb-09	<b>19-May-09</b>	Macquarie Bank	2,000,000.00	90	4.400	21,698.63
			66,410,250.00		5.032	

**9. MONTHLY COMPARISON OF TOTAL FUNDS INVESTED**





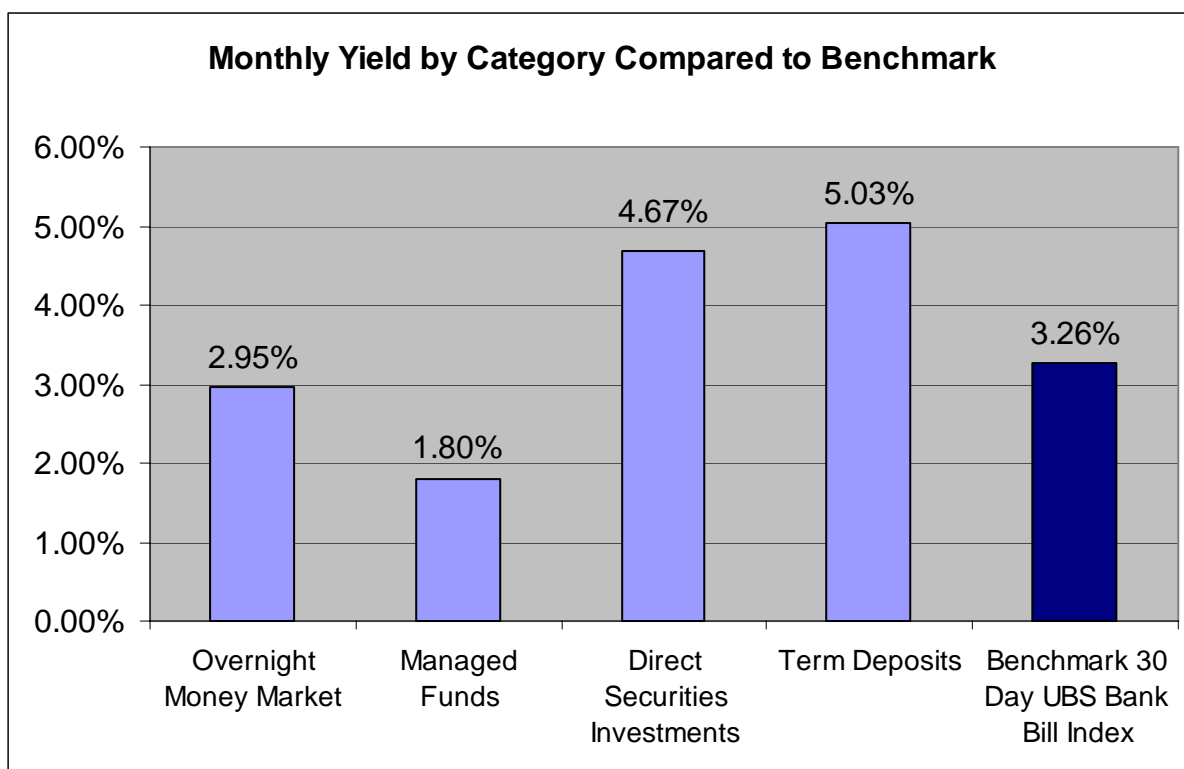
**10. TOTAL PORTFOLIO INCOME YEAR TO DATE**



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

**11. PERFORMANCE BY CATEGORY**

Category	Face Value	Market Value	Average Yield	Yield Above or Below 30 day BBSW Benchmark
Overnight Money Market	\$3,000,000.00	\$3,000,000.00	2.95%	-0.31%
Managed Funds	\$28,959,920.02	\$28,959,920.02	1.80%	-1.46%
Direct Securities Investments	\$25,500,000.00	\$23,361,140.09	4.67%	1.41%
Term Deposits	\$66,410,250.00	\$66,410,250.00	5.03%	1.77%
Benchmark 30 Day UBS Bank Bill Index	\$123,870,170.02	\$121,731,310.11	3.26%	



## 12. ECONOMIC COMMENTARY

### Global Economy

The International Monetary Fund (IMF) says the global recession will be deeper and more prolonged due to expectations that "financial stabilisation will take longer than previously envisaged." It downgraded its global growth forecast for 2009 to -1.3%.

### Domestic Economy

The IMF predicts the Australian economy will contract by 1.4% in 2009 and grow by just 0.6% in 2010. The unemployment rate is projected to average 6.8% in 2009 and 7.8% in 2010. These forecasts are subject to change and are significantly more negative than the latest forecasts published by the Federal Government and the Reserve Bank of Australia (RBA).

The RBA left the cash rate at 3% on 5 May 2009.

The downturn in the global economy has had a significant effect on output growth in Australia. Activity contracted in the latter part of 2008 and this has continued into 2009. The economy is, however, still expected to record better outcomes in 2009 and 2010 than those in most other advanced countries.

This reflects, among other things, the stronger state of the Australian banking system, the significant policy stimulus to date and the depreciation of the currency that took place in the second half of 2008. Since September last year, the cash rate has been lowered by 4.25% and, unlike in many other countries, the bulk of this reduction has been passed on to end borrowers, particularly households. There has also been a very substantial easing of fiscal policy.

In the current environment, household spending is being influenced by a number of countervailing forces. Disposable income has been boosted by government transfer and tax bonus payments, and households with a mortgage have benefited from the very large reduction in debt servicing costs. Working in the other direction, aggregate household wealth has seen a major decline, and households have become more concerned about the prospect of unemployment, although consumer confidence remains substantially higher in Australia than in many other countries. Overall, consumer spending appears to have grown at a modest pace over recent months.

#### Council's Investment Portfolio Performance

A high ratio (54%) of Council's total Investment Portfolio was again held in term deposits during April. Term deposits achieved a moderate average return of approximately 5% pa for the month, with minimal capital risk.

Council's managed funds average yield for April was 1.80% pa. This figure shows the managed funds produced below benchmark monthly/quarterly distributions in April and the unit price (i.e. capital price) of some funds continued to fall.

Council's direct securities investments now consist almost entirely of a mix of floating rate notes and fixed rate bonds. The fixed rate bonds were "locked in" at interest rates of between 5% and 8.65% pa while the floating rate notes track the 90 day bank bill rate plus a margin of between 0.5% and 1%. Direct security type investments represent 19% of Council's total Investment Portfolio.

The \$2m Puttable Note component of the \$6m Argon investment was returned to Council on 20 April with a coupon payment of approximately \$19,000. The Argon structure will now be unwound and the \$2m Commonwealth Bank Zero Coupon Bond component will be reported as a fixed rate corporate bond in future Investment Reports until maturity in 2018.

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 \$121,731,310 invested as at 30 April, 2009 and the net return on these funds was \$396,440 or 3.84% annualised for the month.

*Source: Oakvale 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	\$6,838,010.00	
FLOATING RATE NOTES	13,960,091.29	
ASSET BACKED SECURITIES	2,563,038.80	
FUND MANAGERS	5,074,522.43	
TERM DEPOSIT - LOAN 104 OFFSET	910,250.00	
TERM DEPOSITS	51,500,000.00	
CALL ACCOUNT	3,000,000.00	<b>83,845,912.52</b>

**WATER FUND**

TERM DEPOSITS	12,000,000.00	
FUND MANAGERS	21,438,724.73	<b>33,438,724.73</b>

**SEWERAGE FUND**

TERM DEPOSITS	2,000,000.00	
FUND MANAGERS	2,446,672.86	<b>4,446,672.86</b>

**TOTAL INVESTMENTS**

**121,731,310.11**

It should be noted that the General Funds investments of \$83 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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

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

**Chief Financial Officer (Responsible Accounting Officer)**

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.



**UNDER SEPARATE COVER/FURTHER INFORMATION:**

To view any "**non confidential**" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://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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**O12 [TCS-OC] In Kind and Real Donations - January to March 2009**

**ORIGIN:**

**Financial Services**

**SUMMARY OF REPORT:**

Details of in kind and real donations for the period January to March 2009 are reproduced in this report for Council's information.

**RECOMMENDATION:**

**That Council notes total donations of \$19,528.36 for the period January to March 2009.**

**REPORT:**

Council maintains a register of in kind and real donations. Details of these donations for the period January to March 2009 are reproduced as follows:-

<b>Financial Assistance</b>			
<b>Amount</b>	<b>Recipient</b>	<b>Donated Item</b>	<b>Date</b>
\$2,250.00	Tweed Shire Senior Citizens Week Committee	Budget Allocation	29-Jan-09
\$50.00	Murwillumbah RSL Sub-Branch	Donation - Anzac Day Book	26-Feb-09
<b>\$2,300.00</b>			

<b>Goods and/or Materials</b>			
<b>Amount</b>	<b>Recipient</b>	<b>Donated Item</b>	<b>Date</b>
\$200.00	Uki Open Garden Bushfire Appeal	50 Trees	27-Feb-09
<b>\$200.00</b>			

<b>Provision of Labour and/or Plant &amp; Equipment</b>			
<b>Amount</b>	<b>Recipient</b>	<b>Donated Item</b>	<b>Date</b>
\$1,107.41	Street Christmas Decorations	Provision of Labour & Council Plant	09/01/2009
\$3,963.10	Life Education Van Relocation	Provision of Labour & Council Plant	Feb/March 09
<b>\$5,070.51</b>			

<b>Rates</b>			
<b>Amount</b>	<b>Recipient</b>	<b>Donated Item</b>	<b>Date</b>
\$2,245.30	Tweed Coast Community Centre - Pottsville	Council Rates 2008/2009	25-Feb-09
\$78.88	Tweed Coast Community Centre - Pottsville	Council Water Rates 2008/2009	25-Feb-09
\$906.60	Kunghur Hall Committee	Council Rates 2008/2009	25-Feb-09
\$247.52	Twin Towns Police & Community Youth Club	Council Water Rates 2008/2009	25-Feb-09
\$66.70	Bilambil Hall Committee	Council Rates 2008/2009	10-Mar-09
<b>\$3,545.00</b>			

<b>Tweed Link Advertising</b>			
<b>Amount</b>	<b>Recipient</b>	<b>Donated Item</b>	<b>Date</b>
\$229.50	Various Community Notices	Advertising	27-Jan-09
\$60.75	Various Community Notices	Advertising	03-Feb-09
\$135.00	Various Community Notices	Advertising	10-Feb-09
\$81.00	Various Community Notices	Advertising	17-Feb-09
\$182.25	Various Community Notices	Advertising	24-Feb-09
\$94.50	Various Community Notices	Advertising	03-Mar-09
\$40.50	Various Community Notices	Advertising	10-Mar-09
\$81.00	Various Community Notices	Advertising	24-Mar-09
\$222.75	Various Community Notices	Advertising	31-Mar-09
<b>\$1,127.25</b>			



<b>Room Hire Amount</b>	<b>Recipient</b>	<b>Donated Item</b>	<b>Date</b>
\$467.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	02-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	03-Feb-09
\$467.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	04-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	09-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	10-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	11-Feb-09
\$240.20	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	14-Feb-09
\$135.40	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	15-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	16-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	18-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	23-Feb-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	25-Feb-09
\$135.40	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	01-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	02-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	04-Mar-09
\$215.00	Tweed Shire Women Service	Room Hire - Murwillumbah Civic Centre	07-Mar-09
\$106.50	Relay for Life Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	08-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	09-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	11-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	12-Mar-09
\$161.30	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	14-Mar-09
\$161.30	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	15-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	17-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	18-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	19-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	24-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	25-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	30-Mar-09
\$67.70	Murwillumbah Theatre Company	Room Hire - Murwillumbah Civic Centre	31-Mar-09



Room Hire Amount	Recipient	Donated Item	Date
	Company	Centre	
\$97.50	Twin Towns Garden Club	Room Hire - Tweed Heads Civic Centre	12-Jan-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	18-Jan-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	19-Jan-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	22-Jan-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	25-Jan-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	29-Jan-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	01-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	02-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	05-Feb-09
\$97.50	Twin Towns Garden Club	Room Hire - Tweed Heads Civic Centre	09-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	09-Feb-09
\$347.00	Victorian Bush Fire Request Centre	Room Hire - Tweed Heads Civic Centre	12-Feb-09
\$467.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	12-Feb-09
\$347.00	Victorian Bush Fire Request Centre	Room Hire - Tweed Heads Civic Centre	13-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	16-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	19-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	22-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	23-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	1-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	2-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	5-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	8-Mar-09
\$101.50	Twin Towns Garden Club	Room Hire - Tweed Heads Civic Centre	9-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	9-Mar-09
\$67.70	Northern Rivers Symphony Orchestra	Room Hire - Tweed Heads Civic Centre	11-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	12-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	15-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	16-Mar-09



Room Hire Amount	Recipient	Donated Item	Date
\$67.70	Northern Rivers Symphony Orchestra	Room Hire - Tweed Heads Civic Centre	18-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	19-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	23-Mar-09
\$67.70	Northern Rivers Symphony Orchestra	Room Hire - Tweed Heads Civic Centre	25-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	26-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	28-Mar-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Civic Centre	30-Mar-09
\$27.90	Twin Towns Friends	Room Hire - South Tweed HACC	11-Feb-09
\$27.90	Twin Towns Friends	Room Hire - South Tweed HACC	11-Mar-09
\$71.40	Twin Towns Friends	Hall Hire - South Tweed Heads Community Hall	18-Mar-09
\$78.70	Tweed Heads Hospital Ladies Auxillary	Room Hire - Tweed Heads Meeting Room	2-Feb-09
\$67.70	Tweed Theatre Company	Room Hire - Tweed Heads Meeting Room	26-Feb-09
\$78.70	Tweed Heads Hospital Ladies Auxillary	Room Hire - Tweed Heads Meeting Room	2-Mar-09
\$67.30	South Sea Islander Community Meeting	Room Hire - Tweed Heads Meeting Room	14-Mar-09
<b>\$7,285.60</b>			
<b>\$19,528.36</b>	<b>Total Donations 3rd Quarter (January,February, March 2009)</b>		

**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](http://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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**O13 [TCS-OC] Corporate Quarterly Report - January to March 2009  
Incorporating the 7 Year Infrastructure & Services Plan**

**ORIGIN:**

**Corporate Governance**

**SUMMARY OF REPORT:**

The Corporate Quarterly Report for the period 1 January to 31 March 2009 is presented for consideration by Council.

This report details the progress for the period 1 January to 31 March 2009 on activities identified to be undertaken during 2008-2009 in the 2008-2011 Management Plan including progress on the 7 Year Infrastructure & Services Plan.

**RECOMMENDATION:**

**That Council receives and notes the Corporate Quarterly Report including progress on the 7 Year Infrastructure & Services Plan for the period 1 January to 31 March 2009.**

REPORT:

Tweed Shire Council Corporate Quarterly Report for Jan - Mar 2009



Social Action Plan	Community & Natural Resources	Cost Centre	Measure	Target	July - Sept			Oct - Dec			Total	Comments
					July - Sept	Oct - Dec	Jan - Mar	July - Sept	Oct - Dec	Jan - Mar		
<b>Manager Community &amp; Cultural Services</b>												
	Workshops held by the Regional Art Gallery	C008	number	15	9	7	21				37	
	Cultural Development projects delivered	C008	number	7	1	3	2				6	
	Exhibitions held by the Regional Art Gallery	C008	number	25	11	8	7				26	
	Museum projects delivered	C010	number	10	2	4	2				8	
	Clients aided by Community Options	C012	number	810	250	352	213				815	
	Projects, events, activities for Seniors facilitated by Council	C012	number	12	3	3	4				10	
	Disability projects delivered	C012	number	16	5	7	2				14	
	Youth projects delivered	C012	number	24	4	10	6				20	
	Festivals and events held to promote the Shire	C031	number	25	12	13	6				31	
	Aboriginal Development projects delivered	C012	number	5	5	4	4				13	
	Visitors to the Regional Art Gallery	C008	number	50,000	14,597	13,128	14,656				42,381	
	Library projects delivered	C009	number	4	7	3	3				13	
	School holiday activities facilitated by Council	C012	number	20	3	8	8				19	
<b>Engineering &amp; Operations</b>												
<b>Manager Recreation Services</b>												
	Local recreation capital works completed on time in budget	C027	%	100%	10	30	50				50	
	Requests for parks maintenance	C027	number	n/a	38	57	35				130	
	Swimming pool attendance	C022	number	n/a	4,070	20,359	45,283				69,712	
	Short-term filming licenses issued	A029	number	n/a	4	4	1				9	



Economic Action Plan	Cost Centre	Measure	Target	July - Sept			Oct - Dec			Jan - Mar			Total	Comments
<b>Business &amp; Economic Development</b>														
<b>Manager Business &amp; Economic Development</b>														
	D001	number	n/a	16	8	4							28	
	A009	number	n/a	1 693	0	0							1 693	
<b>Environmental Action Plan: Natural Environment</b>														
<b>Community &amp; Natural Resources</b>														
<b>Coordinator Natural Resource Management</b>														
	C016	ha	100 ha	80	80	105							265	
	E021	number	4	2	1	0							3	
	E021	number	20	8	3	4							15	
	E021	number	2	0	0	0							0	
	C018	%	100%	25	25	25							75	
	E020	%	100%	40	20	10							70	
	E013	number	3	4	1	1							6	
	E016	number	8	8	0	0							8	
	E016	trap days	300	60	817	789							1,666	
	E016	number	6	4	4	2							10	
	E020	%	100%	10	30	30							70	
	C018	number	2	0	1	0							1	
	C018	%	30%	2	4	4							10	
	E020	%	100%	5	5	5							15	
	C018	number	4	1	1	1							3	

Cost Centre	Measure	Target	July - Sept			Oct - Dec			Jan - Mar			Total	Comments
			Sept	Oct	Nov	Dec	Jan	Feb	Mar				
<b>Environmental Action Plan: Built Environment</b>													
<b>Community &amp; Natural Resources</b>													
<b>Manager Water</b>													
S003	Annual sewer overflows	<30										53	2007/2008 Total.
W006	Annual average residential water consumption per connected assessment	<200										201	2007/2008.
S003	Annual reused effluent	10%										4	2007/2008 Total.
<b>Waste Manager</b>													
G002	Kilograms of recycling per capita	<140	22	21	21							64	
G001	Tonnes of green waste reprocessed	n/a	1,569	1,997	2,735							6,321	
G001	Litres of leachate reprocessed	n/a	0	0	0							0	This was a trial project which was not successful. No longer in operation.
G002	Environmental education initiatives and events conducted	n/a	20	18	14							52	Majority of 3rd quarter was school holidays, and commencement of school year resulting in lower educational activity numbers.
G002	Average domestic waste recycled	25	38	32	31							34	

	Cost Centre	Measure	Target	July - Sept	Oct - Dec	Jan - Mar	Total	Comments
<b>Environmental Action Plan: Built Environment</b>								
<b>Planning &amp; Regulation</b>								
<b>Coordinator Planning Reforms</b>								
Strategic Land Use and Locality Plans adopted by Council	D002	number	3	0	0	1	1	Tweed Urban and Employment Lands Release Strategy was adopted by Council on 17 March 2009.
<b>Manager Building &amp; Environmental Health</b>								
Quarterly on-site sewage management systems inspected	D001	number	100	152	134	179	179	
Building Certificates issued	C019	number	n/a	22	21	35	78	
Construction Certificates approved	C019	number	n/a	134	74	66	274	
Complying Development applications approved	C019	number	n/a	18	20	13	51	
Development Applications approved	C019	number	n/a	136	156	138	430	
Mandatory critical building inspections carried out within 48 hrs of request	C019	%	100%	100	100	100	100	
Average processing time for s68 Approvals, Sewer / Water	C019	days	n/a	7	7	7	7	
Average processing time to approve Complying Development application	C019	days	<10	7	4	8	6	
Average processing time to determine a Construction Certificate	C019	days	<15	5	3	4	4	
Average processing time to approve a building development applications	C019	days	<40	38	35	38	36	
Food shops inspections	C025	number	620	21	168	227	416	
On-site sewerage management systems failures as a % of total systems inspected	D001	%	n/a	3	7	4	4	
Number of Development Applications received in the period	C019	n/a	n/a	136	131	134	401	
<b>Manager Development Assessment</b>								
Number of DA's received in the period	D001	number	n/a	113	85	79	277	
Average turnaround time to process DA's	D001	days	60	70	93	69	77	
Quarterly DA's approved as a % of total DA's determined	D001	%	n/a	97	91	93	93	
Development Applications (DA's) approved	D001	number	n/a	110	99	97	306	
s149 Certificates issued	D001	number	n/a	789	749	778	2,316	



Cost Centre	Measure	Target	July - Sept	Oct - Dec	Jan - Mar	Total	Comments
<b>Infrastructure Action Plan</b>							
<b>Community &amp; Natural Resources</b>							
<b>Manager Water</b>							
	Total volume of raw water extracted	10250 ml				9,429	2007/2008 Total.
	Percentage of time water restrictions apply	<5%				0	2007/2008 Total.
	Total volume of sewerage treated	7500 ml				7,892	2007/2008 Total.
	Moderate water supply public health incidents reported	0 number				0	2007/2008 Total.
	Moderate water supply environmental incidents reported	0 number				0	2007/2008 Total.
	Moderate sewerage public health incidents reported	0 number				0	2007/2008 Total.
	Moderate sewerage environmental incidents reported	0 number				4	2007/2008 Total (odour).
	Treated water to 1996 NHMRC & ARMCANZ Aust. drinking guidelines	100%				99	2007/2008 Total.
	Water complaints per 1,000 connections	<10 number				1	2007/2008 Total.
	Unaccounted for lost water	<15% %				15	2007/2008 Total.
	Duration of unplanned water interruptions	95%<5hrs %				99	2007/2008 Total.
	Duration of programmed water interruptions	95%<12hrs %				100	2007/2008 Total.
	Total volume of treated water supplied	9600 ml				8,836	2007/2008 Total.
	Average residential water bill	\$318 (06/07) \$				342	2007/2008 (Access Charge \$95 + 201 KL @ \$1.23).
	Number of connected water meters	400 number				317	2007/2008 Total.
	Water mains failures per 100 kms of mains	<10 number				10	2007/2008 Total.
	Service connections failures per 1,000 connections	<25 number				21	2007/2008 Total.
	Quality of effluent meeting DEC (EPA) 90 percentile licence limits	100% %				96	2007/2008 Total (\$ of 8 plants fully compliant).
	Dry weather sewer overflows to waterways per 100 kms	<10 number				11	2007/2008 Total.
	Odour complaints per 1,000 connections	<1 number				1	2007/2008 Total.
	Duration of unplanned sewer service interruptions	95%<8hrs %				99	2007/2008 Total.
	Duration of programmed sewer service interruptions	95%<12hrs %				100	2007/2008 Total.
	Sewer rising mains breaks per 100 kms	<10 number				2	2007/2008 Total.
	Confirmed sewer chokes per 100 kms	<40 number				13	2007/2008 Total.
	Average residential sewer bill	\$473(06/07) \$				492	2007/2008 (Sewerage Access Charge).
	Frequency of unplanned water interruptions per 1,000 connections	<50 number				31	2007/2008 Total.

Infrastructure Action Plan		Cost Centre	Measure	Target	July - Sept	Oct - Dec	Jan - Mar	Total	Comments
<b>Engineering &amp; Operations</b>									
<b>Manager Works</b>									
	Roads resheeted (all programmes)	E009	kms	20	4	1	11	16	
	Kerb and gutter renewed (all programmes)	E009	metres	350	104	5	39	148	
	Roads resurfaced (all programmes)	E009	kms	50	21	14	20	55	Bitumen resealing to be completed Feb 09. Asphalt resurfacing program tenders to be called Feb 09.
	Unsealed roads graded	E010	kms	350	37	31	28	96	
<b>Senior Planning &amp; Infrastructure Engineer</b>									
	New footpaths constructed	E004	metres	1,000	80	360	884	884	
	New cycleways constructed	E014	metres	800	287	0	0	287	
	Signage in bus shelters renewed	E014	number	200	0	0	0	0	Awaiting resolution of signage tender.
	New bus shelters constructed	E010	number	9	7	0	6	13	
	Maintenance and repair of floodgates	E022	number	>30	20	17	5	42	
	Street lights upgrades	E004	number	>10	6	0	0	6	



Governance/Action Plan	Technology & Corporate Services	Cost Centre	Measure	Target	July - Sept	Oct - Dec	Jan - Mar	Total	Comments
<b>Governance/Action Plan</b>									
<b>Technology &amp; Corporate Services</b>									
<b>Chief Information Officer</b>									
Visitors to Councils Internet Web Site	A004	number	n/a	40,000	42,000	44,000		126,000	
Core business systems availability	A004	%	99%	99	98	99		99	Power outages 1st and 3rd January 2009.
<b>Corporate Compliance Officer</b>									
Formal complaints received	A029	number	n/a	18	26	21		65	1- Competitive Neutrality; 2 not actioned for Q.1, 1 not actioned for Q.2 and 3 not actioned for Q.3.
Freedom of information requests received	A029	number	n/a	2	1	1		4	
Completion of the annual Audit Plan	A029	%	100%	25	25	25		25	0 audits conducted for Q.2. & Q.3 Officer resigned. Replacement commenced 27 April.
<b>Manager Risk &amp; Human Resources</b>									
Full time employees	A007	number	n/a	661	661	665		665	
Lost time injury	A007	number	n/a	16	27	45		45	
Workers compensation claims	A007	number	n/a	23	39	61		61	
Reported incidents	A007	number	n/a	50	88	139		139	
Average duration rate of lost time injury	A007	days	n/a	10	10	9		9	
<b>Human Resources Action Plan</b>									
<b>Technology &amp; Corporate Services</b>									
<b>Manager Risk &amp; Human Resources</b>									
Number of employees per 1000 population		number	n/a	8	8	8		8	665/84325
Average time taken to fill an advertised job vacancy		days	n/a	37	45	41		41	
Number of job vacancies re-advertised		number	n/a	2	1	3		3	
<b>Equal Employment Opportunity Action Plan</b>									
<b>Technology &amp; Corporate Services</b>									
<b>Manager Risk &amp; Human Resources</b>									
EEO complaints substantiated	A007	number	n/a	0	0	1		1	
EEO complaints received	A007	number	n/a	0	0	1		1	
% of females employed to total equivalent full time staff	A007	%	n/a	25	26	26		26	175/665
% of males employed to total equivalent full time staff	A007	%	n/a	75	74	74		74	501/665

Tweed Shire Council 7 Year Infrastructure and Services Plan Progress Report for Jan - Mar 2009



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Business and Economic Development</b>							
Economic Marketing & Promotion	Contribution to TEDC Projects.	R Adams	70,000 Rev	\$ 70,000	\$ 55,422	Funding to TEDC to undertake economic development projects identified in the Economic Growth Management Strategy.	Four payments made in quarterly instalments. Marketing Strategy provided.
Corporate Planning Unit	Develop a Business Plan.	R Adams	89526 Rev	\$ 89,526	\$ 43,968	Employment costs for Economic, Corporate Planner and Consultancy Fees for Council 10-Year Business Plan.	Planner employed. Business Plan completed May 2008.
Economic Development Support	Council's Internal Economic Development Projects.	R Adams	71,000 Rev	\$ 71,000	\$ 2,178	Undertake various economic development projects as endorsed by the General Manager.	HTW supplied land valuations, Council endorsed contribution to Murwillumbah CCTV.
Kingscliff Visitors Information Centre	Develop and operate a Visitor Info. Centre at Kingscliff.	R Adams	25,000 Rev	\$ 25,000	\$ 25,000	Kingscliff VIC commenced operations on 15/12/2006.	Four quarterly instalments paid.
Economic Marketing & Promotion - Tourism	Tweed Tourism Support.	R Adams	120,000 Rev	\$ 120,000	\$ 120,000	Funding to Tweed Tourism to undertake tourism marketing and promotion of Tweed.	Four payments made in quarterly instalments. Administrators have approved Tweed Tourism Marketing Plan.
Upgrade Saleyards	Allowance for maintenance of pens, races and other saleyard capital infrastructure.	R Adams	40,000 Rev 16250 C/O	\$ 56,250	\$ 19,005	Works underway to upgrade pens and sorting / loading areas to steel fencing.	Under construction.
<b>Business and Economic Development Total</b>				<b>\$43,770.00</b>	<b>\$265,573.00</b>		



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Community and Natural Resources</b>							
Cultural Arts Seed Funding	This project would enable further arts-based community-driven initiatives to be encouraged, following the expiry of the Tweed City of the Arts activities.	G Corbett	18809 C/O	\$ 18,809	\$ 5,369	Plans and Strategies developed by Responsible Officer.	Awaiting completion.
Arts Traineeship and Mentorship	This project, would initiate accredited traineeships and mentorship in arts and cultural areas, targeted at youth and students. It would operate in partnership with key tertiary institutions to develop and implement an arts-based mentorship package.	G Corbett	3311 C/O	\$ 3,311	\$ -	Projects determined and budget approved by Community Development Officer.	Cultural Development projects to be implemented.
Youth Activities Program	Part of a package of youth-oriented projects in the Quality of Life Program, this project would provide \$12,500 to fund youth activities as identified by the Youth Development Officer.	G Corbett	12,500 Rev 6131 C/O	\$ 18,631	\$ 13,030	A continuing program of activities is currently progressing. Projects devised and implemented as previous programs are completed. Activities have been devised and implemented at Banora Point Community Centre. Funding sourced from CDSE.	Implemented plan to further work with young people in Pottsville, Uki, Chillingham, Tyalgum, Banora Point, Murwillumbah and Tweed Heads to identify and run projects/activities.
Youth Transport	Allied to the Youth Activities Program, this project would provide \$15,000 specifically for enabling transport by young people, primarily aged 12-18 in line with Council's draft Youth Needs Analysis.	G Corbett	15,000 Rev 22565 C/O	\$ 37,565	\$ 6,908	Program is being implemented.	In partnership with Youth Services and agencies identified and developed responses that support young people's access to services and events. Responded to continuing demands and needs.
Improved Services for Shire Youth	The employment of a Youth Development Officer arose from needs identified from the Social Plan.	G Corbett	76,000 Rev 525 C/O	\$ 78,525	\$ 55,980	Youth Development Officer employed. Implementation of programs commenced.	Ongoing.
Aboriginal Community Development	As outlined in the Social Plan. Coordinate development of community and council related issues.	G Corbett	66,000 Rev 44789 C/O	\$ 110,789	\$ 47,187	Development Officer employed. Implementation of programs commenced.	Ongoing.





Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Community and Natural Resources</b>							
Community Centre Murwillumbah	The upgrade of the Community Centre located in Knox Park, Murwillumbah will provide a focus for the numerous community services that are now provided in a number of scattered locations within Murwillumbah.	G Corbett	994,500 dependant on sales & grants	\$ -	\$ 2,466	Concepts drawings completed for Better Regions application for Federal Funding. Project Manager engaged.	Sale of Myall Street forthcoming.
Museum - Tweed Heads	It is planned to build a significant new building at Tweed Heads and the refurbishment of the Murwillumbah Museum. The Museum will house and exhibit the extensive collections of the Tweed River Regional Museum.	G Corbett	250000 C/O	\$ 250,000	\$ -	DA is completed and ready for lodgement. Additional funding requests from State & Fed. Govt. Lease conditions in final stage of negotiation with the Dept of Lands.	DA lodgement dependant on Gazetial of revised zoning. Develop brief and call tenders for Exhibitions design.
Carpet Replacement & Refurbishment - Murwillumbah Auditorium	Stage 2 would see works in the auditorium to replace carpet on walls, upgrade of stage.	G Corbett	120000 C/O	\$ 120,000	\$ 42,600	Consultants report received on the use of the Tweed and Murwillumbah Auditoria as a performing arts and mixed use space.	EMT approved staged development and maintenance of the Shire's two auditoria. Work is progressing.
Community Building Maintenance	This provision will allow major upgrading works to the many community buildings for which Council has a responsibility in lieu of the current repair on a needs basis provided for under current budget constraints.	G Corbett	105000 Rev 13786 C/O	\$ 118,786	\$ 13,136	A report is to be undertaken to ascertain the condition of the Shire's Council owned Community Halls. Work currently carried out on Piggabeen Hall, Bray Park Community Centre, Limpinwood Community Hall and Reserve Creek Hall.	Maintenance requirements determined. Work is progressing on the most urgent refurbishments.
Waterways Asset Replacement	Replacement of Waterways Assets.	J Lofthouse	30,000 Rev 60,000 C/O	\$ 90,000	\$ 2,332	New pontoons installed at Foysters Jetty, Dry Dock Road and Tumbulgum.	Grant acquittal, final costing to be put against this allocation. Chinderah boat ramp car park.
Vegetation Management Strategy	This program is critical to ensuring the best practice management of vegetation, and hence landscape, in the Tweed Valley.	J Lofthouse	278570 Rev / 450715 Grnt/ 158834 C/O	\$ 888,119	\$ 111,663	4 on-ground projects commenced, 8 Planning or other projects commenced. Funds committed to pending grant projects not yet commenced.	Priority Actions: LEP reforms; continued NRM project inventory; complete Biodiversity DCP; establish on-ground incentives program, continue education and awareness activities/projects.
Administration Officer	Staff costs.	G Corbett	Revenue	\$ 51,484	\$ 53,121	Administration Officer employed.	Ongoing.



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Community and Natural Resources</b>							
Coastline Management Plan Implementation	Kingscliff Foreshore Protection Works	J Lofthouse	0 Grant, 150000 Loans	\$ 300,000	\$ 42,738	EIS lodged with Council for approval. Draft Emergency Action Plan complete. No grants received.	EIS on public exhibition as part of approval process; Seek tenders for works in front of Surf Club.
Duranbah Beach Plan of Management	Redesign stormwater including quality improvements, amenity	J Lofthouse	200000 Grant, 250000 Revenue	\$ 450,000	\$ 13,319	Detailed design and approvals.	construct redesigned stormwater system.
Museum Murwillumbah		G Corbett	1000000 Loans	\$ 1,000,000	\$ -	Architect finalised concept for 2 storey extension. DA lodged for a disability access ramp.	Council to assess viability of 2 storey extension. Awaiting outcome of DA for ramp and if successful will call tenders for construction.
Tweed Coast Estuaries Management Plan	Implementation of Coast Estuaries Mgmt Plan	J Lofthouse	64286 Revenue	\$ 64,286	\$ 3,600	Proposal received for ecological health assessment of Cudgera Creek, awaiting outcome of ASS grant application.	Commence ecological health monitoring, commence ASS research project.
Amenities hall Kingscliff		G Corbett	100000 Loans	\$ 100,000	\$ -	Works commenced on stage one.	Complete stage one. Work towards stage 2.
<b>Community and Natural Resources Total</b>				<b>\$ 1,698,305.00</b>	<b>\$ 113,449.00</b>		



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Engineering and Operations</b>							
Land Purchase Open Space-Requests to purchase 6a/6b zoned land.	Purchase land in 6a/6b zoned land.	P Morgan	100000 C/O	\$ 100,000	\$ -	No current acquisitions.	Continued review of further land acquisitions.
Carpark/Pool upgrade	The upgrade of the 40 year old Murwillumbah pool complex will provide a facility that will serve the region for the foreseeable future. New facilities will include a hydrotherapy pool, a 25m heated lap pool, which will allow all year use of the facility.	P Knight	4902845 C/O	\$ 4,902,845	\$ 5,965,050	Works to Car Park 100% completed. Works to Pool Hall and pool construction 100% completed.	Project completed. Required funding submitted in the March Budget Review.
Park Asset Maintenance	Addressing playground compliance issues in line with Australian Standards.	S Brawley	43,750 Revenue 10614 C/O	\$ 54,364	\$ 15,970	Upgraded play equipment in numerous parks in accordance with priorities identified in condition assessment audit.	Upgrading of further equipment in parks.
Parks Asset renewal	Replace ageing/failing assets - Playground Equipment, BBQ & Shelters.	S Brawley	41,750 Rev	\$ 41,750	\$ 37,725	New BBQ and shelter. Replacement of bollarding to park at Ray Pascoe Park- Tweed Heads.	Continued replacement of equipment in accordance with budget allocation.
Lot 500 Bushland	Maintenance to Dune Vegetation - Casuarina	S Brawley	8,200 Rev 6777 C/O	\$ 14,977	\$ 66	Regeneration works commenced in line with Lot 500 dune management plans.	Continuation of regeneration works.
Regional Sport & Recreational Facilities	Complete Feasibility/Master Plan study - Arkinstall Park; Proceed to further studies dependant on results of Feasibility Study.	S Brawley	866156 C/O	\$ 866,156	\$ -	Draft Master Plan options presented to stakeholders. Draft Plan endorsed by stakeholders, Sports Advisory Committee and discussed with Administrators. Traffic Plan completed.	Completion of Business Plan and Feasibility Study based on Master Plan.
Coastal Landscape Strategy	Implement Kingscliff Foreshore Landscape Plan; Develop & implement Landscape Plan for Ambrose Brown Park, Pottsville.	S Brawley	283835 C/O	\$ 283,835	\$ 19,293	Completed are: Draft Kingscliff Foreshore Masterplan and Wommin Bay Memorial Walkway and viewing platform; Cabarita foreshore footpath; cafe entry design and construction; Tweed Coastal furniture design and documentation; Ambrose Brown Park.	Implementation of plans.



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Engineering and Operations</b>							
Laser Survey Tweed River & Coastal Creeks	Undertake survey of Tweed River and Coastal Creeks for incorporation of information in Council's GIS system.	D Rose		\$ -	\$ 1,680	Contract for survey completed. Information has been included in Council's GIS system.	Project Complete.
Asset management Levees & Floodgates	The program is initially to provide a computer based asset management plan followed by remediation (catch up) works in following years.	D Rose	85,000 Rev/85,000 Gmt 50442 C/O	\$ 220,442	\$ 4,394	Data collected - remainder of project on hold awaiting implementation of asset management system. Maintenance inspections are continuing with results held in MEX and repairs being undertaken as required.	Implementation delayed due to change in asset management system from MEX to Technology One 'Works and Assets'. Work is progressing with Technology One regarding changeover.
Stormwater drainage rehabilitation	Rehabilitate stormwater drainage throughout the Shire, identified by condition of assets.	I Kite	400,000 Lns	\$ 400,000	\$ 124,514	Pit reconstruction & pipe repair projects continuing.	Pipe refine quotes for next projects close April 2009.
Cudgen Creek Walk Bridge, Kingscliff	Replacement of the bridge with a wider, safer, low maintenance structure is included on Council's Timber Bridge Replacement Program priority list, with an estimated cost of \$1.4 million.	I Kite		\$ 100,000	\$ 142,333	Construction completed September 2008.	Balance funded from normal bridge program.
Gravel Re-sheeting of Unsealed Roads	Re-sheet unsealed roads with gravel identified by condition assessments.	I Kite	388,000 Lns	\$ 398,000	\$ 199,266	16kms of unsealed roads resheeted.	Resheeting being progressively carried out in conjunction with grading.
Sealed road resurfacing	Reseal sealed roads in accordance with condition assessment.	I Kite	490,300 Lns	\$ 490,300	\$ 379,020	85% of program complete.	Program to be completed in May 2009.
Sealed road rehabilitation	Rehabilitation of sealed roads in accordance with condition assessment.	I Kite	688,900 Lns 80628 C/O	\$ 769,528	\$ 256,096	3300m2 of pavement heavy patched.	Next major project is Kennedy Drive asphalt patching & overlay in May 2009.
Kerb & gutter rehabilitation	Rehabilitate kerb and gutter in accordance with condition assessment.	I Kite	70,000 Lns	\$ 70,000	\$ 29,470	82m of kerb & gutter replaced.	Repair projects continuing.
Footpaths rehabilitation	Rehabilitate footpaths in accordance with condition assessment.	I Kite	266,000 Lns 46789 C/O	\$ 312,789	\$ 115,512	1474m2 of concrete footpath replaced.	Repair projects continuing.



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Engineering and Operations</b>							
Sportsgrounds Capital Works (Local)	Represents the difference between the planned Capital Works Program for local sporting facilities (lights, change rooms etc) and funds available through Section 94 Developer Contributions.	S Brawley	200,000 Lns 195816 C/O	\$ 395,816	\$ 8,204	Capital Works Program endorsed by Sports Advisory Committee. Lighting plan and quote received for Waler Peate Fields. Waler Peate plans may change with consideration to proposed Depot Road fields.	Plan to roll funding into 2008/09 to accumulate sufficient funds to construct amenities and lighting at Waler Peate Field, Kingscliff. Sportsfield lights installed at Waler Peate Fields.
Knox Park Upgrade	Planned upgrade of Knox Park to improve linkages with Murwillumbah CBD and improve the amenity and usability of the park.	S Brawley	0	\$ -	\$ -	Funding postponed and redirected to Murwillumbah Swimming Complex as per Council resolution 31/07/2007.	No further action.
Kingscliff Pool upgrade	Shade structure + upgrading of Pool Facilities.	S Brawley	936 C/O	\$ 936	\$ -	Shade structure installed. \$400,000 reallocated to Murwillumbah Swimming Complex as per Council resolution 31/07/2007.	No further action.
Surf Life Patrols	Provision for increase in fees due to the demand for additional areas to be provided with paid lifeguards	S Brawley	12,000 Rev 60782 C/O	\$ 72,782	\$ 2,970	Casuarina Beach included in patrols contract. Shirewide Beach Audit and action plan adopted. Extended lifeguard services commenced.	Recommendations of plan to be implemented through Beach Safety Liaison Committee.
Surf Life Saving Strategy 2020	With 40km of coastline under its care and control, Council needs to develop ways for identifying where and when beach safety measures should be employed and how the issue of beach and surf safety should be provided to residents and visitors.	S Brawley	10,000 S94	\$ 10,000	\$ 19,267	Commenced revision of beach emergency signage. Audit completed of all beach access points. Support of Surf Lifesaving Clubs through provision of warning signage, emergency phone and reimbursement for fuel costs associated with emergency rescues.	Review revision of signage and beach access points. Implementation of projects identified in the review in accordance with budget allocation. Over expenditure of funds to be transferred to another cost centre.



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Engineering and Operations</b>							
Botanic gardens	Council has resolved to develop a botanical garden on land it owns at Evron as part of a strategy for rehabilitation of parts of the land that will be used for landfill and in conjunction with that part of the land that forms the Tweed Valley Cemetery.	S Brawley	100,000 S94 150463 C/O	\$ 250,463	\$ 93,410	Draft hydraulic plan for botanic gardens core area completed. Commenced hydraulic plan for 'gateway gardens'.	LEGS to produce engineering detail and specifications for hydraulic works.
Cabarita Streetscaping	Streetscaping of Tweed Coast Road from Rosewood Ave to Beach Resort	D Rose	500000 Lns	\$ 500,000	\$ 6,975	Concept plans being developed by Recreation Services.	Concept plans go to public consultation.
Botanical Gardens Visitors Centre		S Brawley	500000 Lns	\$ 500,000	\$ -	To be considered after construction of hydraulic works.	
Bushland maintenance officer		J Lofthouse	67900 Revenue	\$ 67,900	\$ 47,907		
Flood studies coastal creeks 2D	Council has resolved to undertake a joint flood study flood study with Byron Shire Council for all Coastal Creek Floodplains from Kingscliff to Ocean Shores (Cudgen, Cudgera and Mooball Creeks in Tweed Shire plus Marshalls Creek in Byron Shire)	D Rose	37500 Rev, 37500 Grt	\$ 75,000	\$ -	Consultancy awarded to BMT WBM, who have completed calibration of models.	Carry out design flood model runs and report to Floodplains Management Committee.
Pottsville North drainage outlet - Elanora		I Kite	750000 Lns	\$ 750,000	\$ -	Project in design phase. Scheduled for construction commencing in June 2010.	Finalise design.
West Kingscliff drain - Gales/Bowling club		I Kite	900000 Lns 100000 Other	\$ 1,000,000	\$ 1,234	Project in design phase. Scheduled for construction commencing December 2009.	Finalise design.
Recreation asset management		S Brawley	30000 Rev 33950 C/O	\$ 63,950	\$ 66,496	Draft asset plans commenced.	completion of 1st iteration of asset management plans.
Tweed Coast Depot		S Brawley	300000 C/O	\$ 300,000	\$ 520,235	Depot completed.	No further action required. Amount above \$300,000 to be funded by Sewer Contributions.
Tweed Heads Masterplan/Jack Evans Boatharbour				\$ -	\$ 3,799		
<b>Engineering and Operations - Total</b>				<b>\$ 13,011,833.00</b>	<b>\$ 8,060,886.00</b>		

Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Planning and Regulations</b>							
LEP Reviews.	The State Government requires that the Tweed LEP is reviewed and updated.	I Lonsdale		\$ -	\$ -	Finalising stage 1 Draft Plan in accordance with s 65 advice from Dept. of Planning and Council resolution 27 January 2009.	Undertake formal public exhibition of the draft plan.
Residential and Tourist Visitor Accommodation DCP.	Review DCP objectives and controls	I Lonsdale	0	\$ -	\$ -	Adopted 22 April 2008.	Completed. Plan in statutory operation as of 30 April 2008.
Locality Plan (Murwillumbah)	A major theme of Tweed Futures and the Management Plans is the preparation of Locality Plans. The aim of these Plans is to present a coordinated statement of the future character of a locality and the necessary mechanisms to achieve that character.	I Lonsdale	0	\$ -	\$ 13,438	Adopted 30 April 2008.	Completed. In operation since 30 April 2008.
LEP Review Stage 2 (was Rural housing strategy).	Comprehensive review of Council LEP.	I Lonsdale		\$ -	\$ -	Background strategic planning studies nearing public exhibition or adoption. Prepaid of stage 2 Draft LEP will commence in late 2009, early 2010.	Refer draft plan to Dept. of Planning for s 65 authority to exhibit.
Residential Development Strategy.	Adopted in 1991, a major review of the Strategy is required to ensure infrastructure plans and growth is coordinated.	I Lonsdale	67240 C/O	\$ 67,240	\$ 14,000	Council adopted the Tweed Urban and Employment Lands Release Strategy 2009 at it meeting of March 2009.	Completed.
Environmental Health Compliance Caravan Parks.	This will allow a proactive approach to the issues that arise within caravan parks. These include installations of structures on site. This will assist in reducing possible impacts from major events such as flooding, storms, etc.	R Cameron	67,900 Rev	\$ 67,900	\$ 45,992	Compliance Officer employed. Proposed new structures in parks are being assessed by officer with existing structures audited. Complaints being attended to. Currently inspections being undertaken for renewal of licences to operate.	Continue abovementioned actions and assist Environmental Health Officers in auditing processes for data entry into Proclaim system. Officer now also assisting in complaint investigation and compliance work.



Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
<b>Planning and Regulations</b>							
Emergency Management Plan Implementation.	This program will result in the regular review of the Tweed Disaster Plan, the provision of support to the various emergency agencies such as the State Emergency Service and the Rural Fire Services.	R Cameron	30,000 Rev 5286 C/O	\$ 35,266	\$ 7,845	Officer resigned. The position was re-advised and appointment made.	Officer commenced on 12 January 2009. Officer is currently reviewing Tweed Disaster Plan and developing web page.
Building Compliance Officer.	An additional employee is required to carry out inspections and take action in regard to general complaints received by Council from the public in relation to miscellaneous matters such as stormwater issues, retaining walls, use of land and buildings etc.	R Cameron	67,900 Rev	\$ 67,900	\$ 48,965	Compliance Officer employed. Officer attending to all complaints and notice of intention from private certifiers in a timely manner. Procedures for complaint lodgements implemented.	Continue to follow up complaints in a timely manner and review processes.
Health & Building Surveyor.	An additional employee is required to maintain a satisfactory level of service to perform regulatory functions including the assessment of applications for construction certificates, complying development, development applications, sewer applications etc.	R Cameron	84700 Rev	\$ 84,700	\$ 64,607	Health & Building Surveyor employed. Has undertaken fire safety audits, inspections for places of public entertainment, Building Certificates and general inspections associated with building works. Officer now assigned to South area.	Continue above mentioned duties and carry out assessments for various approvals. Officer now appointed to Southern District carrying out assessment of various applications and general Building Surveyor duties.
Administration Officer.	Staff Costs.	R Cameron	Revenue	\$ 51,484	\$ 23,218	Administration Officer appointed 25 March 2008.	Officer now providing support to Environmental Health section and maintaining Essential Services register.
Environmental Health Compliance Officer		R Cameron	84700 Revenue	\$ 84,700	\$ 64,642	Officer employed. Currently auditing On-site sewage management systems.	Continue to audit existing On-site sewage management systems.
Urban Design Planner		I Lonsdale		\$ -	\$ 17,436	A new full-time Urban Designer position was created, and a new person was appointed to commence employment within the Planning Reforms Unit in January 2009.	The new Urban Designer will provide input into new planning policy and development applications. The Officer will also provide assistance to major Council infrastructure projects.





Project Name	Planned Works	Responsible Officer	Funds Source	Allocated Funds	Expenditure	Current Status	Next Action
Planning and Regulations Total				\$459,190.00	\$300,143.00		
Grand Total				\$1,607,104.00	\$9,040,051.00		

**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](http://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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**O14 [TCS-OC] Quarterly Budget Review - 31 March 2009**

**ORIGIN:**

**Financial Services**

**SUMMARY OF REPORT:**

This is the third quarter statutory budget review for this financial year and summarises the estimated expenditure and income changes to the 2008/09 Budget based on projections to 30 June 2009.

This statutory report is prepared in accordance with the Local Government (General) Regulations 2005, regulation 202 and 203. Council will have a balanced budget as at 30 June 2009 in the General, Water and Sewer Funds.

**RECOMMENDATION:**

**That the:**

- 1. Quarterly Budget Review Statement as at 31 March 2009 be adopted.**
- 2. Expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2009:**

Description	Change to Vote	
	Deficit	Surplus
<b>General Fund</b>		
<b><u>Expenses</u></b>		
Operating	239,103	0
Interest	0	1,156,737
Capital	1,662,290	0
Loan Repayments	82,730	0
Transfers to Reserves	520,497	0
	<b>2,504,620</b>	<b>1,156,737</b>
<b><u>Income</u></b>		
Operating	260,857	0
Capital Grants & Conts	0	428,000
Loan Funds	0	823,240
Recoupments	0	0
Transfers from Reserves	0	357,500
Asset Sales	0	0
	<b>260,857</b>	<b>1,608,740</b>
<b>Net Surplus/(Deficit)</b>		<b>0</b>

**Water Fund**



Description	Change to Vote	
<b>Expenses</b>		
Operating	20,375	0
Interest	0	0
Capital	0	2,364,000
Loan Repayments	0	0
Transfers to Reserves	1,477,625	0
	<u>1,498,000</u>	<u>2,364,000</u>
<b>Income</b>		
Operating	0	0
Capital Grants & Conts	0	0
Loan Funds	0	0
Recoupments	0	60,000
Transfers from Reserves	926,000	0
	<u>926,000</u>	<u>60,000</u>
Net Surplus/(Deficit)		<u>0</u>
<b>Sewer Fund</b>		
<b>Expenses</b>		
Operating	8,250	0
Interest	0	0
Capital	70,000	0
Loan Repayments	0	0
Transfers to Reserves	0	23,250
	<u>78,250</u>	<u>23,250</u>
<b>Income</b>		
Operating	0	0
Capital Grants & Conts	0	0
Loan Funds	0	0
Recoupments	0	41,500
Transfers from Reserves	0	13,500
Asset Sales	0	0
	<u>0</u>	<u>55,000</u>
Net Surplus/(Deficit)		<u>0</u>

**REPORT:**

**Budget Review 31 March 2009 (Quarterly Budget Review)**

In accordance with regulation 203(1) of the Local Government (General) Regulation 2005, a Budget Review Statement and revision of the estimates of income and expenditure must be submitted to council within two months of the close of each quarter.

The Regulation requires that the quarterly financial review must include the following:

- A revised estimate for income and expenditure for the year.
- A report as to whether or not such statements indicate that the financial position of the Council is satisfactory and if the position is unsatisfactory, make recommendations for remedial action.

**Report by Responsible Accounting Officer**

The Quarterly Budget Review Reports are prepared to provide Council and the community with information in relation to Councils financial performance and proposed amendments to its budget and forward estimates. The reports are prepared under accrual accounting principles in accordance with the requirements of the Local Government Act 1993.

The Financial reports included in the Quarterly Budget Review are as follows:

1. Variations
  - a. Variations Proposed
  - b. Introduced During Quarter – By Council Resolution
2. Budget Summary – by fund
  - a. By Type (including Available Working Capital)
  - b. By Division

**Variations**

There are two variations reports included in the Quarterly Budget Review during this quarter:

- Variations Proposed
- Council Resolutions

The Variations Proposed report details all of the recommended changes to budget that have been put forward by management at this review for Councils consideration.

The Council Resolutions report is provided as information to the Council and the community to explain the adjustments that have been included in the Approved Budget during the quarter.



### Income Statement

The Income Statement measures Council’s financial performance over the period and shows whether or not Council has earned sufficient revenues to support its activities during that period, and whether or not surpluses have been created to fund additional or replacement assets to service community needs.

The statements show where Council’s money comes from (Revenue) and how that revenue is consumed (Expenses) in providing the ordinary activities and services of the Council.

### Statement of Funding Result Reconciliation

The Funding Statement provides information about the source of cash and “cash like” funds, and how they have been (or are budgeted to be) applied in the Management Plan.

The “source” of funds includes the surplus or deficit (a negative source) from ordinary activities of Council as expressed in the Income Statement. In other words all of the ordinary activities of Council including collection of rates and other general income and provision of services are netted off and the remainder is available to provide a source of funds for other expenditure such as asset acquisition, loan repayments and transfer to reserve for future expenditure programs.

The programs that have had an effect on revenue are:-

Description	\$	Comments
<b>General Fund</b>		
Development Assessment legal costs	185,000	Ongoing appeals
DA application fee	200,000	Economic downturn
Appl construction certificate subdivision certificates	10,000	Economic downturn
DA application fee	5,000	Economic downturn
Advertising Fee	75,000	Economic downturn
Modifying Dev consent applications	(6,000)	Higher than anticipated
Complying Dev certificates	(10,000)	Higher than anticipated
Builders Sanitary	10,700	Economic downturn/new legislation
Sanitary Collection	(14,728)	Economic downturn
Food Premises Inspections	20,000	economic downturn
Annual admin fee	42,000	Less than anticipated
Building Control Salaries	90,000	Result of reaudit of premises.
On-site sewerage management inspections	(85,000)	Staff not replaced - No overtime
On-site sewerage management fees	(12,000)	Less than anticipated
Sewer Plans	(70,000)	Higher than anticipated
Rates income	50,000	Economic downturn
Art Gallery electricity	(180,000)	Extra Charges earned
Art Gallery capital works	20,575	Projected cost
Design legal expenses	16,188	Air conditioning upgrade
Corporate Legal expenses	21,059	Car park and land sales advice
Workers Compensation insurance	140,000	Sharples court case - ongoing action
Workers Compensation incentive payment	(300,000)	Less than anticipated
Infrastructure program	125,000	Less than anticipated
Bridges loan funding	39,102	Adjustments to infrastructure Program
Loan repayments	(247,500)	Reallocate unexpended loan to bridges
Election expenses	(66,573)	Stage 2 refinancing savings
	(57,823)	Final costs less than advised
	0	



**Full details:**

Item	In/Ex	Description	Current Vote	Change to Vote	Comments
<b>1. Proposed Variations</b>					
<b>General Fund</b>					
1	Ex	Dune stabilisation	77,452	<b>10,000</b>	Beach vehicle accesses
1	In	Transfer from beach vehicle licence reserve	0	<b>(10,000)</b>	Funding for above
2	Ex	Public toilets capital	168,738	<b>18,000</b>	Accessible toilet at Dry Dock Road
2	Ex	Access budget	273,683	<b>(18,000)</b>	Funding for above
3	Ex	Control of Indian Myna Birds	0	<b>2,782</b>	Grant funded project
3	In	Department of Lands funding	0	<b>(2,782)</b>	Funding for above
4	Ex	Keith Compton Drive carpark	150,000	<b>(30,000)</b>	Transfer unspent funds between projects
4	Ex	Pandanus Pde pedestrianisation	93,724	<b>30,000</b>	Transfer unspent funds between projects
5	Ex	Graphic design & production (branding)	40,000	<b>5,000</b>	Increase to amount approved by Council
5	Ex	Organisational development	56,017	<b>(5,000)</b>	Funding for above
6	Ex	Riverview street widening (TRCP)	0	<b>15,000</b>	Survey, investigation, design
6	Ex	Byangum Rd/William St/Westend Rd/Wentworth St	723,600	<b>(15,000)</b>	Transfer to fund above
7	Ex	Development Assessment legal costs	596,300	<b>185,000</b>	Ongoing appeals
8	In	DA application fee	<b>(380,000)</b>	<b>200,000</b>	Economic downturn
8	In	Appl construction certificate	<b>(70,000)</b>	<b>10,000</b>	Economic downturn
8	In	subdivision certificates	<b>(50,000)</b>	<b>5,000</b>	Economic downturn
9	Ex	Dry Dock Boat Ramp & Foysters Jetty	0	<b>96,000</b>	Maritime Infrastructure Projects
9	Ex	Internal contributions	0	<b>(48,000)</b>	Internal contribution from Waterways Asset Replacement (7YP)
9	In	NSW Maritime Authority grants	0	<b>(48,000)</b>	Grant from NSW Maritime Authority
10	In	DA application fee	<b>(379,000)</b>	<b>75,000</b>	Economic downturn
11	In	Advertising Fee	<b>(14,000)</b>	<b>(6,000)</b>	Higher than anticipated
12	In	Modifying Dev consent applications	<b>(6,000)</b>	<b>(10,000)</b>	Higher than anticipated
13	In	Complying Dev certificates	<b>(20,700)</b>	<b>10,700</b>	Economic downturn/new legislation
14	In	Environmental Enforcement Levy	<b>(85,000)</b>	<b>10,000</b>	Economic downturn
14	Ex	Restricted EEL income	32,219	<b>(10,000)</b>	Adjust restriction to lesser income
15	In	Builders Sanitary	79,728	<b>(14,728)</b>	Economic downturn
16	In	Sanitary Collection	<b>(60,000)</b>	<b>20,000</b>	Economic downturn
17	In	Food Premises Inspections	<b>(92,000)</b>	<b>42,000</b>	Less than anticipated
18	In	Annual admin fee	<b>(200,000)</b>	<b>90,000</b>	Result of readit of premises.
19	Ex	Building Legal Expenses	21,925	<b>16,075</b>	Ongoing case
19	Ex	Environmental Health Legal Expenses	54,816	<b>(16,075)</b>	Transfer to above
20	Ex	Building Control Salaries	1,080,052	<b>(85,000)</b>	Staff not replaced - No overtime
21	Ex	On-site sewerage management inspections	113,059	<b>(12,000)</b>	Less than anticipated
22	In	On-site sewerage management fees	<b>(61,085)</b>	<b>(70,000)</b>	Higher than anticipated
23	In	Sewer Plans	<b>(100,000)</b>	<b>50,000</b>	Economic downturn
24	Ex	Murwillumbah Pool & Carpark	4,902,845	<b>1,000,000</b>	Final funding as per Council Report
24	In	Loan funding		<b>(1,000,000)</b>	Loan funding for above
25	In	Rates income	<b>(36,324,171)</b>	<b>(180,000)</b>	Extra Charges earned
26	Ex	Art Gallery electricity	80,000	<b>20,575</b>	Projected cost
27	Ex	Art Gallery capital works	0	<b>16,188</b>	Air conditioning upgrade
28	Ex	Design legal expenses	28,941	<b>21,059</b>	Car park and land sales advice
30	Ex	Corporate Legal expenses	15,000	<b>140,000</b>	Sharples court case - ongoing action
31	Ex	Workers Compensation insurance	2,535,000	<b>(300,000)</b>	Less than anticipated
31	In	Workers Compensation incentive payment	<b>(165,000)</b>	<b>125,000</b>	Less than anticipated
32	Ex	Beaches emergency access and signage		<b>100,000</b>	Upgrading access, risk warning signage and emergency signage
32	In	Beach vehicle licence reserve		<b>(100,000)</b>	Transfer from reserve



**OPERATIONS COMMITTEE MEETING DATE: THURSDAY 28 MAY 2009**

Item	In/Ex	Description	Current Vote	Change to Vote	Comments
33	Ex	Flood Risk Management Strategy 06/07	107,485	<b>140,000</b>	Adjusting flood mitigation program
33	Ex	Flood mitigation grants	(206,161)	<b>(93,333)</b>	Funding for above
33	Ex	Flood mitigation unexpended loans	(95,252)	<b>(46,667)</b>	Funding for above
34	Ex	Various infrastructure items		<b>39,102</b>	Adjustments to infrastructure Program
35	In	Bridges loan funding	(389,500)	<b>(247,500)</b>	Reallocate unexpended loan to bridges
36	Ex	Loan repayments - Principal	3,565,084	<b>(1,156,737)</b>	Stage 2 refinancing savings
36	Ex	Loan repayments - Interest	4,128,782	<b>82,730</b>	Stage 2 refinancing savings
36	Ex	Tweed Heads Pool expenses	234,200	<b>62,054</b>	Higher than anticipated
36	Ex	Kingscliff Pool expenses	235,863	<b>69,558</b>	Higher than anticipated
36	Ex	Employment overheads		<b>121,898</b>	Not included in original budget
36	Ex	Employee Leave Entitlements Reserve		<b>530,497</b>	Increase provision for future liabilities
36	In	Loan funding for roads		<b>223,427</b>	Reduce loan borrowings
37	Ex	Election expenses	400,000	<b>(57,823)</b>	Final costs less than advised
				<b>0</b>	
		<b>Water Fund</b>			
38		Various operating expenses		20,375	Minor adjustments
38		Various capital works		(2,364,000)	Deferrals and adjustments
38		Transfers to Asset replacement reserve		1,477,625	Funding adjustment
38		Transfers from Asset Replacement Reserve		926,000	Funding adjustment
38		Transfers from Capital Contributions Reserve		(60,000)	Funding adjustment
				<b>0</b>	
		<b>Sewer Fund</b>			
39		Various operating expenses		8,250	Minor adjustments
39		Various capital works		<b>70,000</b>	Minor adjustments
39		Transfers to Asset replacement reserve		(23,250)	Funding adjustment
39		Transfers from Asset Replacement Reserve		(13,500)	Funding adjustment
39		Transfers from Capital Contributions Reserve		(41,500)	Funding adjustment
				<b>0</b>	
		<b>2. Variations Arising from Council Resolutions</b>			
				<b>0</b>	
		<b>Summary of Revotes by Type</b>			
		2008/09 Variations		<b>0</b>	
		Council Resolutions		<b>0</b>	
		Carried forward		<b>0</b>	
				<b>0</b>	

## Budget Summary

	General Fund		Water Fund	Sewer Fund		Total	
	Original Budget	Revised Budget	Original Budget	Revised Budget	Original Budget		Revised Budget
<b>Operating Expenses</b>							
Materials & Contracts	24,186	39,324	2,795	2,908	3,313	3,576	45,808
Employee Costs	32,382	32,350	2,600	2,600	4,500	4,500	39,450
Interest Charges	4,056	2,972	3,628	2,449	263	263	5,684
Depreciation	14,001	14,001	7,407	7,407	12,702	12,702	34,110
Other Operating Expenses	5,000	5,367	750	750	750	750	6,867
	<b>79,625</b>	<b>94,014</b>	<b>17,180</b>	<b>16,114</b>	<b>21,528</b>	<b>21,791</b>	<b>131,919</b>
<b>Operating Revenue</b>							
Rates & Annual Charges	43,146	44,077	2,886	1,612	15,782	15,643	61,332
User Charges & Fees	12,543	11,474	11,806	10,996	1,547	1,598	24,068





**OPERATIONS COMMITTEE MEETING DATE: THURSDAY 28 MAY 2009**

Interest	2,502	2,502	106	106	106	106	2,714
Other Operating Revenue	1,300	1,300	50	1,350	50	50	2,700
Grants & Contributions	13,397	17,677	424	424	442	442	18,543
	<b>72,888</b>	<b>77,030</b>	<b>15,272</b>	<b>14,488</b>	<b>17,927</b>	<b>17,839</b>	<b>109,357</b>
Surplus/(Deficit) before Capital Amounts	<b>(6,737)</b>	<b>(16,984)</b>	<b>(1,908)</b>	<b>(1,626)</b>	<b>(3,601)</b>	<b>(3,952)</b>	<b>(22,562)</b>
Grants & Contributions (Capital amounts)	6,544	8,041	5,088	3,614	3,122	2,026	13,681
<b>Surplus/(Deficit) after Capital Amounts</b>	<b>(193)</b>	<b>(8,943)</b>	<b>3,180</b>	<b>1,988</b>	<b>(479)</b>	<b>(1,926)</b>	<b>(8,881)</b>

**Funding Result Reconciliation**

*Add Back non-funded items:*

Depreciation	14,001	14,001	7,407	7,407	12,702	12,702	34,110
Internal Transfers	6,733	6,733	(3,440)	(3,440)	(3,093)	(3,093)	200
	20,541	11,791	7,147	5,955	9,130	7,683	25,429
Transfers from Externally Restricted Cash	12,109	15,997	6,038	2,355	3,424	2,564	20,916
Transfers from Internally Restricted Cash	545	13,557	16,617	4,864	5,277	3,729	22,150
Proceeds from sale of assets	1,815	1,815		0		0	1,815
Loan Funds Utilised	9,129	18,856	40,545	54,060		0	72,916
Repayments from Deferred Debtors							
	44,139	62,016	70,347	67,234	17,831	13,976	143,226

	General Fund		Water Fund	Sewer Fund		Total	
	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Original Budget</u>	<u>Revised Budget</u>	<u>Original Budget</u>		<u>Revised Budget</u>
<i>Funds were applied to:</i>							
Purchase and construction of assets	(31,285)	(48,944)	(60,721)	(55,236)	(10,205)	(7,723)	(111,903)
Repayment of principal on loans	(4,116)	(3,648)	(238)	0	(497)	(497)	(4,145)
Transfers to Externally Restricted Cash	(5,308)	(5,308)	(4,989)	(3,614)	(2,392)	(1,737)	(10,659)
Transfers to Internally Restricted Cash	(3,430)	(4,116)	(4,399)	(8,384)	(4,737)	(4,019)	(16,519)
<b>Increase/(Decrease) in Available Working Capital</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Available Working Capital Previous Financial Year	200	200	2,000	2,000	2,000	2,000	4,200
<b>Available Working Capital as at 30 June 2009</b>	<b>200</b>	<b>200</b>	<b>2,000</b>	<b>2,000</b>	<b>2,000</b>	<b>2,000</b>	<b>4,200</b>

**Summary by Division**

Surplus/(Deficit)	<u>Original Budget</u>	<u>Revised Budget</u>
Technology & Corporate Services	(42,905,799)	(44,856,604)
Planning & Regulation	5,143,714	6,502,333
Community & Natural Resources	7,813,719	8,183,155
Engineering & Operations	27,492,226	27,040,845
General Manager	2,456,140	3,130,271
	<b>0</b>	<b>0</b>

**General Fund**

The General Fund is expected to remain as a “balanced budget”.



**Water Fund**

The Water Fund remains in a sound financial position with sufficient reserves to meet any unexpected costs and is expected to remain as a balanced budget.

**Sewer Fund**

The Sewer Fund remains in a sound financial position with sufficient reserves to meet any unexpected costs and is expected to remain as a balanced budget.

**Statutory Statement – Local Government (General) Regulations 2005  
(Sections 202 & 203) by “Responsible Accounting Officer”**

**202 Responsible accounting officer to maintain system for budgetary control**

*The responsible accounting officer of a council must:*

- (a) establish and maintain a system of budgetary control that will enable the council’s actual income and expenditure to be monitored each month and to be compared with the estimate of the council’s income and expenditure, and*
- (b) if any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of the council.*

**203 Budget review statements and revision of estimates**

- (1) Not later than 2 months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.*
- (2) A budget review statement must include or be accompanied by:*
  - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and*
  - (b) if that position is unsatisfactory, recommendations for remedial action.*
- (3) A budget review statement must also include any information required by the Code to be included in such a statement.*

**Statutory Statement**

**I consider that the financial position of Council is satisfactory “having regard to the original estimate of income and expenditure”.**



M A Chorlton  
“Responsible Accounting Officer”  
Manager Financial Services  
Tweed Shire Council

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

As discussed in the report.

**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](http://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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**REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS****O15 [EO-OC] Road Closure Application - Parish of Nullum****ORIGIN:****Design****FILE NO: GR3/12/3****SUMMARY OF REPORT:**

Council has received a notice of application to close a section of Crown Road reserve north of Lot 65 in DP 755730 at Terragon, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted and it has been noted that there is partial formation over the initial section of the road, being a distance of approximately 270m however there is no formation over the remaining section. The topography of the area would indicate that formation along the alignment of the unformed section of road reserve, being approximately 1.2km, would not be practicable nor probable due to the topographical restraints and density of vegetation.

It would therefore be recommended that Council objects to the closure of the formed section of Crown road reserve, being a distance of approximately 270m, and makes application to the Crown for the transfer of this section of road to Council. It would further be recommended that Council does not object to the closure and purchase by the applicant of the section of Crown road reserve being the eastern most section of approximately 1.2km.

**RECOMMENDATION:****That Council:-**

- 1. Objects to the closure of the formed section of road reserve which runs north of Lot 65 in DP 755730, being approximately 720m in length; and**
- 2. Does not object to the closure and purchase by the applicant of the section of Crown road reserve being the eastern section of approximately 1.2km north of Lot 65 in DP 755730.**

**REPORT:**

Council has received a notice of application to close a section of Crown Road reserve north of Lot 65 in DP 755730 at Terragon, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted and it has been noted that there is partial formation over the initial section of the road, being a distance of approximately 270m however there is no formation over the remaining section. The topography of the area would indicate that formation along the alignment of the unformed section of road reserve, being approximately 1.2km, would not be practicable nor probable due to the topographical restraints and density of vegetation.

The formation of the initial section of the road reserve provides access to Lot 10 in DP 1033118 and therefore should not be approved for closure under Councils policy on Road Closures at point 2 which reads "*Roads capable of providing physical access to other roads, public and private properties....*".

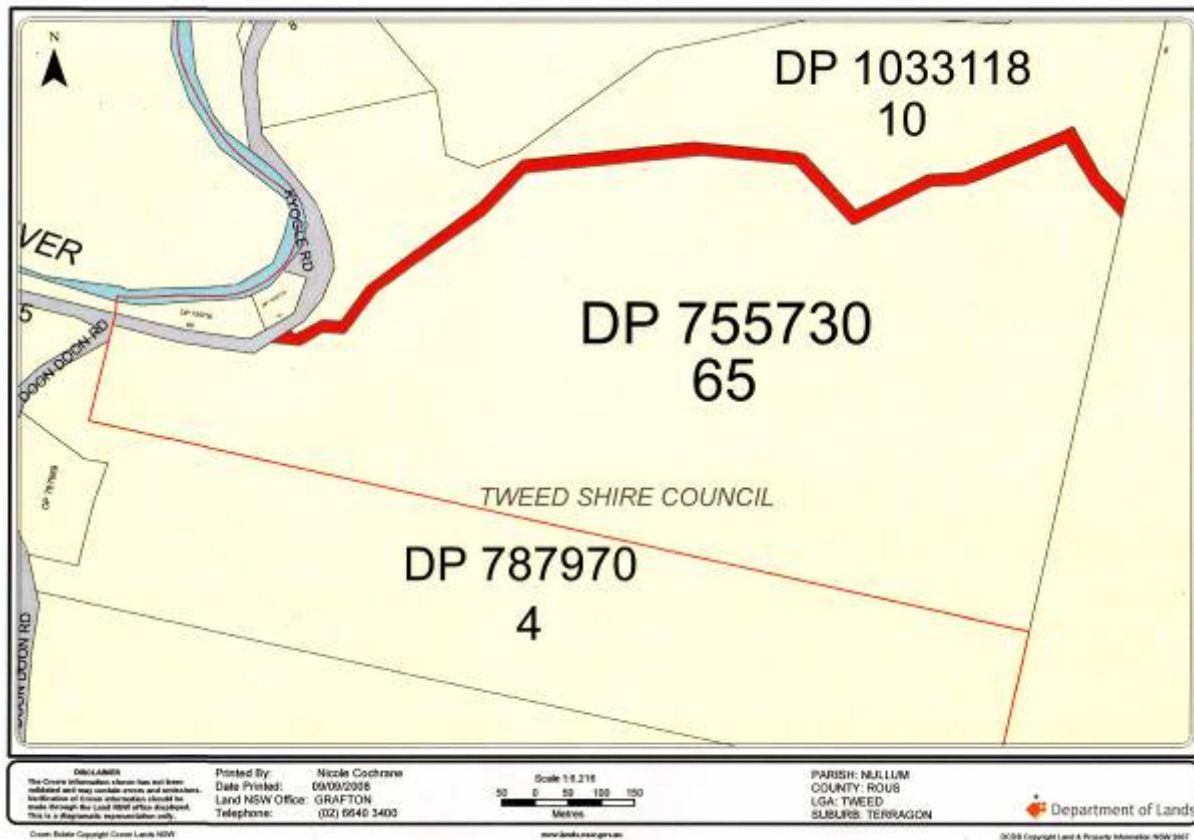
The road reserve does not serve to provide access to any of the other surrounding properties.

In so far as the remaining section of the road reserve, it is noted that the area has been marked as being of high ecological status and key habitat and moderate to low ecological sensitivity. There appears to be no threatened species of flora or fauna within the immediate or surrounding area. The topography of this section of road reserve indicates that it would be improbable to utilise this area for any purpose other than natural bushland.

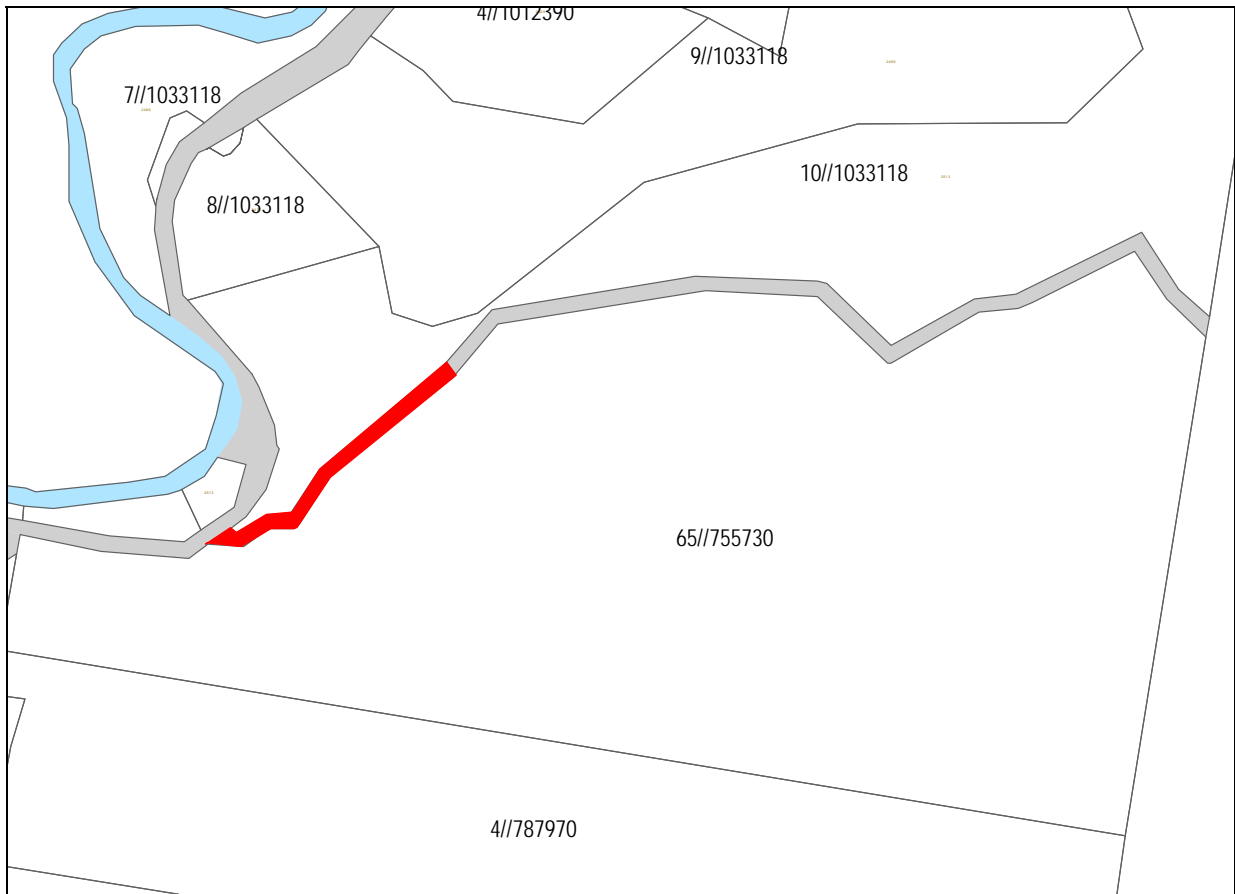
The eastern section of approximately 1.2km of road reserve complies with Councils current policy on Road Closure and purchase in so far as it does not fall within the categories listed for road not eligible for closure. It does however fall within point 1 of the exceptions as the road can be considered redundant in terms of access to all surrounding properties as well as topographical constraints.

It would therefore be recommended that Council objects to the closure of the formed section of Crown road reserve, being a distance of approximately 270m, and makes application to the Crown for the transfer of this section of road to Council. It would further be recommended that Council does not object to the closure and purchase by the applicant of the section of Crown road reserve being the eastern most section of approximately 1.2km.

Below is a plan showing the proposed Road Closure:-

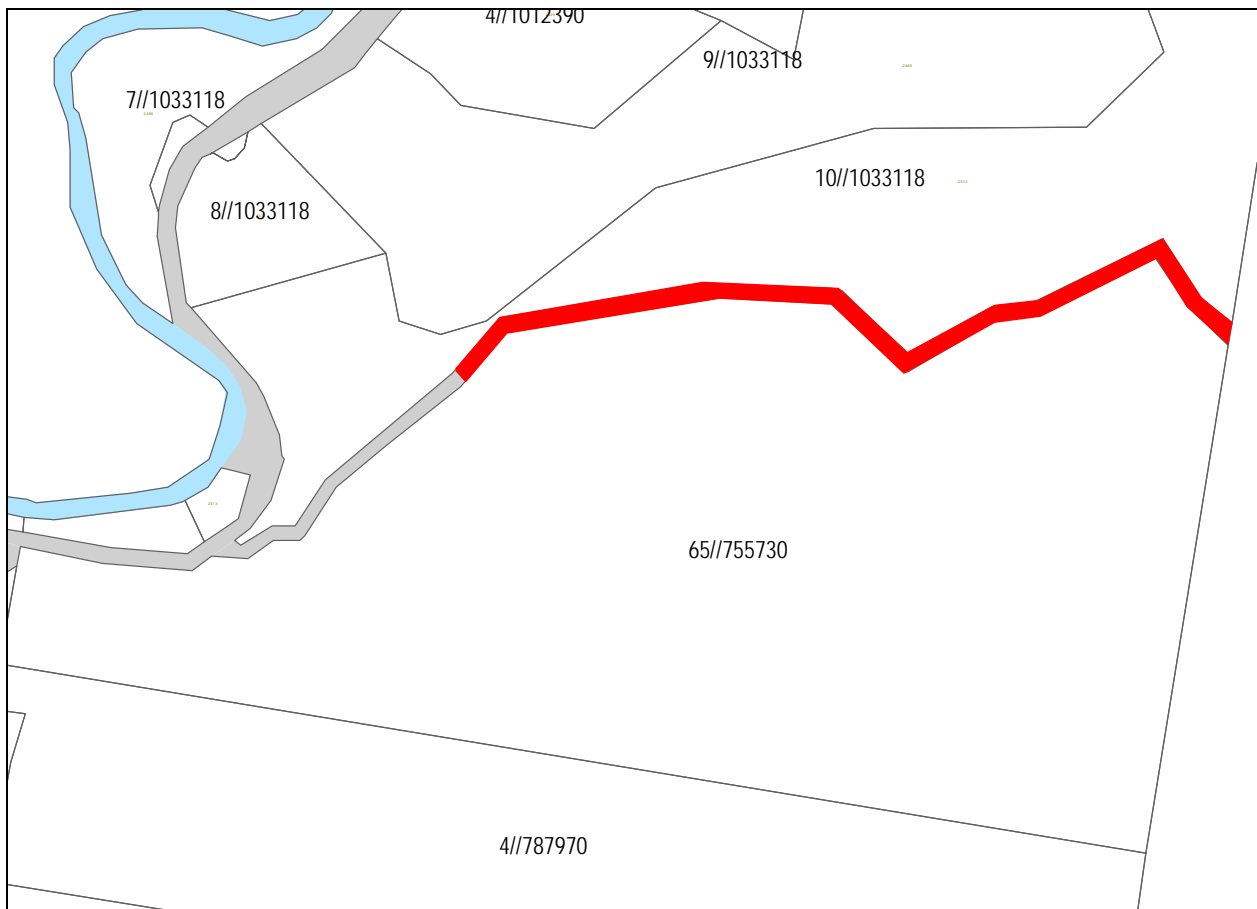


Plan showing section of formed road to be recommended not to be closed:-



Plan showing Eastern 1.2km of road reserve:-





**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](http://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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**O16 [EO-OC] Application to Close and Purchase Part of Road Reserve - Parish of Mooball**

**ORIGIN:**

**Design**

**FILE NO: GR3/12/9**

**SUMMARY OF REPORT:**

Council has received a notice of application to close a section of Crown Road reserve, east and south of Lot 301 in DP 884416 at Cudgera Creek, from Department of Lands. Council has been requested to provide its concurrence or objection to the closure of this section of Crown Public Road.

It is recommended that Council does not object to the closure and purchase of the section of Crown Road Reserve east and south of Lot 301 in DP 884416 at Cudgera Creek by the applicant as highlighted on the attached plan.

**RECOMMENDATION:**

**That:-**

- 1. Council approves the closure of part of the road reserve that runs west of Lot 301 in DP 884416 at Cudgera Creek; and**
- 2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by a local registered valuer;**
- 3. Easements be created over public authority reticulation services, if any; and**
- 4. All necessary documentation be executed under Common Seal of Council.**

**REPORT:**

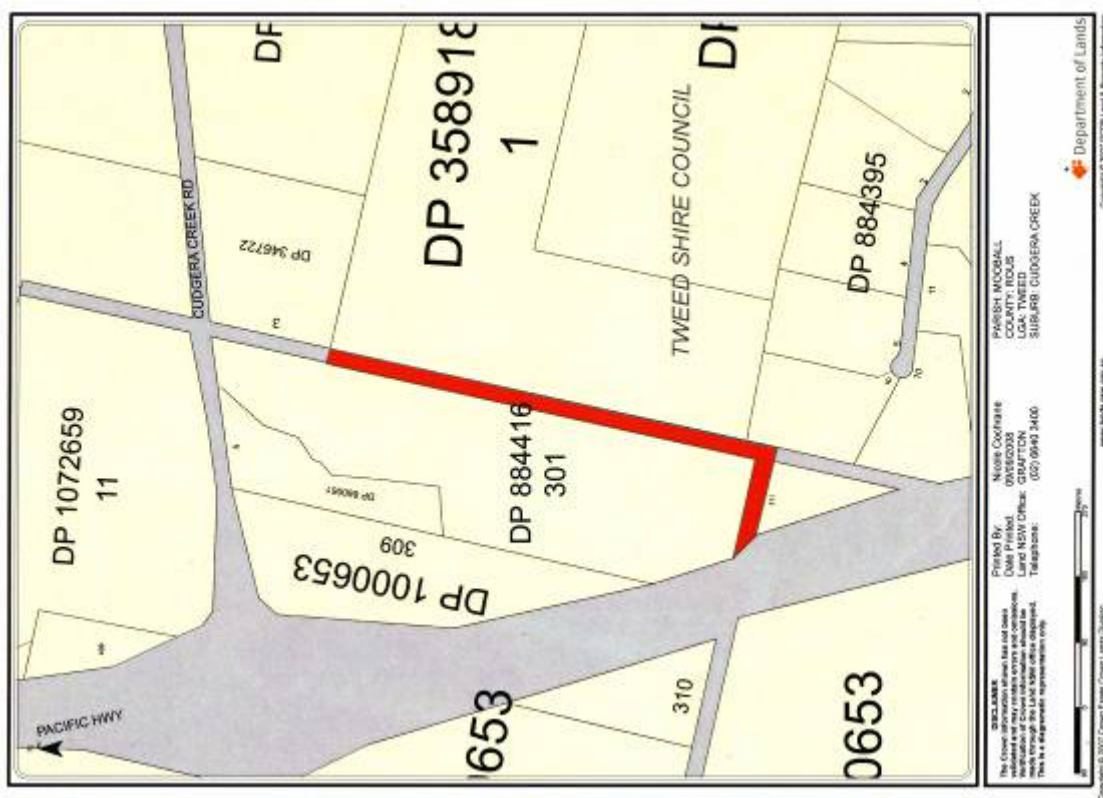
Council has received a notice of application to close a section of Crown Road reserve, east and south of Lot 301 in DP 884416 at Cudgera Creek, from Department of Lands. Council has been requested to provide its concurrence or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted and it has been noted that no Council or other infrastructure currently exists within it. Several section of the road reserve are heavily treed however a review of Council's mapping shows a small area of threatened flora (EI) both on the property and crown road. This proposal appears to have minimal environmental impact on this area.

Council at its meeting of 30 October 2008 resolved to provide its concurrence to the closure of the section of Crown road reserve west of Lot 3 in DP 346722 due to the encroachment of a dwelling within the road. Upon the formal closure of this section of road reserve there will be no access to the road proposed to be closed via the latest application, east and south of Lot 301 in DP 884416, from Cudgera Creek Road. Further the southern section of the road reserve meets the Pacific Highway and it should be noted that the RTA will not permit construction nor access at this point.

It is recommended that Council does not object to the closure and purchase of the section of Crown Road Reserve east and south of Lot 301 in DP 884416 at Cudgera Creek by the applicant as highlighted on the plan below.

Plan of section of Crown road proposed to be closed:-





**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](http://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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**O17 [EO-OC] Road Closure Application - Chowan Creek - Parish of Nullum****ORIGIN:****Design****FILE NO: GR3/12/3****SUMMARY OF REPORT:**

Council has received a notice of application to close a section of Crown Road reserve within Lot 1 in DP 598380 at Chowan Creek, from Department of Lands. Council has been requested to provide its consent or objection to the closure of these sections of Crown Public Road.

An investigation of the Crown Road reserves has been conducted. It is noted that the section of road reserve forms an intricate network of Crown Road reserves enabling potential access to further private properties. Closing this section of road reserve would sever this current network. It is recommended that Council consider the transfer of the full section of Crown Road reserve running from Lot 40 DP 755730 east to Lot 10 DP 631502 to enable the possibility of constructing access along the road reserve to any of the adjacent properties.

This section of Crown road reserve has been marked as being of moderate to high ecological status and of high to moderate ecological sensitivity. There does not appear to be any unprotected, protected or threatened flora or fauna within the immediate area.

The section of Crown Road reserve is currently unformed however it would be recommended that Council objects to the closure of this section of road reserve under Council's road closure policy which provides under roads not eligible for closure at:-

- "2. *Roads capable of providing physical access to other roads, public and private properties"; and*
- 6. *Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows."*

**RECOMMENDATION:****That:-**

- 1. Council objects to the closure of the Crown Road reserve within Lot 1 in DP 598380 at Chowan Creek.**
- 2. An application be made to the Department of Lands to transfer to Council the sections of Crown Road reserve running from Lot 40 in DP 755730 east to Lot 10 in DP 631502.**

**REPORT:**

Council has received a notice of application to close a section of Crown Road reserve within Lot 1 in DP 598380 at Chowan Creek, from Department of Lands. Council has been requested to provide its consent or objection to the closure of these sections of Crown Public Road.

An investigation of the Crown Road reserves has been conducted. It is noted that the section of road reserve forms an intricate network of Crown Road reserves enabling potential access to further private properties. Closing this section of road reserve would sever this current network. It is recommended that Council consider the transfer of the full section of Crown Road reserve running from Lot 40 DP 755730 east to Lot 10 DP 631502 to enable the possibility of constructing access along the road reserves to any of the adjacent properties.

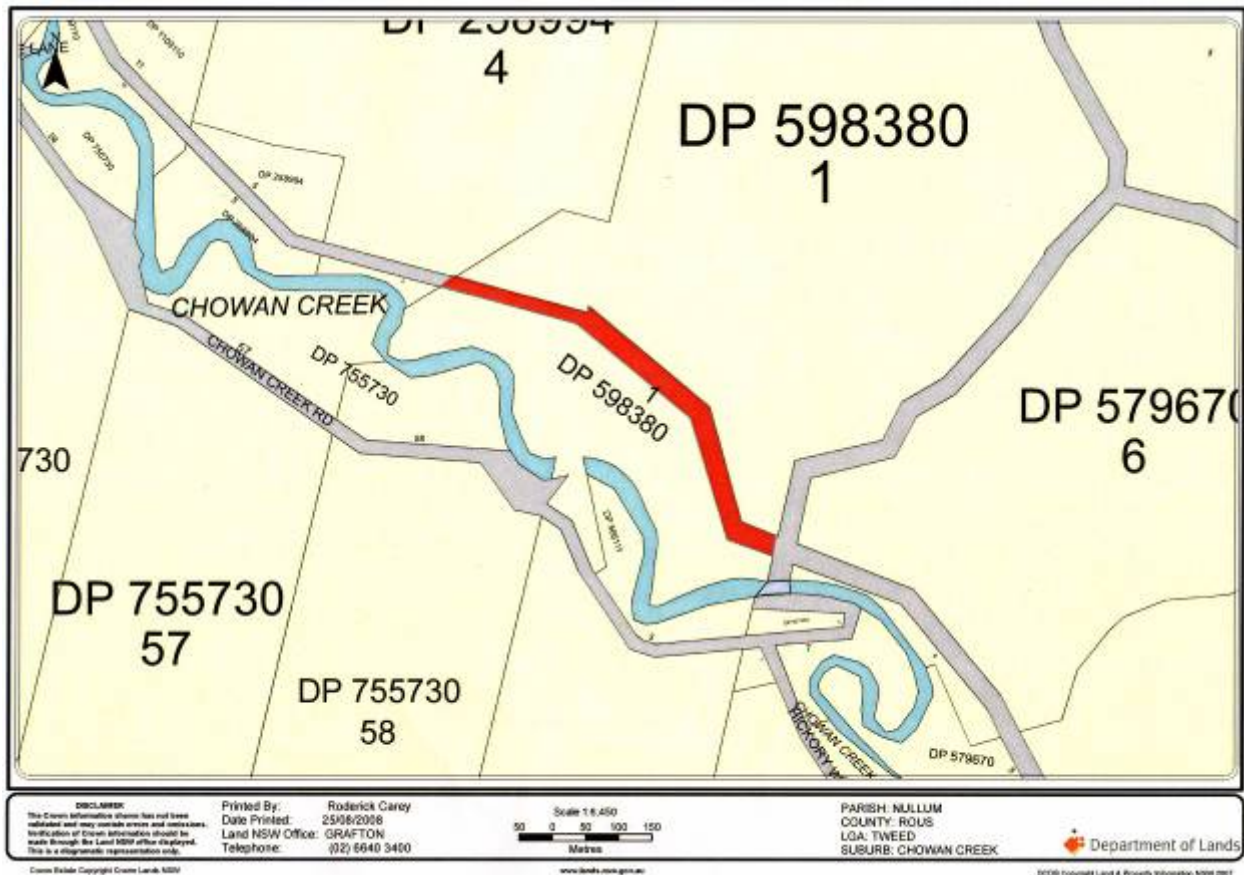
This section of Crown road reserve has been marked as being of moderate to high ecological status and of high to moderate ecological sensitivity. There does not appear to be any unprotected or threatened flora or fauna within the immediate or surrounding area.

The section of Crown Road reserve is currently unformed however it would be recommended that Council objects to the closure of this section of road reserve under Council's road closure policy which provides under roads not eligible for closure at:-

- "2. *Roads capable of providing physical access to other roads, public and private properties.*"; and
6. *Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows.*"



Below is a plan showing the proposed road closure.



**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](http://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).

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**O18 [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 being the southern most 158 metres separating Lot 10 in DP 800128 from Lot 2 in DP 570319 at Carool, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted and it has been noted that no Council or other infrastructure currently exists within it. There is no current formation and the topography of the area would indicate that formation along this alignment would not be practicable nor probable.

This application complies with Councils current policy on Road Closure and purchase in so far as it does not fall within the categories listed for road not eligible for closure. It does however fall within point 1 of the exceptions as the road can be considered redundant in terms of access to all surrounding properties as well as topographical constraints.

It would therefore be recommended that Council does not object to the closure and purchase by the applicant of the section of Crown road reserve being the southern most 158 metres separating Lot 10 in DP 800128 from Lot 2 in DP 570319 at Carool.

**RECOMMENDATION:**

**That Council does not object to the closure and purchase by the applicant of the section of Crown road reserve being the southern most 158 metres separating Lot 10 in DP 800128 from Lot 2 in DP 570319 at Carool.**

**REPORT:**

Council has received a notice of application to close a section of Crown Road reserve being the southern most 158 metres separating Lot 10 in DP 800128 from Lot 2 in DP 570319 at Carool, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

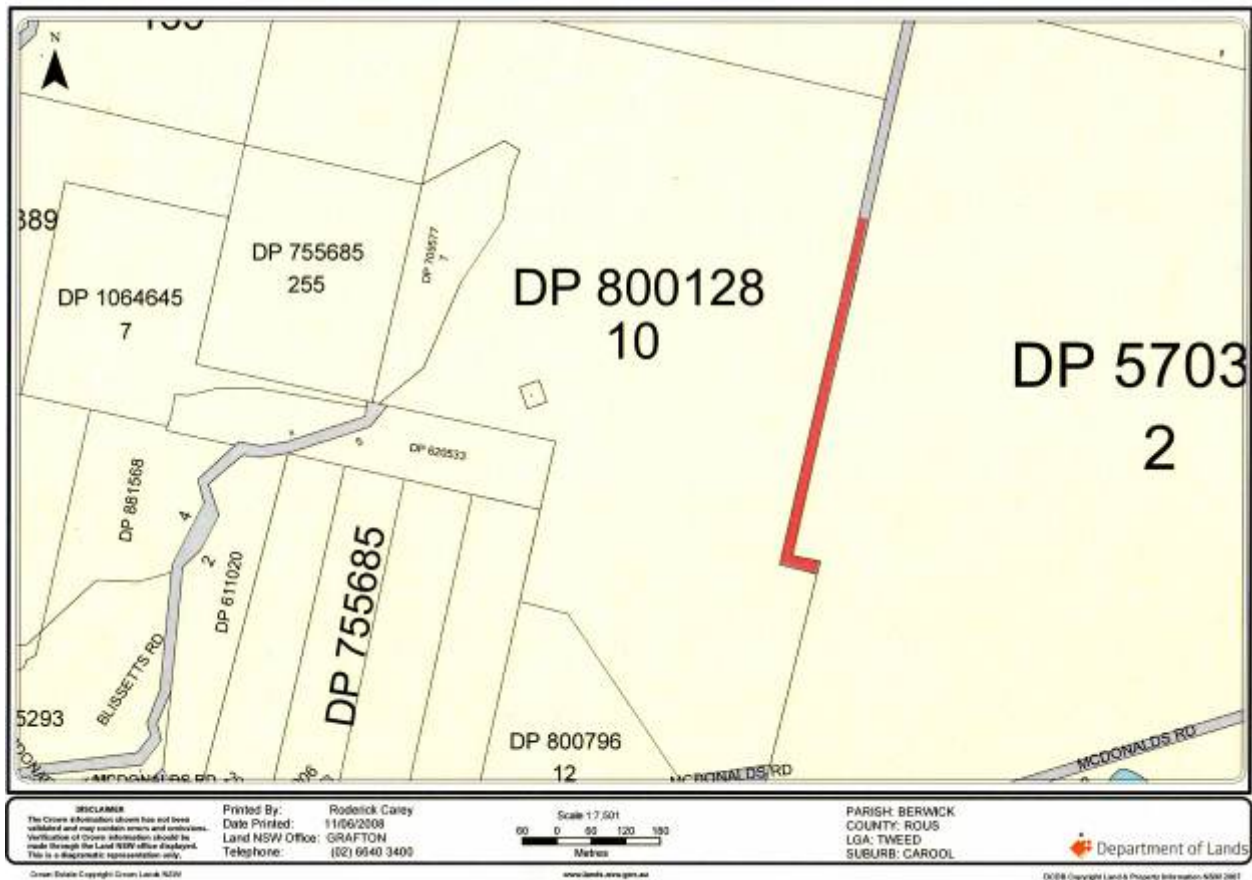
An investigation of the Crown Road reserves has been conducted and it has been noted that no Council or other infrastructure currently exists within it. There is no current formation and the topography of the area would indicate that formation along this alignment would not be practicable nor probable. All surrounding parcels currently gain access via alternate Council road reserves, being Blissets Road and Cobaki Road.

The section of road to be closed has limited vegetation within it except for the southern most point which shows a heavily treed area. Upon investigation it is noted that this area has both a low ecological status and sensitivity and there appears to be no noted threatened species of flora or fauna in the immediate or surrounding area.

This application complies with Councils current policy on Road Closure and purchase in so far as it does not fall within the categories listed for road not eligible for closure. It does however fall within point 1 of the exceptions as the road can be considered redundant in terms of access to all surrounding properties as well as topographical constraints.

It would therefore be recommended that Council does not object to the closure and purchase by the applicant of the section of Crown road reserve being the southern most 158 metres separating Lot 10 in DP 800128 from Lot 2 in DP 570319 at Carool.

Below is a plan showing the proposed road closure:-



**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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**O19 [EO-OC] Road Closure Application - Parish of Wollumbin****ORIGIN:****Design****FILE NO: GR3/12/8****SUMMARY OF REPORT:**

Council has received a notice of application to close a section of Crown Road reserve within, west and south of Lot 2 DP 578149 at Byangum, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted. It is noted that this section of road reserve potentially enables access to further private properties via Old Lismore Road.

With regard to the abovementioned, Council's road closure policy provides under roads not eligible for closure at:-

3. *Roads capable of providing physical access to other roads, public and private properties."*
6. *Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows."*

Therefore as per Council's Road Closure Policy it is recommended that Council object to the closure of this road.

**RECOMMENDATION:****That:-**

1. **Council objects to the closure of the section of Crown Road reserve within, west and south of Lot 2 DP 578149 at Byangum.**
2. **An application be made to the Department of Lands to transfer to Council the sections of Crown Road reserve running from Old Lismore Road through, west and south of Lot 2 in DP 578149, west of Lots 23, 26, 27, and 41 in DP 755754, and north of Lot 30 in DP 755754, through lots 1 and Lot 10 in DP 755754, to allow for future formation of the road reserve which may otherwise be severed.**

**REPORT:**

Council has received a notice of application to close a section of Crown Road reserve within, west and south of Lot 2 DP 578149 at Byangum, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted. It is noted that this section of road reserve potentially enables access to further private properties via Old Lismore Road. Closing this section of road reserve would remove this current potential access and cause considerable hardship on the owners of Lots 23 – 27, 31, 41 and 42 in DP 755754 should they improve these properties in the future. Should this section of road reserve be closed the owners of the aforementioned lots would be required to form extensive alternate lengths of road reserve at considerable and possibly prohibitive costs. Further there appears to be no rights of carriageway in place for these parcels to access via Old Lismore Road should this section of road be closed. It is recommended that Council consider the transfer of the full section of Crown Road reserve running from Old Lismore Road as indicated on the attached plan to enable the possibility of constructing access along the road reserves to any of the adjacent properties.

With regard to the abovementioned, Council's road closure policy provides under roads not eligible for closure at:-

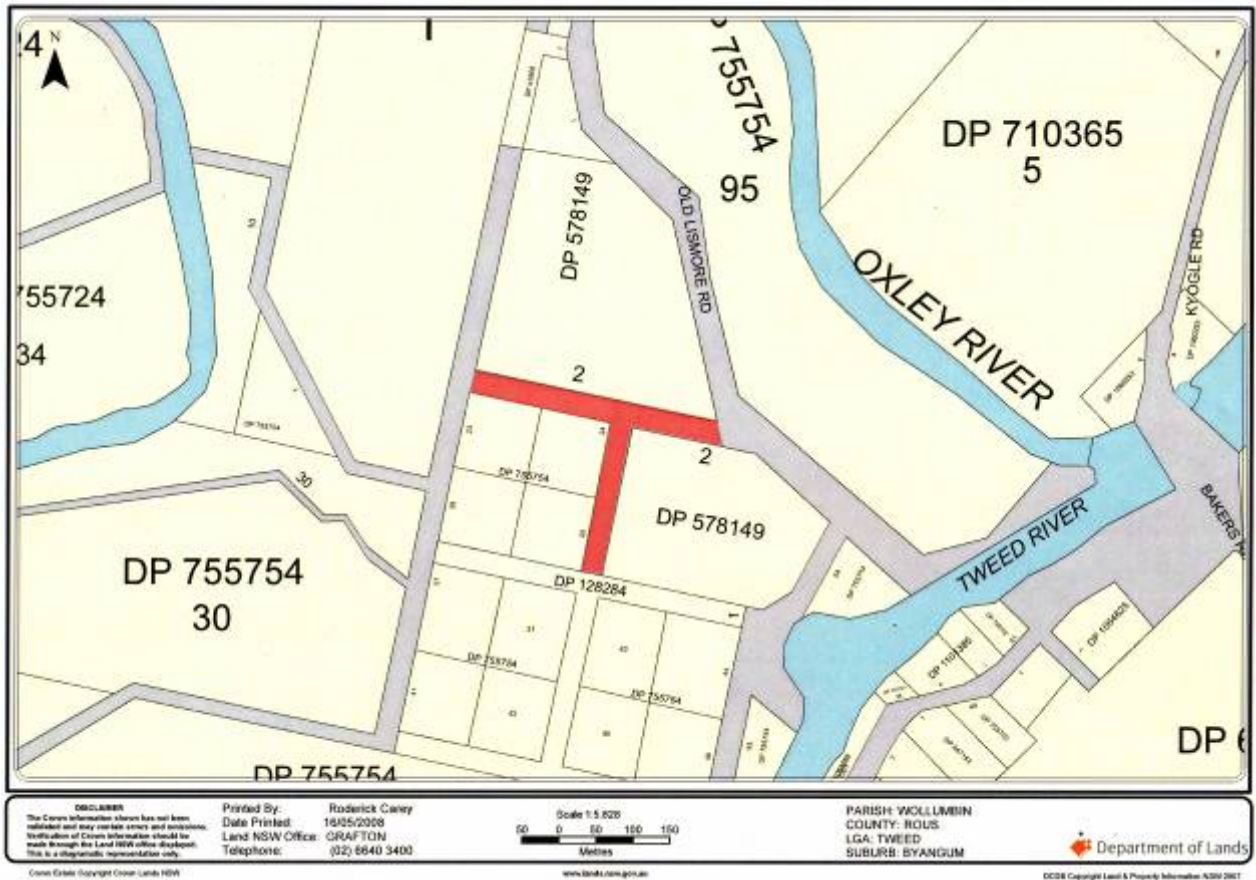
3. *Roads capable of providing physical access to other roads, public and private properties."*
  
6. *Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows."*

It would appear that the owners of Lot 2 in DP 578149 have plantation trees growing within sections of this road reserve. It would be unnecessary for the land owners to remove such plantations from the road reserve until such time as it is required to be constructed.

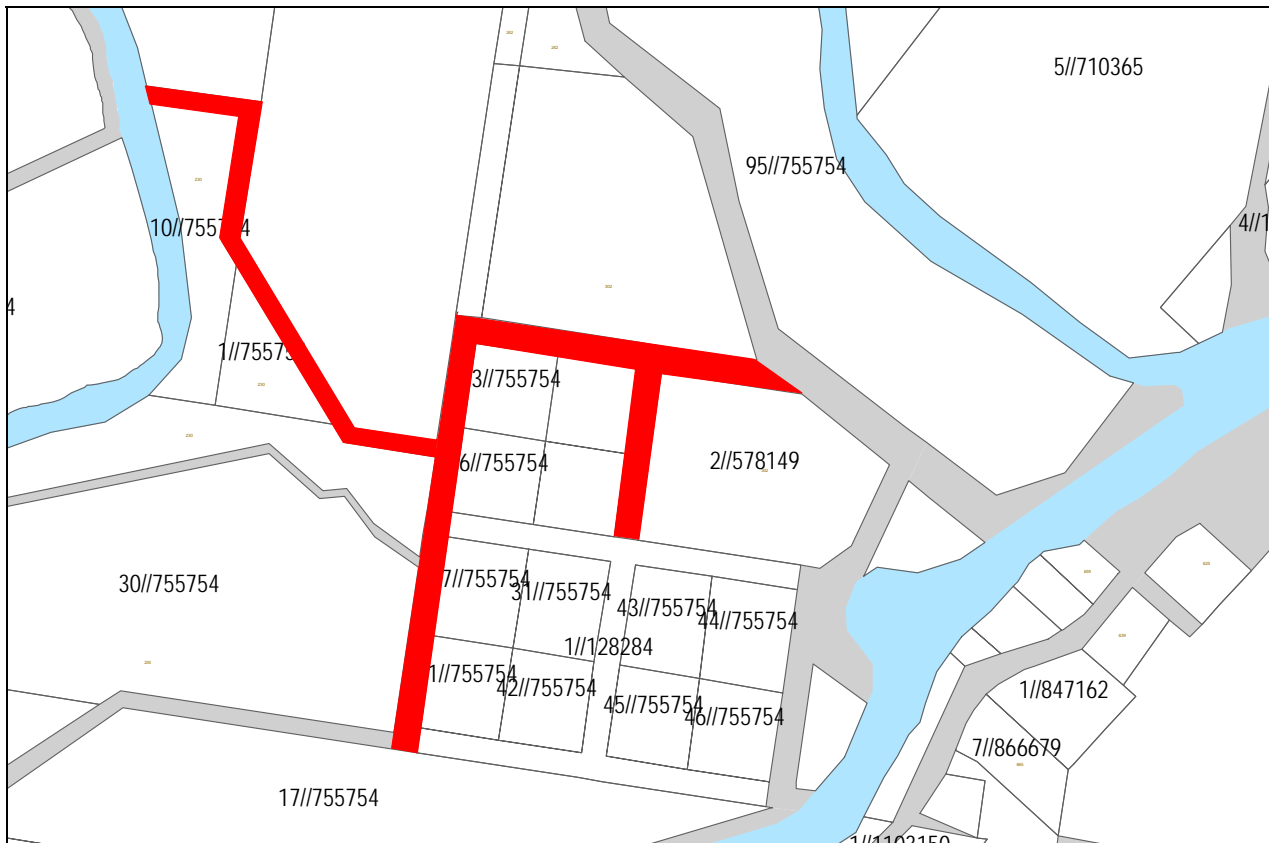
Therefore as per Council's Road Closure Policy it is recommended that Council object to the closure of this road.



Below is a plan showing the proposed Road Closures highlighted:-



Plan of Crown Roads proposed to be transferred to Council:-



**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](http://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 [EO-OC] Road Closure Application - Parish of Billinudgel****ORIGIN:****Design****FILE NO: GR3/12/5****SUMMARY OF REPORT:**

Council has received a notice of application to close a section of Crown Road reserve west, south and within Lot 1 DP594174 and road within and west of Lot 295 DP 755687 at Crabbes Creek, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted and it is noted that these sections of road reserve form part of an intricate network of Crown Roads as well as having several ecological issues associated with them.

Therefore as per Council's Road Closure Policy it is recommended that Council object to the closure of this road. It would be further recommended that Council make application for the transfer of the full length of the Crown road reserve within this area to allow for continuity of access and provide potential walking trails over and around the scenic escarpment.

**RECOMMENDATION:****That:-**

- 1. Council objects to the closure of the section of Crown Road reserve west, south and within Lot 1 DP594174 and road within and west of Lot 295 DP 755687 at Crabbes Creek.**
- 2. An application be made to the Department of Lands to transfer to Council the Crown Road reserves within this area to allow for continuity of access and provide potential walking trails over and around the scenic escarpment.**

**REPORT:**

Council has received a notice of application to close a section of Crown Road reserve west, south and within Lot 1 DP594174 and road within and west of Lot 295 DP 755687 at Crabbes Creek, from Department of Lands. Council has been requested to provide its consent or objection to the closure of this section of Crown Public Road.

An investigation of the Crown Road reserves has been conducted and it is noted that these sections of road reserve form part of an intricate network of Crown Roads as well as having several ecological issues associated with them.

There are major topographical constraints which would indicate that formation of this road reserve would be highly improbable, however due to the landscape of the area it may provide a scenic and interesting bush walking trail. The area is heavily treed and sits mainly along the top of a ridge while the remainder runs parallel to Crabbes Creek providing direct access to the creek at some points.

Insofar as the ecological impact several section of the proposed roads to be closed have between low to high ecological sensitivity and moderate to very high ecological status. The road to the north of Lot 1 in DP 594174 contains a subregional fauna corridor and is part of the key habitat State Forest. The road reserve running along the eastern boundary of Lot A in DP 377124 contains several species of threatened fauna. It should be noted that there is currently no tree preservation order in place within this location.

Closing the Crown Road reserve north and south west of Lot 1 in DP 594174 will sever the section of road reserve which runs along the eastern boundary of Lot B in DP 377124 and Lot 2 in DP 740953 leaving it isolated and inaccessible. Closure of this section of road will also serve to land lock Lot B in DP 377124, however it should be noted that this parcel is currently accessed via a right of carriageway leading from Ophir Glen Road.

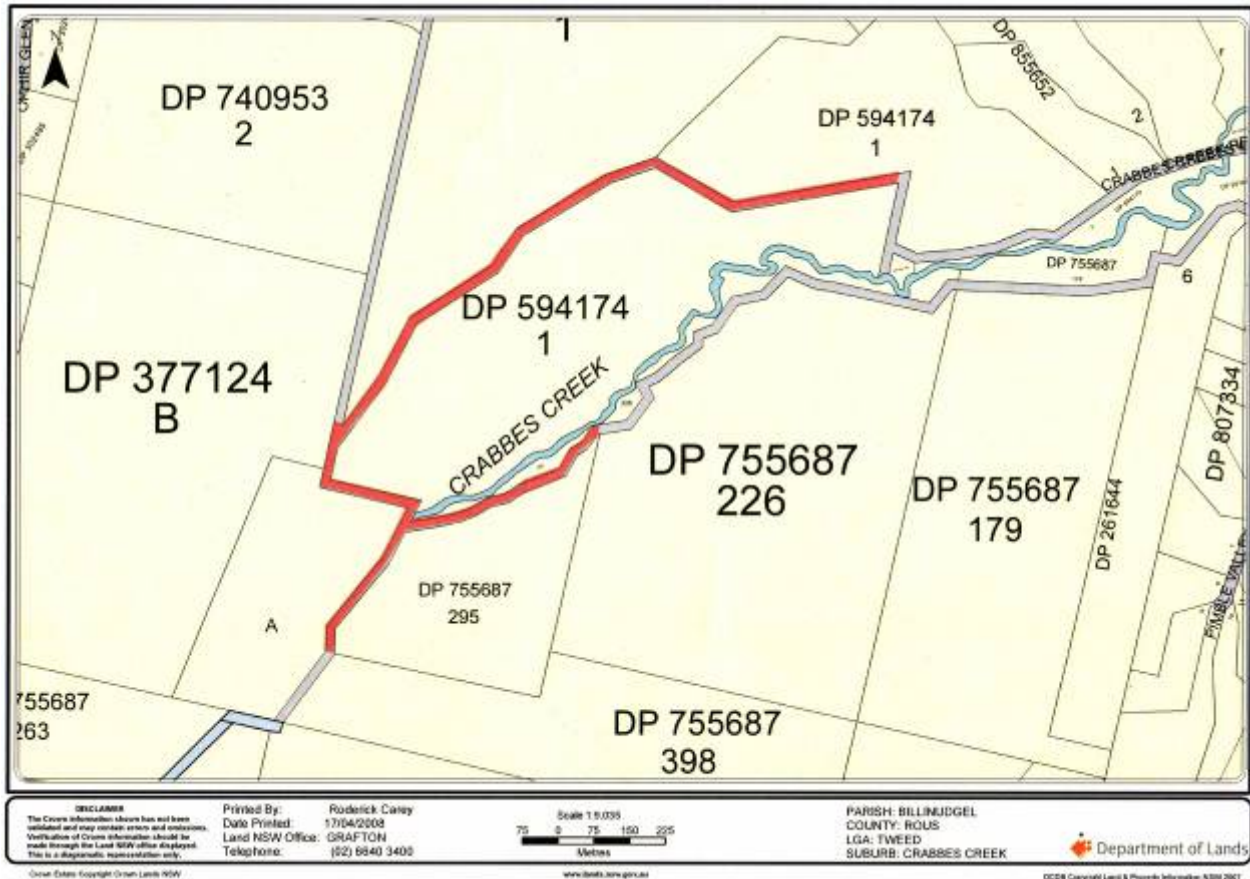
Pursuant to Councils Policy on road closure and private purchase the following points should be noted for roads **not** eligible for closure which are applicable to this particular application based on the information provided above:-

- "1. Roads providing or capable of providing physical access to rivers, creeks, lakes, beaches and their foreshores
3. Road reserves containing wildlife corridors, significant flora, marketable timber and scenic escarpments....
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.
8. Topographically difficult road reserves which might potentially be exchanged for more negotiable corridor serving any of the above mentioned purposes."

Therefore as per Council's Road Closure Policy it is recommended that Council object to the closure of this road. It would be further recommended that Council make application

for the transfer of the full length of the Crown road reserve within this area to allow for continuity of access and provide potential walking trails over and around the scenic escarpment.

Below is a plan showing the proposed road closures highlighted:-



**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](http://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).

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**021 [EO-OC] Deed of Agreement - Commercial Road, Murwillumbah****ORIGIN:**

Design

**FILE NO: GF3/3/2 Pt4****SUMMARY OF REPORT:**

At its meeting held on 24 June 2008, Council received a report to acquire an area of land at the rear of two properties on Commercial Road where a public footpath has been built on privately owned land. The purpose of the acquisition was to remove the liability of the two affected landowners and bring the land into Council's insurance indemnity coverage.

The report noted that agreement had been reached with one of the landowners and that negotiations with the other were ongoing.

Since that time, attempts at reaching agreement with the second landowner have not been successful and no agreement has been reached. Council's insurers have now confirmed that they will indemnify the landowners against users of the footpath if an agreement is entered into which provides that members of the public can use the footpath constructed on privately owned land.

Agreements have been drawn and it is now necessary to resolve to enter into the Agreement under the common seal of Council.

**ATTACHMENT 1** 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. Council approves entering into Deeds of Agreement with the owners of Lot 1 in 780240, Lot 1 in DP 518429 and Lot 1 in DP 780238 to indemnify the owners against users of the public footpath constructed on the subject parcels; and**

2. **ATTACHMENT 1 as CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-**
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret
  
3. **All documentation be executed under the Common Seal of Council.**

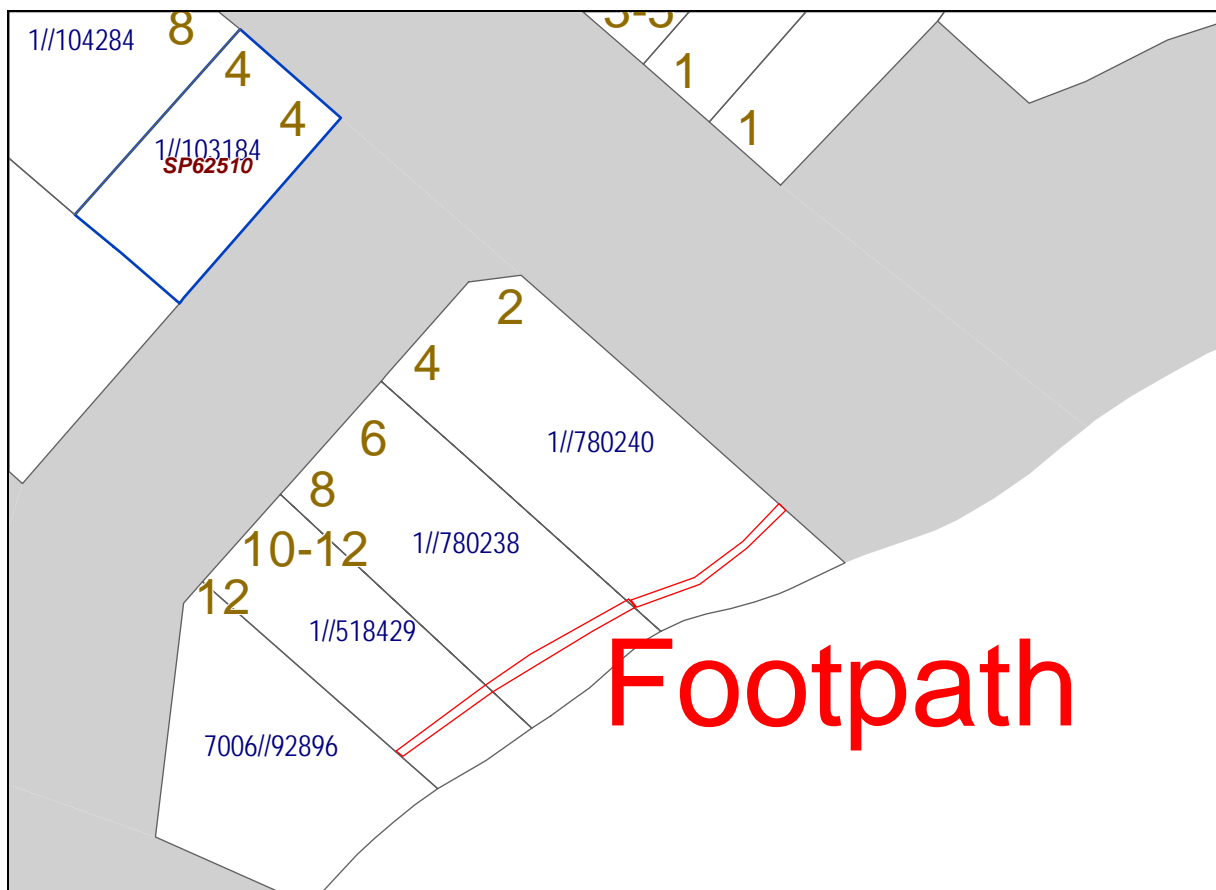


**REPORT:**

At its meeting held on 24 June 2008, Council considered a report to acquire an area of land at the rear of properties on Commercial Road where a public footpath has been built on privately owned land. The purpose of the acquisition was to remove the liability of the two affected landowners and bring the land into Council's insurance indemnity coverage.

The report noted that agreement had been reached with one of the landowners and that negotiations with the other were ongoing. The report provides the background to this issue. The report and resolution are confidential attachments to this report.

The plan below shows the affected parcels:-



Since that time, attempts at reaching agreement with the second landowner have not been successful and no agreement has been reached. Council's insurers have now confirmed that they will indemnify the landowners against users of the footpath if an agreement is entered into which provides that members of the public can use the footpath constructed on privately owned land.

As agreement with both landowners cannot be obtained the landowners have now been advised that the acquisition of the land will not proceed and they have been provided with copies of a Deed of Agreement for their approval and signature. One of the landowners has signed and no response has been received from the second landowner.

It is now necessary to resolve to enter into Deeds of Agreement under the common seal of Council. By entering into Deeds of Agreement it will no longer be necessary to proceed with items 1, 2 and 4 of the resolution made on 24 June 2008 at Item 2, Confidential Committee Decision 23.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

All legal implications form part of the body of this report.

**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](http://www.tweed.nsw.gov.au) or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

1. **Confidential Attachment** - Council Report dated 28 June 2008 (ECM 1839679).
  2. Council Resolution dated 28 June 2008 (ECM 1846782).
-

**O22 [EO-OC] Acquisition of Easements to Drain Water Variable Width created in DP 1137518 and DP 1137452 - Cudgen Creek, Kingscliff**

**ORIGIN:**

**Design**

**SUMMARY OF REPORT:**

The early stages of the planning process for the SALT development at Kingscliff included the participation of NSW Fisheries, NSW Department of Lands and Department of Infrastructure and Planning (now known as the Department of Planning) in discussions with the SALT developers, the Ray Group.

The discussions culminated in approvals from these departments to allow the development to occur. The Department of Lands approved the location and design of the stormwater drainage outlets into Cudgen Creek on the proviso that appropriate easements were created where the relevant infrastructure had been constructed.

The Department advised that the easements were to be acquired by Council under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991

Survey plans for the acquisition of Easements to Drain Water Variable Width were registered as DP 1137452 on 20 April 2009 and DP 1137518 on 22 April 2009.

The acquisitions are to proceed under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 for the purposes of the Local Government Act, 1993 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 Easements to Drain Water Variable Width created in DP 1137452 and DP 1137518 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 for Local Government and/or Governor; and**
- 2. All necessary documentation be executed under the Common Seal of Council.**

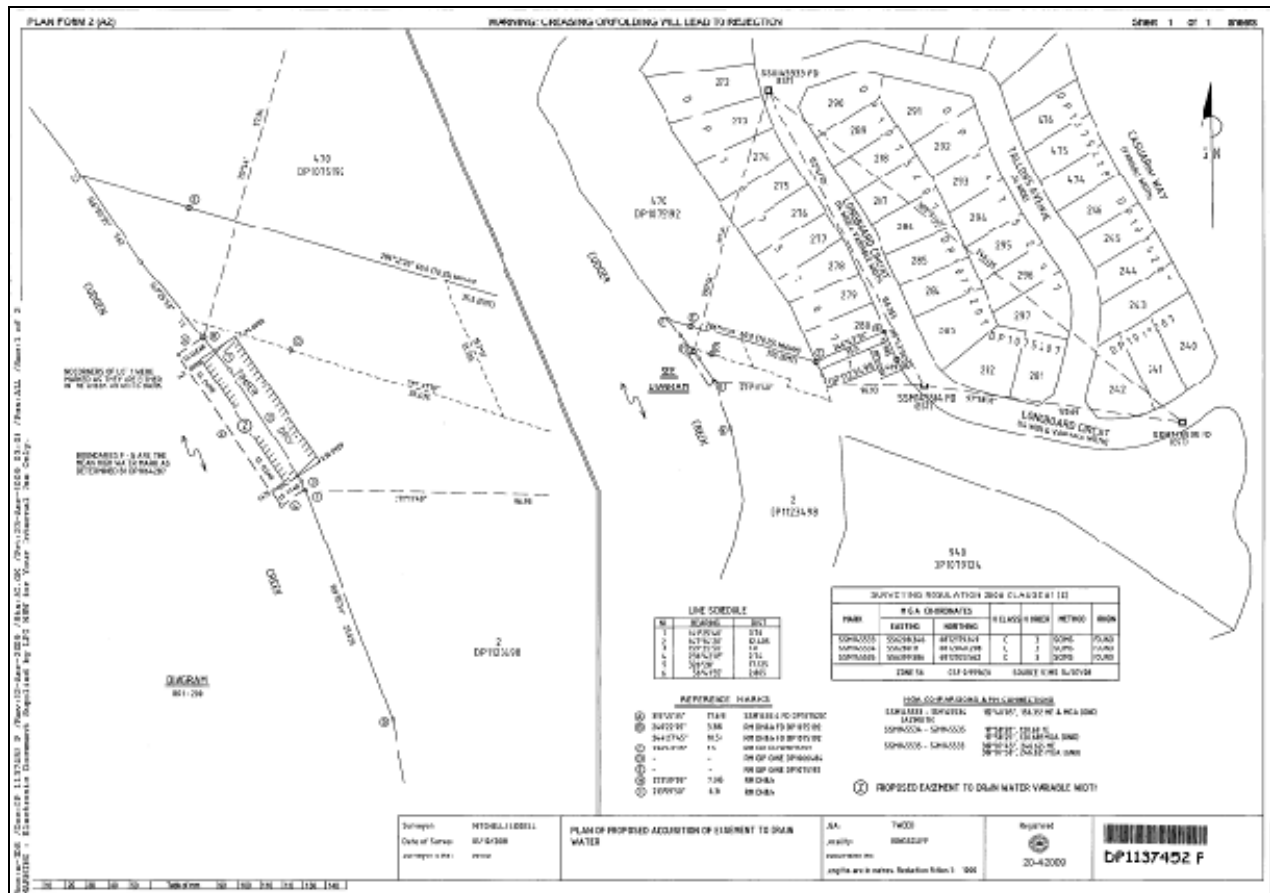
**REPORT:**

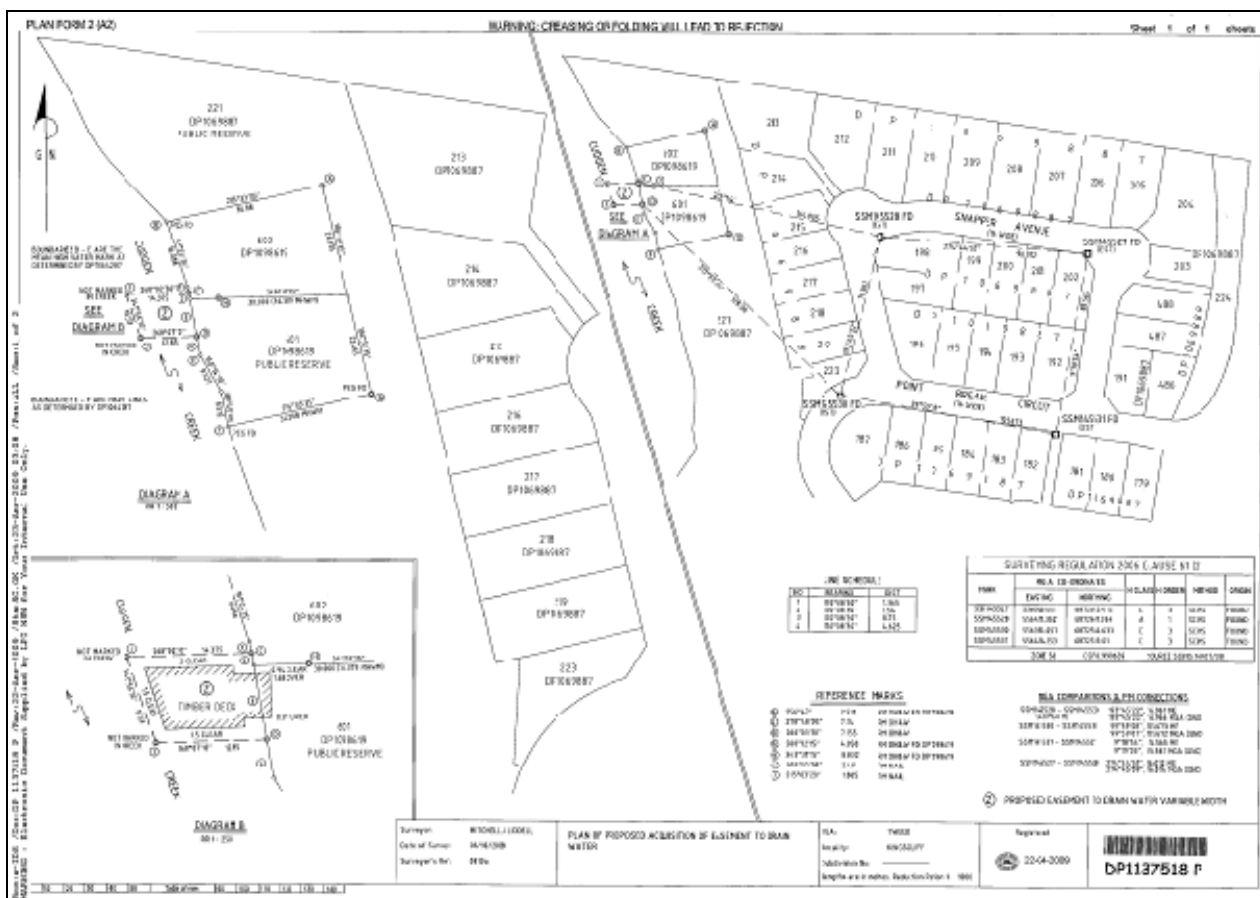
The early stages of the planning process for the SALT development at Kingscliff included the participation of NSW Fisheries, NSW Department of Lands and Department of Infrastructure and Planning (now known as the Department of Planning) in discussions with the SALT developers, the Ray Group.

These discussions culminated in approvals from these departments to allow the development to occur. The Department of Lands approved the location and design of the stormwater drainage outlets into Cudgen Creek on the proviso that appropriate easements were created where the relevant infrastructure had been constructed.

The Department has approved the creation of the easements within Cudgen Creek, being Crown Land, and has advised that the easements were to be acquired by Council under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991

Survey plans for the acquisition of Easements to Drain Water Variable Width were registered as DP 1137452 on 20 April 2009 and DP 1137518 on 22 April 2009. These plans are shown below:





The acquisitions are to proceed under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 for the purposes of the Local Government Act, 1993 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:**

To view any "non confidential" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://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).

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**O23 [EO-OC] EC2009-040 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge and Wommin Bay Road**

**ORIGIN:**

**Works**

**FILE NO: EC2009-040**

**SUMMARY OF REPORT:**

This report outlines the tender for EC2009-40 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge, and Wommin Bay Road. 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 from Saferoads Pty Ltd for EC2009-40 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge, and Wommin Bay Road.

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. The tender EC2009-040 for the Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddys Bridge and Wommin Bay Road from Saferoads Pty Ltd be accepted to the value of \$539,266.20 including GST.**
- 2. The General Manager be given delegated authority to approve variations up to 20%, inclusive of GST above the initial contract price.**
- 3. 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:

### Background

Council Tender EC2009-40 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge, and Wommin Bay Road invited responses for the provision of:-

*"The supply and installation of guardrail and associated components at several current construction projects being completed by the Works Unit. The proposed approved projects require the construction of safety barrier systems to prevent passenger cars and heavy vehicles from entering areas hazardous to travel."*

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

No	Criteria	Weighting
1	Tender Price	60
2	OHS and Risk Management	10
3	Environmental and Quality Systems	10
4	Contract Experience	10
5	Time Performance	10
	<b>Total</b>	<b>100</b>

### Tenders Received

A total of one response was received for tender EC2009-40 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge, and Wommin Bay Road:-

Saferoads Pty Ltd

### Tender Evaluation

The Tender Evaluation was conducted by Council's Tender Panel, consisting of the Senior Construction Engineer, and Construction Engineer. 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.

Based on the price and non price considerations, it is recommended that Tenderer Saferoads Pty Ltd be nominated for EC2009-40 Supply and Installation of Guardrail at

Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge, and Wommin Bay Road.

Details of Saferoads Pty Ltd relative competitiveness are shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by the Evaluation Committee.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

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

Funding is available within the 2008/2009 Budget for EC2009-040 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge, and Wommin Bay Road.

**POLICY IMPLICATIONS:**

Consistent with procurement policy.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "non confidential" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://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. **Supplementary Confidential Attachment A** - EC2009-040 Supply and Installation of Guardrail at Terranora Road, Kyogle Road, Piggabeen Bypass, Giddy's Bridge and Wommin Bay Road (ECM 2053566).
-

**O24 [EO-OC] EC2009-021 Registration of Interest for the Hire of Small Plant**

**ORIGIN:**

**Contracts**

**FILE NO: EC2009-021**

**SUMMARY OF REPORT:**

This report outlines the tender for EC2009-021 Registration of Interest for the Hire of Small Plant to Council for the period 1 July 2009 until 30 June 2011.

Small Plant are construction tools, for example powered hand tools, plate compactors, generators, concrete finishers etc that are used in construction work and not carried as a Council plant item. The items are generally hired for daily or short term periods and are collected and returned by Council staff. There were six (6) conforming submissions to the tender with each tender enclosing a catalogue of hire items and hire rates. Submissions were received from hire Companies within the Shire and the northern end of the Gold Coast and offered varying rates and charges across the vast range of hire items.

It is recommended that Council accepts the tenders as submitted and hire decisions be made following reference to catalogue rates and additional charges that would apply.

**RECOMMENDATION:**

**That Council accepts the tender submissions from:-**

- **Twin City Hire,**
- **Total Hire,**
- **Hakka Hire ,**
- **Tweed Dingo Hire,**
- **Coates Hire and**
- **Kennards Hire Pty Ltd**

**for EC2009-021 Registration of Interest for the Hire of Small Plant to Council for the period 1 July 2009 until 30 June 2011 and hire decisions be made following reference to submitted catalogue rates and additional charges that would apply.**

**REPORT:**

Tender EC2009-021 for the Registration of Interest for the Hire of Small Plant to Council for the period 1 July 2009 until 30 June 2011 closed on 15 April 2009.

Small Plant are construction tools, for example powered hand tools, plate compactors, generators, concrete finishers etc that are used in construction work and not carried as a Council plant item. The items are generally hired for daily or short term periods and are collected and returned by Council staff. There were six (6) conforming and five (5) non conforming submissions to the tender with each tender enclosing a catalogue of hire items and hire rates. Tenders were received from Hire Company's within the Shire and the northern end of the Gold Coast and offered varying rates and transport charges across the vast range of hire items listed which would affect hire item pricing comparison between the various suppliers.

**Tenders Received**

A total of six (6) conforming and five (5) non conforming submissions to tender EC2009-021 Registration of Interest for the Hire of Small Plant to Council were received.

Conforming submissions were received from the following hire companies:-

Twin City Hire	Total Hire	Hakka Hire
Tweed Dingo Hire	Coates Hire	Kennards Hire Pty Ltd

The non conforming tenders were for items that were considered outside the those required under tender EC2009-021 and should have been included in tender EC2009-019 Registration of Interest for the Hire of Plant and Equipment. The non conforming items were duly listed in the schedules for EC2009-019.

**Tender Evaluation**

The Tender Evaluation was conducted by Council's Engineering & Operations Division's Contract Unit staff with input from Council's Works Supervisor who has extensive knowledge of road construction plant performance and capabilities.

Hire decisions will be made following consideration of where the hire items are to be used in relation to the hire Company's place of business, reference to catalogue rates and additional charges that would apply. For example hire items required for works in the Murwillumbah region could be obtained from Hakka Hire and similarly items required in the Tweed Heads area could be obtained from Twin City Hire or Coates Hire thus minimising any operational delays and delivery charges if the item was required to be delivered to site.

As with hire decisions made for the hire of larger plant items Council's Works Supervisor is considered in the best position to direct staff to the most beneficial operational and financial hire company for each particular small plant hire requirement.

It is recommended that Council accepts the conforming tender submissions from: Twin City Hire, Total Hire, Hakka Hire, Tweed Dingo Hire, Coates Hire and Kennards Hire Pty Ltd for EC2009-021 Registration of Interest for the Hire of Small Plant to Council for the period 1 July 2009 until 30 June 2011 and hire decisions be made following reference to submitted catalogue rates and additional charges that would apply.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Funding is provided within the 2007/2008 Budget for EC2009-021 Registration of Interest for the Hire of Small Plant

**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](http://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).*

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**025 [EO-OC] EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council****ORIGIN:****Contracts****FILE NO: EC2009-019****SUMMARY OF REPORT:**

This report outlines the tender for EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council for the period 1 July 2009 until 30 June 2011. Tenders were called for the supply of a wide range of plant categories to be hired by Council to service its operational requirements over the period of the hire agreement. Rankings were established by comparing hourly rates tendered and reviewing machine attachment and attachment rates and transport costs for each plant category and are listed in **CONFIDENTIAL ATTACHMENTS A and B**. It is recommended that Council accepts the ranking schedule for EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council for the period 1 July 2009 until 30 June 2011 as included as a confidential attachment to this report.

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 hourly hire rate. 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. That Council accepts the ranking schedule for EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council for the period 1 July 2009 until 30 June 2011 as listed in the Confidential attachment to this report.**
- 2. The ATTACHMENTS A and B 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 EC2009-019 closing 15 April 2009 has been called for the Registration of Interest for the Hire of Plant and Equipment to Council.

Tenders were called for the following categories of plant and equipment:-

- Backhoe
- Crushing Plant
- Dozers
- Excavator - mini
- Excavator - tracked,
- Excavator - "long-Reach"
- Excavator - with Rock-breaker hammer
- Excavator - wheeled
- Loader - skid-steer & attachments
- Loader - tracked
- Loader /Front end - wheeled
- Low-Loader
- Pavement Milling Profiler & attachments
- Roller - footpath
- Roller - Multi-tyre
- Roller - 3 Point
- Roller - padfoot - vibrating and non vibrating
- Roller - smooth drum, vibrating & non – vibrating
- Screening Plant
- Water Cart

### Miscellaneous Plant and Equipment:

- Cherry-picker / Travel-Tower
- Concrete Pump equipment
- Cranes
- 1 Tonne Utes
- High Pressure Drain Cleaner, including Root-cutter and CCTV
- Under-road Borer
- Tilt Tray Truck – suitable for container transport
- Wheeled Tractor - with or without attachments, including flail –mower, slasher & spray units etc.

### On-site Plant and Equipment:

- Dewatering
- Directional Arrow
- Lighting Tower
- Portable Traffic Light
- Portable Toilet, including servicing
- Road Barriers, including New Jersey Kerbs and Water Filled Safety Barriers
- Temporary Site Sheds, including generator and associated equipment
- Tree Mulching machinery & gang
- Trenching & Shoring
- Variable Message Board.

Rates submitted will remain fixed and will be reviewed at six monthly intervals over the term of the agreement. Contract rate variations will be made in accordance with a formula which addresses variations in fuel, labour and other costs (registration, insurance etc) fluctuations.

### Tenders Received

There was an unprecedented quantity of submissions to the tender with tenders received from contractors located at Albion Park in the south to North Queensland. Due to the large volume of submissions received, compared to past Plant and Equipment Hire contract periods, it is highly unlikely that the majority of tendered items will be offered any work over the two (2) year contract term.

A total of three hundred and thirty one (331) contractors submitted to tender EC2009-019. This is a 420% increase in tender submissions to that received for the 2007/2009 contract period and obviously reflects the impact the economic slowdown has had on the civil construction industry.

### **Tender Evaluation**

The Tender Evaluation was conducted by Council's Engineering & Operations Division's Contract Unit staff with input from Council's Works Supervisor who has extensive knowledge of road construction plant performance and capabilities. 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 hourly hire rate. 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.

In accordance with the hourly rates submitted for each plant item category it is recommended that Council accepts the ranking schedule for EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council for the period 1 July 2009 until 30 June 2011 as included as a confidential attachment to this report.

### **LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Funding is provided within the 2007/2008 Budget for EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council.

### **POLICY IMPLICATIONS:**

Nil.

### **UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "non confidential" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://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. **Supplementary Confidential Attachment A** - EC2009-019 Registration of Interest for the Hire of Plant and Equipment to Council (ECM 2052397).
  2. **Supplementary Confidential Attachment B** - EC2009-019 Rankings (ECM 2052438).
-

**O26 [EO-OC] EC2009-020 Registration of Interest for Contract Truck Haulage****ORIGIN:****Contracts****FILE NO: EC2009-020****SUMMARY OF REPORT:**

This report outlines the tender for EC2009-020 Registration of Interest for Contract Truck Haulage for the period 1 July 2009 until 30 June 2011. Rankings were established by comparing hourly hire rates tendered for each truck category and are listed in **CONFIDENTIAL ATTACHMENT A**. It is recommended that Council accepts the ranking schedule for Contract Truck Haulage for the period 1 July 2009 until 30 June 2011 as included as a confidential attachment to this report.

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 hourly hire rate. 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. Council accepts the ranking schedule for EC2009-020 Registration of Interest for Contract Truck Haulage for the period 1 July 2009 until 30 June 2011 as listed in the Confidential attachment to this report.**
- 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 hourly hire rate. 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 EC2009-020 closing the 15 April has been called for the Registration of Interest for Contract Truck Haulage for the period 1 July 2009 until 30 June 2011.

Tenderers were required to submit hourly rates for the following haulage categories:-

- A Rate – Truck Hourly Rate (11.5 – 15 Te capacity)
- A Rate – Truck with 500 mm Dia. Rock Hourly Rate
- A Rate – Truck and Dog Hourly Rate
- A Rate – Semi Tipper

Rates submitted will remain fixed and will be reviewed at six monthly intervals over the term of the agreement. Contract rate variations will be made in accordance with a formula which addresses variations in fuel, labour and other costs (registration, insurance etc) fluctuations.

### Tenders Received

A total of forty eight (48) contractors submitted ninety two (92) submissions to tender EC2009-020. This is a significant increase to that received for the current Contract Haulage arrangement with a large numbers of haulage contractors from outside the area submitting tenders.

Rates received were generally very competitive and in some cases cheaper than those submitted for the 2007-2009 contract period.

### Tender Evaluation

The Tender Evaluation was conducted by Council's Engineering and Operations Division Contract Unit staff with input from Council's Works Supervisor. 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 hourly hire rate. 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.

In accordance with the hourly rates submitted for each truck category it is recommended that Council accepts the ranking schedule for EC2009-020 Registration of Interest for Contract Truck Haulage for the period 1 July 2009 until 30 June 2011 as included as a confidential attachment to this report.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funding is provided within the 2007/2008 Budget for EC2009-020 Registration of Interest for Contract Truck Haulage.

**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](http://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. **Supplementary Confidential Attachment A** - EC2009-020 Registration of Interest for Contract Truck Haulage (ECM 2049344).
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**O27 [EO-OC] Proposed Interchange of Park Names - John Follent and Ebenezer Park**

**ORIGIN:**

**Recreation Services**

**SUMMARY OF REPORT:**

At its meeting held 17 March 2009 Council resolved that the proposal to interchange the names of Ebenezer Park Tweed Heads and John Follent Park Tweed Heads be advertised in the Tweed Link inviting submissions from the public for twenty eight (28) days.

At the close of comment two submissions were received.

**RECOMMENDATION:**

**That the names of Ebenezer Park Tweed Heads and John Follent Park Tweed Heads be interchanged and park signage be amended accordingly.**

**REPORT:**

At its meeting held 17 March 2009 Council resolved that the proposal to interchange the names of Ebenezer Park Tweed Heads and John Follent Park Tweed Heads be advertised in the Tweed Link inviting submissions from the public for twenty eight (28) days.

At the close of comment two submissions were received both objecting to the proposal. The comments in one of the submissions appears to suggest that the writer was under the misunderstanding that the proposal was to change John Follent Park to Ebenezer Park, therefore no longer having a park named after John Follent which formed the basis of the objection.

The other submission was from the Rotary Club of Coolangatta - Tweed Heads. The Club President was contacted to ensure there was no misunderstanding as to the intent of the proposal and it was confirmed that the full meeting of the Club felt that John Follent Park should remain at its current location as the club feels that this location is of a higher profile than Ebenezer Park and is therefore a more fitting location.

The proposal to interchange the park names came from the Tweed Heads Historical Society Inc and is reproduced below as a reminder of the rationale. Also reproduced is a map illustrating the locations of the two parks.

When the proposal was received, the original proponent to name John Follent Park was contacted and advised he had no objections to the Historical Society's proposal.

As evidenced by the map, Ebenezer Park is a large prominent riverside park. It may be considered that this area is no less significant than the current location of John Follent Park. Accordingly, with consideration to the rationale in the submission by the Tweed Heads Historical Society Inc, the non objection of the original proponent of John Follent Park and the comparative equity in park profiles, it is recommended that Council interchange the names of Ebenezer Park Tweed Heads and John Follent Park Tweed Heads.





# Tweed Heads Historical Society Inc.

(Established 1985)

Pioneer Park, 230 Kennedy Drive, Tweed Heads West

ABN: 11 491 598 535

WEBSITE: [www.tweedhistory.org.au](http://www.tweedhistory.org.au)

POSTAL ADDRESS: PO Box 839, Tweed Heads 2485

PHONE: 07 5536 8625

PRESIDENT: Joan Smith Ph: 07 5599 2286

SECRETARY: Denise Garrick Ph: 07 5562 0515

9 September 2008

The General Manager,  
Tweed Shire Council,  
P.O. Box 816,  
MURWILLUMBAH. 2486

PARKS - EBENEZER,  
TWEED SHIRE COUNCIL  
FILE No. PARKS - NAMING  
DOC. No. \_\_\_\_\_  
RECD: 11 SEP 2008  
ASSIGNED TO: BRAWLEY, S  
CORRUPT  IMAGE

PARKS -  
JOHN  
FOLLENT,  
HISTORICAL  
SOCIETY

Dear Sir,

re: Renaming of Tweed Heads Parks – Ebenezer Park and Follent Park

It has recently come to the attention of the Management Committee of the Tweed Heads Historical Society that there is an unfortunate anomaly between the naming of the two parks named above, and the names of which parks should be interchanged.

The presently named *Ebenezer Park* lies along the town bank of the Tweed River opposite Letitia Spit and continues along the bank of Terranora Creek opposite the northern end of Ukerebagh Island. There is no historical significance about the "Ebenezer" associated with this park or its location.

The "Ebenezer" was a schooner of 90 tons coming from Sydney for cedar and bringing the families of the Boyd Brothers who were then at Taranora Cedar Camp (there was no Tweed Heads at the time). She entered the Tweed River on 30<sup>th</sup> July, 1859, when the wind dropped without warning. She grounded on the north spit (near Durambah Beach) and the passengers were landed as a precaution. However, the weather was mild and it was expected that the next tide would refloat her, so the passengers went back on board. That night the weather deteriorated and the schooner was driven onto rocks. The crew escaped, but the "Ebenezer" broke up so quickly that four passengers were drowned. They were: Hannah, aged 26, wife of John Boyd and Thomas, aged 2 years 3 months, their son; Mary Ann, aged 24, wife of Edward Boyd and Edward, aged 2 years, their son.

The *Ebenezer* tragedy occurred adjacent to what is now known as **Follent Park** and it would be more appropriate for this park to be re-named the *Ebenezer Park*.

The presently located *Follent Park* is located behind Durambah Beach and was dedicated in 2004. The park was named to honour **Dr. John Follent** (1913-1996), who came to Tweed Heads in 1946 as a partner in an existing medical practice. As well as being a busy general practitioner, John Follent acted as Government Medical Officer in both Coolangatta and Tweed Heads, performing autopsies when necessary and acting as Commonwealth Medical Officer for Pensions. In addition he worked for the repatriation of Returned Servicemen providing assistance and guidance.

In 1948 Dr. John Follent, amongst other things, chaired a public meeting calling for the establishment of a public hospital in Tweed Heads. This hospital eventually opened in 1973 with fifty beds and Dr. John became its **first honorary Medical Superintendent**.

2

Amongst his accomplishments, in 1969 he became District Governor of Rotary and was subsequently honoured with a Paul Harris Fellowship. In the same year he was invited to become a deacon in the Anglican Church at St. Cuthbert's at Tweed Heads. **Six years later he was ordained as an honorary priest.**

In 1976 he was awarded an MBE in recognition of his community service, which included serving as a Justice of the Peace in both Queensland and New South Wales and acting as Chairman of the Salvation Army Appeal for Coolangatta/Tweed Heads.

In 1983 Dr. John Follent was named Citizen of the Year by Tweed Shire Council, was installed as a Worshipful Master of the Masonic Lodge, Coolangatta, and later that year he was elected to Tweed Shire Council as a councillor.

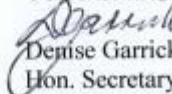
Dr. John was well-known in Tweed Heads as a well-loved distinguished Tweed Heads resident, who, amongst his other accomplishments, was a long standing medical practitioner and an honorary Anglican Priest at St. Cuthbert's Anglican Church in Tweed Heads.

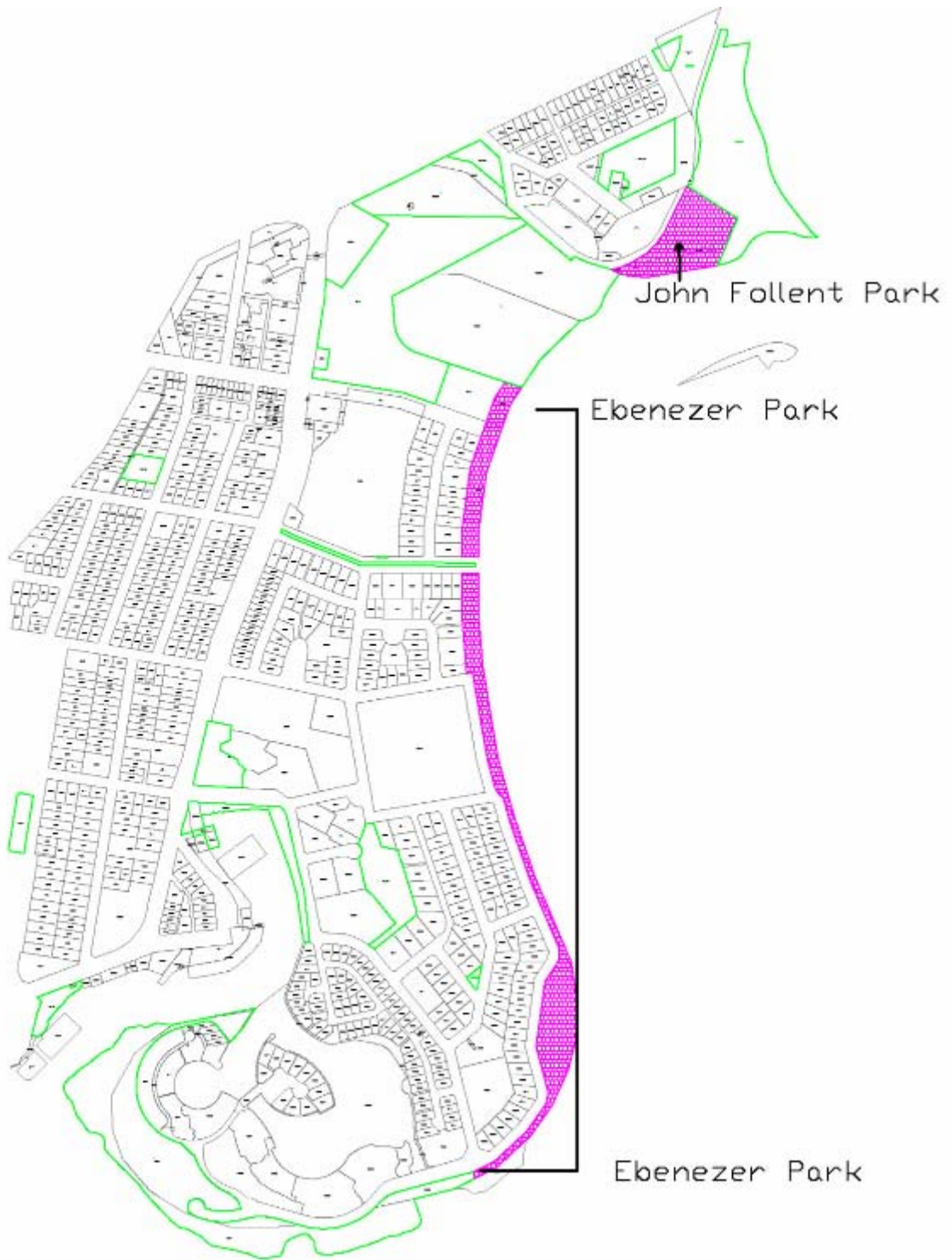
The close proximity of both **The Tweed Hospital** and **St. Cuthbert's Anglican Church** to the currently named **Ebenezer Park** is much more fitting to be known as and should be renamed **Follent Park**.

We consider that it is incumbent on our Society, which aspires to be the custodian of local regional history, to initiate action when such an anomaly, as stated above, occurs. We feel sure that the descendants of both the persons and the events would see the re-naming of both parks as being more appropriate and practical. The original naming of both parks occurred years apart, and it was not foreseen by Councillors that the result would be such an anomaly.

We would ask that you take such action as is necessary to re-name the current *Follent Park* as **Ebenezer Park**, and re-name the current *Ebenezer Park* as **Follent Park**.

Yours faithfully,

  
Dentse Garrick  
Hon. Secretary  
Tweed Heads Historical Society Inc.



**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](http://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. Correspondence received (ECM 2033845 and 2029568).
-

**O28 [EO-OC] Road Signage Eco Friendly Shire**

**ORIGIN:**

**Director Engineering & Operations**

**SUMMARY OF REPORT:**

Council at its meeting on 27 January 2009 resolved the following:-

*"RESOLVED* that a report be brought forward outlining:-

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

The following report addresses the issues raised.

**RECOMMENDATION:**

**That:-**

1. **Upgrading of Council's Gateway Entry Signage and any new signage be deferred until Council's Visual Identity Guide and new brand is adopted. This will ensure no waste of funds to replace out of date signage in the future.**
2. **Subject to a favourable response from community groups, Council considers providing a budget allocation for redesign and installation of eco friendly signage at areas nominated in this report in the 2010/2011 budget.**
3. **Subject to 2 above, approval be sought from the Roads & Traffic Authority of NSW for Council to replace signage at the Sleepy Hollow rest areas with eco friendly information signage.**
4. **Subject to 2 above, the Natural Resources Management Section of Council assists a specialist educational / design consultant to prepare appropriate information and signage design.**

**REPORT:**

**Part 1 - Signage**

Over the past 10 years tourism and 'gateway' signage has been substantially improved within the Tweed Shire to identify the Shire and its Villages using a common theme and to clearly define Tourist Routes within the Shire. The following types of signage currently exists:-

**SHIRE GATEWAY SIGNAGE**

Entry Gateway Signage has been erected on all main roads entering the Shire. An example is shown in Photo 1 below:-



**Photo 1**

The signage was developed through a consultancy with input from community organisations.

The value of the Gateway signage is \$78,000.

## VILLAGE ENTRY SIGNAGE

The second phase of the Gateway Signage Scheme was the village entry signage scheme and signs have been provided for most villages. The signs follow a common design theme reflecting the Gateway signage but includes a "Tag Line" developed by the residents of the respective Village. Photo 2 below shows an example of this signage.



**Photo 2**

The value of Village Entry Signage is \$61,600.

## TOURIST ROUTE SIGNAGE

Tourist routes that comply with the Roads & Traffic Authority and Tourism New South Wales regulations have been signposted throughout Tweed Shire. These signs are the familiar 'brown & white' signs containing Tourist Route numbers and names. An example of this signage is shown below in Photo 3:-

The signposted Tourists Routes within Tweed Shire are shown in Figure 2 below:-







**Photo 3**

The value of the Tourism Signage provided is \$320,000.

## REST AREA/LAY BY SIGNAGE

The only significant rest area signage in the Shire is on the Pacific Highway at Sleepy Hollow which is owned by the RTA but featured information signage on the local area (see Photo 4).



**Photo 4**

Other lay by areas in the Shire have some older signage that has not been updated due to the budgetary constraints and issues with adjoining landowners.

Photo 5 below shows typical 'lay-by' / rest area signage:-



Photo 5

### OPTIONS

Whilst part 1 of Council's resolution requests options for increased signage around the Shire is considered more appropriate to investigate improved and modified signage for the following reasons:-

- (a) Council should comply with Australian Standards, Roads & Traffic Authority Specifications to minimise signage proliferation which can be visually unattractive and distracting to drivers.
- (b) Too much signage and too much information on signs leads to signage being ineffective as they become too difficult to read. The following available options are:-

### **OPTION 1 - PACIFIC HIGHWAY - REST AREAS AT SLEEPY HOLLOW**

In terms of signage it is considered the most effective way to promote the Tweed Shire as an eco friendly Shire is to provide relevant information in the Rest Area interpretive signage panels on the Pacific Highway at Sleepy Hollow.

The approval of the RTA will be required but should not be a significant issue as much of the original signage is missing and needs to be replaced and updated.

The content and design of the signage would need to be prepared by a specialist consultant with input from Council's Natural Resources Management Section as the appropriate expertise rests in this Unit.

## OPTION 2 - LOCAL ROAD LAY BY AREAS

The proposed Highway Rest Area signage, in a modified form, could be duplicated at other key lay-by areas but this would be much more expensive as signage structures would need to be constructed as part of the process and in some locations, road pavement widening.

Locations that are considered appropriate are:-

- (a) Tweed Valley Way at the lay by at Reserve Creek Road shown in Photo 6 below. This location has a suitable lay-by area already constructed but requires signage structures:-



Photo 6

- (b) Kyogle Road just south of Riveroak Drive but costly pavement construction is also required. It would cater for visitors arriving from the west. This area is shown in Photo 7 below:-



Photo 7

(c) Tweed Valley Way, Mooball

The new roadside rest area and lay-by would be suitable requiring signage structure and signs only and would cater for traffic entering the Shire from the South (see photo 8).



Photo 8

(d) Chinderah Bay Drive, Chinderah - Riverside Park at Waugh Street  
Roadside and Riverside Park is popular with facilities and parking . Signage structure and signs could be added to cater for traffic form the north. See Photo 9.



Photo 9

### OPTION 3 - MODIFYING GATEWAY AND VILLAGE SIGNAGE

This option would expand on Option 2 and would involve adding a short 'Tag Line' of limited text to village entry signs so as to be legible to drivers and could consist of an extra plate stating "Eco Friendly Shire" or some similar phrase that links to the detailed Eco Friendly signage at the Rest and Lay By areas. It is feasible to add a 'Tag Line' to the Shire Gateway Signs by adding a new panel or replacing 'The Valley of Contrasts' tag line.

Modifying the village Entry Signage is possible, however pursuing this option is likely to conflict with the Village Gateway signage 'Tag Line' already chosen for each village by the residents and therefore has the strong potential to be contentious with local opposition, (see Photo 2) and is therefore not recommended to pursue this option further at this time.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

It is estimated that the following funds will be required to deliver the options discussed as followed:-

**Option 1 - Pacific Highway Rest Areas - 'Sleepy Hollow'**

The costs of new signage at the rest areas is estimated at \$10,000 but will be dependent on extent of signage required and is subject to Roads & Traffic Authority of NSW approval for new signage. Design of coordinated signage for this site and other road lay-by areas would cost around \$15,000.

**Option 2 - Local Road Lay-By Areas****2a - Tweed Valley Way at Reserve Creek**

Utilise existing lay-by area, signage and signage structure estimated cost \$10,000

**2b - Kyogle Road, Bray Park near Riveroak Drive**

New pavement for lay-by, signage and structure \$50,000.

**2c - Tweed Valley Way, Mooball**

Utilise existing lay-by area, new signage structure designs estimated cost \$10,000

**2d - Chinderah Bay Drive - Chinderah - Riverside Park at Waugh Street**

Utilise existing parking and park, new signage structure and signs required, estimated cost \$10,000

**Option 3 - Shire Gateway Signage and Village Entry Signage****3a - Shire Gateway Signage**

To add new 'plates' at all gateway signs estimated cost \$14,000

**3b - Village Entry Signage**

To add new 'plates' over existing 'Tag Lines' estimated cost \$6,700

Approval of the Roads & Traffic Authority of NSW will be required for new signage in areas under their control.

As current signage has been designed in consultation with village community groups they would need to be further consulted on replacement with any eco friendly signage.

**POLICY IMPLICATIONS:**

Nil.





**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**REPORTS FROM THE DIRECTOR COMMUNITY & NATURAL RESOURCES****O29 [CNR-OC] EC2008-153 Collection of Municipal Solid Waste, Collection & Processing of Recyclables, Collection of Organics, Collection of Bulky Waste & Collection of Public Place Bins****ORIGIN:****Waste****SUMMARY OF REPORT:**

This report outlines the tender for EC2008-153 Collection of Municipal Solid Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Bulky Waste and Collection of Public Place Bins and provides a recommendation on the preferred tenderer.

Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation & Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. A summary of the Selection Criteria is also included in the body of this report. It is recommended that Council accepts the tender of Solo Resource Recovery for Contract EC2008-153 Collection of Municipal Solid Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Bulky Waste and Collection of Public Place Bins.

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

- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- d) commercial information of a confidential nature that would, if disclosed:
  - i) prejudice the commercial position of the person who supplied it, or
  - ii) confer a commercial advantage on a competitor of the council, or
  - iii) reveal a trade secret

**RECOMMENDATION:****That:-**

1. **The tender from Solo Resource Recovery for EC2008-153 Collection of Municipal Solid Waste, Collection & Processing of Recyclables, Collection of Organics, Collection of Bulky Waste & Collection of Public Place Bins to the value detailed in the schedule of rates**

detailed in ATTACHMENT A CONFIDENTIAL be accepted. The tender has submitted an annual price of \$4,730,900 exclusive of GST based on the number of services provided in the Contract.

2. ATTACHMENT A is CONFIDENTIAL in accordance with Section 10A(2)(c) or Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-
- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
  - d) commercial information of a confidential nature that would, if disclosed:
    - i) prejudice the commercial position of the person who supplied it, or
    - ii) confer a commercial advantage on a competitor of the council, or
    - iii) reveal a trade secret

**REPORT:****Current situation**

Council currently receives a bundled waste management service from Solo Resource Recovery under a single Contract. The current expiring Contract combines collection of all domestic waste, recyclables, green organics, bulky waste, public place bins, processing of recyclables and green waste, and the operations of Stotts Creek Resource Recovery Centre. Solo Resource Recovery currently collect all domestic waste, green organics, bulky waste, public place bins, and collect and process domestic recyclables.

**Background**

Council's Domestic Solid Waste Management Strategy January 2007 provided 35 recommendations after extensive community consultation, and quantitative and qualitative research. Four recommendations required adoption by Council, and on 22 June 2007 it was resolved to;

Introduce a new fully co-mingled recycling service in a 240 litre bin collected fortnightly to all residents receiving a waste collection service commencing on 1 December 2009.

Extend the current garden waste Collection service to single households in urban areas in a 240 Litre bin collected fortnightly if requested by the individual residents, commencing on 1 December 2009.

Offer the garden waste collection service to medium and high density dwellings if requested by individual management committees.

Offer residents a 140 Litre bin as the Standard Service with the option of a differential service rate for an 80 Litre or 240 litre bin in the interests of social equity. The price differential for these three options will be assessed once the tender for the Domestic Waste Services is finalised, commencing on or around 1 December 2009.

The Domestic Solid Waste Management Strategy aims to improve resource recovery and recycling through the introduction of a best practice multi bin system and building on existing waste minimisation initiatives. The strategy, and the resolution of Council, formed the basis of the draft Contract documents. The Contract was then formed using the NSW State Government Department of Environment and Climate Change Model Contract.

Council resolved at 18 November 2008 to commence the tender process for three Contracts, one being for the Collection of Municipal Solid Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Bulky Waste and Collection of Public Place Bins. This Contract was developed based on recommendations of the Domestic Solid Waste Management Strategy that were adopted by Council. Council Tender EC2008-153 invited responses for the Collection of Municipal Solid Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Bulky Waste and Collection of Public Place Bins. The awarded Contractor

shall provide the Service on an ongoing basis for the term of the Contract, being seven years.

The Contractors responsibilities will include:

- the provision of a garbage collection service
- the provision of a recyclables collection, sorting and marketing service
- the provision of an organics collection service
- the provision of a twice yearly bulky household waste collection service
- the provision of street and park litter bin collection service
- the provision of new mobile garbage bins (MGB's) for garbage collection and the removal of the existing divided MGB's
- the provision of new bulk bins for garbage collection
- the provision of new MGB's for recyclables collection
- the provision of new bulk bins for recyclables collection
- the provision of new MGB's for organics collection
- the provision of new MGB's for any new services, and repair of damaged MGB's

All mobile bins or bulk bins provided by the Contractor or that have reverted to the Contractor for the provision of the service shall remain the property of the Contractor throughout the term and upon expiry of the Contract.

### **Tenders Received**

A total of four responses were received for tender EC2008-153 Collection of Municipal Solid Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Bulky Waste and Collection of Public Place Bins.

Visy Paper Pty Ltd (T/A Visy Recycling)  
Remondis Pty Ltd  
Transpacific Cleanaway Ltd  
Solo Resource Recovery

One Tender was deemed non-conforming by the Project Group and was not assessed against the evaluation criteria.

### **Selection Criteria**

Tenders were evaluated based on the criteria listed in Clause 11 contained within the Conditions of Tendering:



---

Item	Criterion
	Contract Experience
	Staff Resources
	Vehicles, Plant & Equipment
	Occupational Health & Safety
	Proposed Methods of Service Delivery
	Current & Future Commitments
	Transition Plan
	Quality Management & Systems
	Financial Capacity
	Tender Price (Total Normalised Score)
	Environmental Management & Performance Proposals
	Ecologically Sustainable Development Proposals
	LG (General) Amendment (Tenders) Regulation 2008
	Total

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

### Tender Evaluation

The tender evaluation was conducted by Council's Project Group, consisting of four Senior Staff and an External Consultant. A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(c) or 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

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

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

Based on superior tender price, it is recommended that Solo Resource Recovery be nominated for EC2008-153 Collection of Municipal Solid Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Bulky Waste and Collection of Public Place Bins. The three conforming tenderers demonstrated a capacity to provide the services, and exhibited suitable experience, resources, methodology, and management systems.

Details of Solo Resource Recovery relative competitiveness are shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by the Project Group.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

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

Funding for the contract is provided by the Domestic Waste Management Service Charge and Domestic Waste Management charge apportioned under the Local Government Act.

**POLICY IMPLICATIONS:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

1. **CONFIDENTIAL ATTACHMENT A** - EC2008-153 Collection of Municipal Solid Waste, Collection & Processing of Recyclables, Collection of Organics, Collection of Bulky Waste & Collection of Public Place Bins (ECM 2054542)
-



**O30 [CNR-OC] EC2008-152 Management of Stotts Creek Landfill Facility****ORIGIN:****Waste****SUMMARY OF REPORT:**

This report outlines the tender for EC2008-152 Management of Stotts Creek Landfill Facility and provides a recommendation on the preferred tenderer.

Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation & Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. A summary of the Selection Criteria is also included in the body of this report. It is recommended that Council accepts the tender of Solo Resource Recovery for Contract EC2008-152 Management of Stotts Creek Landfill Facility.

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

- c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- d) commercial information of a confidential nature that would, if disclosed:
  - i) prejudice the commercial position of the person who supplied it, or
  - ii) confer a commercial advantage on a competitor of the council, or
  - iii) reveal a trade secret

**RECOMMENDATION:****That:-**

1. The tender from Solo Resource Recovery for EC2008-152 Management of Stotts Creek Landfill Facility for the lump sum of \$1,119,797.27 exclusive of GST at a compaction rate of 800kg/m<sup>3</sup> be accepted.
2. The General Manager be given delegated authority to approve variations up to 20% above the initial contract price (up to a maximum of \$150,000, inclusive of GST). Any variations be reported to Council on a quarterly basis.
3. **ATTACHMENT A** is **CONFIDENTIAL** in accordance with Section 10A(2)(c) or Section 10A(2)(d) of the Local Government Act 1993,

**because it contains commercial information of a confidential nature that would, if disclosed:-**

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business**
- (d) commercial information of a confidential nature that would, if disclosed:**
  - (i) prejudice the commercial position of the person who supplied it, or**
  - (ii) confer a commercial advantage on a competitor of the council, or**
  - (iii) reveal a trade secret**

**REPORT:****Current situation**

Council currently receives a bundled waste management service from Solo Resource Recovery under a single Contract. The current expiring Contract combines collection of all domestic waste, recyclables, green organics, bulky waste, public place bins, processing of recyclables and green waste, and the operations of Stotts Creek Resource Recovery Centre. Solo Resource Recovery currently manages all of the operations at the Stotts Creek Resource Recovery facility under the current expiring Contract.

**Background**

Council's current operation at Stotts Creek Landfill will have approximately two years of life remaining at the commencement of this Contract. It is with this in mind that the Contract for Management of Stotts Creek Landfill Facility is for a one (1) year period, with the option to extend for a further one (1) year at the absolute discretion of Council. This enables Council to award the Contract with a life to coincide with the life of the landfill.

Council resolved at 18 November 2008 to commence the tender process for three Contracts, one being for the Management of Stotts Creek Landfill. Council Tender EC2008-152 invited responses for the Management of Stotts Creek Landfill Facility. The awarded Contractor shall provide the Service on an ongoing basis for the term of the Contract, being one (1) year.

The successful Contractor will be responsible for the overall management of the Facility including but not limited to:

- The operation of the landfills
- The operation of the recycling areas
- The construction of a Buy Back Centre in a similar position to the current Buy Back Centre and its operation
- The completion of landfill cells up to and including the Final Landfill Cover

The following functions are not included in the Landfill Management Contract.

- The management and operation of the gatehouse and weighbridge facilities. Council will manage and operate these facilities utilising its own staff.
- The Greenwaste receival and processing area. A separate contract will be let for the Provision of Greenwaste Processing and Marketing Services

**Tenders Received**

A total of three (3) tender responses were received for tender EC2008-152 Management of Stotts Creek Landfill Facility.

Complete Excavations Pty Ltd  
Transpacific Cleanaway Ltd

## Solo Resource Recovery

One Tender was deemed non-conforming by the Project Group and was not assessed against the evaluation criteria

### Selection Criteria

Tenders were evaluated based on the criteria listed in Clause 11 contained within the Conditions of Tendering:

Item	Criterion
	Contract Experience
	Staff Resources
	Vehicles, Plant & Equipment
	Occupational Health & Safety
	Proposed Methods of Service Delivery
	Current & Future Commitments
	Transition Plan
	Quality Management & Systems
	Financial Capacity
	Tender Price (Total Normalised Score)
	Environmental Management & Performance Proposals
	Ecologically Sustainable Development Proposals
	LG (General) Amendment (Tenders) Regulation 2008
	Total

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

### Tender Evaluation

The tender evaluation was conducted by Council's Project Group, consisting of four Senior Staff and an External Consultant. A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(c) or 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

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

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

Based on superior contract experience, staff resources, OH&S, proposed methods of service delivery, quality management systems, tender price, vehicles/plant/equipment, transition plan, financial capacity, environmental management, and ecological sustainable development, it is recommended that Solo Resource Recovery be nominated for EC2008-152 Management of Stotts Creek Landfill Facility.

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Details of Solo Resource Recovery relative competitiveness are shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by Council's Project Group.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

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

Funding for this contract is provided through gate fees from waste materials presented at the Stotts Creek Resource Recovery Centre and a portion of the Landfill Management Fee apportioned to all rateable land under s501A of the Local Government Act.

**POLICY IMPLICATIONS:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

1. **CONFIDENTIAL ATTACHMENT A** - EC2008-152 Management of Stotts Creek Landfill Facility (ECM 2054421)
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**031 [CNR-OC] EC2008-151 Provision of Greenwaste Processing & Marketing Services****ORIGIN:****Waste****SUMMARY OF REPORT:**

This report outlines the tender for EC2008-151 Provision of Greenwaste Processing and Marketing Services and provides a recommendation on the preferred tenderer.

Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation & Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. A summary of the Selection Criteria is also included in the body of this report. It is recommended that Council accepts the tender of Tropical Mulch Group (Trading as Tree Recyclers Aust) Pty Ltd for Contract EC2008-151 Provision of Greenwaste Processing and Marketing Services.

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

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

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

**RECOMMENDATION:****That:-**

- 1. The tender from Tropical Mulch Group (Trading as Tree Recyclers Aust) Pty Ltd for EC2008-151 Provision of Greenwaste Processing and Marketing Services at the scheduled rate of \$30 per tonne exclusive of GST be accepted.**
- 2. ATTACHMENT A is CONFIDENTIAL in accordance with Section 10A(2)(c) or Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-**

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
  
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret



## REPORT:

### Current situation

Council currently receives a bundled waste management service from Solo Resource Recovery under a single Contract. The current expiring Contract combines collection of all domestic waste, recyclables, green organics, bulky waste, public place bins, processing of recyclables and green waste, and the operations of Stotts Creek Resource Recovery Centre. Solo Resource Recovery currently collects, process, and markets all of the greenwaste under the current expiring Contract.

### Background

Council resolved at 18 November 2008 to commence the tender process for three Contracts, one being the Provision of Greenwaste Processing and Marketing Services. Council Tender EC2008-151 invited responses for the Provision of Greenwaste Processing and Marketing Services. The awarded Contractor shall provide the Service on an ongoing basis for the term of the Contract, being seven (7) years.

The Contractors responsibilities will include:

- The staffing of the Facility during the open hours of the Stotts Creek Resource Recovery Centre which are 7.00am to 3.45pm Monday to Friday and 10.00am to 3.45pm Weekends and Public Holidays (closed Good Friday and Christmas Day).
- Receipt of Council collected, self haul and transferred greenwaste.
- The sorting and removal of contaminants from the greenwaste.
- The processing of the greenwaste into marketable products.
- The delivery of unprocessable and/or waste materials to the landfill face.
- The marketing and transfer of Finished Product.

An area of 4,000 m<sup>2</sup> has been nominated and set aside at the Stotts Creek Resource Recovery Centre for the operations associated with the provision of this service.

### Tenders Received

A total of five (5) responses were received for tender EC2008-151 Provision of Greenwaste Processing and Marketing Services.

Tropical Mulch Group (T/A Tree Recyclers Aust) Pty Ltd  
Mulching Matters Pty Ltd  
BTM Group of Companies  
Transpacific Cleanaway Ltd  
Solo Resource Recovery

### Selection Criteria

Tenders were evaluated based on the criteria listed in Clause 11 contained within the Conditions of Tendering:

Item	Criterion
	Contract Experience
	Staff Resources
	Vehicles, Plant & Equipment
	Occupational Health & Safety
	Proposed Methods of Service Delivery
	Current & Future Commitments
	Transition Plan
	Quality Management & Systems
	Financial Capacity
	Tender Price (Total Normalised Score)
	Environmental Management & Performance Proposals
	Ecologically Sustainable Development Proposals
	LG (General) Amendment (Tenders) Regulation 2008
	Total

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

### Tender Evaluation

The tender evaluation was conducted by Council's Project Group, consisting of four Senior Staff & an External Consultant. A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(c) or 10A(2)(d) of the Local Government Act 1993, because it contains commercial information of a confidential nature that would, if disclosed:-

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

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

Based on a superior transition plan for the provision of the services, suitable experience in delivering similar services, and a competitive tender price when compared to the other valid Tenders, it is recommended that Tropical Mulch Group (T/A Tree Recyclers Aust) Pty Ltd be nominated for EC2008-151 Provision of Greenwaste Processing and Marketing Services.

Details of Tropical Mulch Group (T/A Tree Recyclers Aust) Pty Ltd relative competitiveness is shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by Council's Project Group.

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**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

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

Funding of the Contract will be provided through collection of gate fees for green waste presented at the Stotts Creek Resource Recovery Centre.

**POLICY IMPLICATIONS:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

1. **CONFIDENTIAL ATTACHMENT A** - EC2008-151 Provision of Greenwaste Processing & Marketing Services (ECM 2053891)
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**O32 [CNR-OC] Variation Report for Contract EC2006-157 - Construction of Bray Park Water Treatment Plant: March 2009****ORIGIN:****Water/Contracts****SUMMARY OF REPORT:**

At the Council meeting of 11 September 2006, a tender was accepted from Reed Constructions Pty Ltd for the construction of the Bray Park Water Treatment Plant. The project will deliver a new 100ML/day water treatment plant on the site of the existing plant. The accepted lump sum tender price was \$56,557,777.27 exclusive of GST.

Contract works commenced on 26 September 2006 and are scheduled to be finished by October 2009.

The Council decision delegated authority to the General Manager to approve variations totalling up to 10% of the contract sum, (ie. \$5,655,777.73 exclusive of GST). The total value of approved variations to the end of March 2009 is -\$147,432.07 (exclusive of GST). The contract sum is now below the "as awarded" amount by -\$147,432.07 (exclusive of GST). This is within the current limit of delegated authority of 10% of the original contract sum.

In addition to the variations detailed in this report, there are a number of other variations (and potential variations) under consideration resulting in further variations in the order of \$400,000.

**RECOMMENDATION:**

**That the total value of variations to date of -\$147,432.07 exclusive of GST for Contract EC2006-157 Construction of the Bray Park Water Treatment Plant, be received and noted: -**

- a) **Variation No.1 – Negative variation for alternative sludge scraper for Sludge Thickening Structure. (-\$90,673.00 GST excl)**
- b) **Variation No.2 - Negative variation for spiral wound stainless steel pipework in lieu of the specified Schedule 10 pipework. (-\$180,900.00 GST excl)**
- c) **Variation No.3 – Negative variation for Ultra High Build epoxy externally coated pipes in lieu of the specified Sintakoted pipes. (-\$79,000.00 GST excl)**
- d) **Variation No.6 - Negative variation for the redesign of stainless steel pipework to reduce the need for expensive dismantling joints. (-\$78,281.82 GST excl)**

- e) **Variation No.7 – Negative variation for raising of Sludge Thickener to reduce impact on adjacent structures and reduce earthworks. (-\$64,955.00 GST excl)**
- f) **Variation No.10 – Payment of Schedule of Rates item 3.30 for February 2008 for onsite storage of excavated material. This work is over and above the Lump sum Contract Price. (\$108,730.28 GST excl)**
- g) **Variation No.13 – Payment of Schedule of Rates item 3.30 for March 2008 for onsite storage of excavated material. (\$55,848.27 GST excl)**
- h) **Variation No.16 – Redesigned overflow system from the permanent Detention Basin to minimise potential erosion effects. (\$31,693.86 GST excl)**
- i) **Variation No.18 – Payment of Schedule of Rates item 3.30 for April 2008 for onsite storage of excavated material. (\$32,757.20 GST excl)**
- j) **Variation No.19 – Improved pipe backfilling system to existing and new underground pipework along the southern side of the PAC Tank to ensure that the integrity of the foundations to the tank is not compromised. (\$42,144.90 GST excl)**
- k) **Variation No.20 – Additional corrosion protection work to membrane tanks to prolong lining life. (\$26,338.35 GST excl)**
- l) **Variation No.27 – Change landscaping requirement for zone 1D from turf to trees and shrubs to reduce maintenance, reduce operational noise transmission and provide enhanced visual screening to membrane building and associated structures. (\$54,589.18 GST excl)**
- m) **Variation No.29 - Negative variation for reduced stainless steel flange thickness following on from change to spiral wound stainless steel pipework from the specified Schedule 10 pipework. (-\$89,553.95 GST excl)**
- n) **Variation No.30 – Additional access hatch to the PAC Tank Overflow Chamber roof slab for improved access and safety during roof maintenance. (\$10,118.50 GST excl)**
- o) **Variation No.31 – Additional stainless steel rebate angles to Sludge and Chemical Facility drainage trenches. (\$48,952.70 GST excl)**
- p) **Variation No.32 – Additional stainless steel rebate angles to Membrane Building drainage trenches. (\$13,530.11 GST excl)**
- q) **Variation No.36 – Relocation and reorientation of Panel Fold door system to the pump gallery to reduce corrosion potential. (\$11,228.35 GST excl)**

**REPORT:**

Following the awarding of Contract EC2006-157 to Reed Constructions Pty Ltd for the Construction of the Bray Park Water Treatment Plant, contract works commenced 26 September 2007.

A status report for the Bray Park Water Treatment Plant project is attached as Appendix A to this report.

The major variations to date have been a consequence of either: -

- savings from the use of cheaper and more readily available plant & materials and design improvements which will not compromise the operation of the plant.
- savings from the redesign of stainless steel pipework and associated deletion of high costs stainless steel dismantling ,
- payment of Schedule of Rates item 3.30 for onsite stockpiling of excavated material prior to reuse onsite. Not included in lump sum tender price due to specific exclusion of this work by contractor (as accepted by TSC).
- design and operational safety improvements
- foundation problems to PAC Tank
- additional landscaping to improve screening of plant from neighbouring properties.

Details of the variations approved to March 2009 are provided below for the information of Council, as follows:

Variation No.	Description	Amount (excl GST)	Status
1	Negative variation for alternative sludge scraper for Sludge Thickening Structure. Nominated scraper replaced by an Australian manufactured EPCO unit of equal quality.	-\$90,673.00	Approved
2	Negative variation for spiral wound stainless steel pipework in lieu of the specified Schedule 10 pipework. Review of operating pressures confirmed that pipes manufactured by the cheaper spiral wound process could be used without compromising structural integrity or serviceability.	-\$180,900.00	Approved
3	Negative variation for use of Ultra High Build epoxy coating to external surfaces of mild steel pipes in lieu of the specified Sintakoted pipes. High demand for Sintakoted pipes during tendering increased supply prices hence and delayed delivery. An alternate system was procured at a lower cost without any reduction in coating life and integrity.	-\$79,000.00	Approved
6	Negative variation for the redesign of stainless steel pipework to reduce the need for expensive dismantling joints. The redesign simplified the manufacture and installation of pipes and fittings allowing a significant number of expensive stainless steel dismantling joints to be deleted.\$ GST excl)	-\$78,281.82	Approved



Variation No.	Description	Amount (excl GST)	Status
7	Negative variation for raising of level of the Sludge Thickener structure by 2.5m to eliminate potential of adjacent existing structures being damaged by deep excavation for the Sludge thickener. This resulted in a significant saving in volume and complexity of earthworks to reduce impact on adjacent structures and reduce earthworks.	-\$64,955.00	Approved
10	Payment of Schedule of Rates "Rate Only" Item 3.30 for onsite stockpiling of excavated material prior to reuse onsite. The contractor specifically excluded storage of all excavated material onsite from their tender price due to the uncertainty of volumes of material involved. (This was accepted by TSC). This variation was for payment of Feb 08 quantity.	\$108,730.28	Approved
13	As per Variation No. 10. Payment for March 08 quantity.	\$55,848.27	Approved
16	The original design allowed overflows along the full length of the Detention Basin wall in extreme weather conditions. This raised the possibility of erosion of the downstream face of this wall. To eliminate this possibility, the wall was raised slightly and a rock and gabion lined overflow channel was constructed.	\$31,693.86	Approved
18	As per Variation No. 10. Payment for April 08 quantity.	\$32,757.20	Approved
19	Following additional geotechnical investigation, sand cement backfill material was used to support and cover the underground pipework along the southern side of the PAC Tank. (This pipework is very close to the southern edge of the PAC Tank). The use of this backfill material eliminated the risk of failure of the adjacent PAC Tank foundations due to settlement in the pipe trench, (and subsequent failure of the PAC Tank).	\$42,144.90	Approved
20	Additional corrosion protection work to membrane tanks to prolong lining life. Specified coatings to the internal walls of the membrane tank terminated 100mm above the top water level. Investigation has found that water penetration behind the coating at the termination level is likely to lead to coating failure. Coatings extended to top of tanks and over on to horizontal surfaces of tank walls to stop water penetration.	\$26,338.35	Approved
27	Change landscaping requirement for zone 1D from turf to trees and shrubs to reduce ongoing maintenance, reduce operational noise transmission and provide additional visual screening to membrane building and associated structures.	\$54,589.18	Approved
29	Negative variation for reduced stainless steel flange thickness due to change to spiral wound stainless steel pipework from the specified Schedule 10 pipework. (Follows on from Variation No. 2).	-\$89,553.95	Approved
30	Additional access hatch to the PAC Tank Overflow Chamber roof slab for improved access and safety during roof maintenance.	\$10,118.50	Approved





Variation No.	Description	Amount (excl GST)	Status
31	Original design did not include stainless steel rebate angles to Sludge and Chemical Facility drainage trench grates. These were provided to prolong the life of concrete rebates at top of trench, to ensure that the grates sat neatly and reduce safety risks.	\$48,952.70	Approved
32	Original design did not include stainless steel rebate angles to Membrane Building trenches. These were provided to prolong the life of concrete rebates at top of trench, to ensure that the grates sat neatly and reduce safety risks.	\$13,530.11	Approved
36	The original design of the Panel Fold door installation to pump gallery sought to maximise clearance to the overhead gantry system. This exposed various parts of the doors to a corrosive atmosphere. Relocation and reorientation of the doors has reduced corrosion potential without impacting on gantry operation.	\$11,228.35	Approved

Please note that Council's "Contracts Manager" system records Extensions of Time as zero cost "Variations". Hence, the following Variation numbers do not relate to changes to the scope of the works and are not relevant to the above:-

4, 5, 8, 9, 11, 12, 14, 15, 17, 21, 22, 23, 24, 25, 26, 28, 33, 34 and 35.

The net result of the approved variations to date is a reduced cost of \$147,432.07 (GST excl). This is within the current limit \$5,655,777.73 (GST excl) of delegated authority given to the General Manager.

The approved variations have been or will be incorporated into the works.

In addition to the variations detailed above, there are a number of other variations (and potential variations) under consideration, which is expected to increase the contract price by the order of \$400,000 (excl GST). These include changes to pipe materials (\$60,000 excl GST), further payment under Schedule of Rates Item 3.30 (\$50,000 excl GST), additional landscaping (\$100,000 excl GST) and a range of design improvements (\$190,000 excl GST). It must be noted that other variations may eventuate that increase the final contract cost by more than this figure.

**PROJECT: Bray Park Water Treatment Plant**

**PROGRESS REPORT  
DATE: April 2009**

**SCOPE OF PROJECT**

Construction of a 100ML/day WTP at Bray Park. Assist in management of the designer HWA, membrane supplier Zenon and management of construction phase; contractor Reed Constructions Australia P/L (RCA).

**PROGRAM MILESTONES**

	Target	Actual
Let Construction Contract	Aug '07	Sept '07
Complete Preliminaries	Nov '07	Nov '07
Complete Construction	Aug '09	
Complete Commissioning	Dec '09	

**PROJECT FUNDS**

**Construction**

RCA Contract - Value @ LOA	\$ 56,557,777
- Provision for Bulk Earthworks	\$ 350,000
- Provision for Rise & Fall	\$ 3,106,199
- Pending Variations identified not yet approved	\$ 500,000
- Variation Contingency	\$ 1,026,446
- RCA Estimated Final Contract Value	\$ 61,540,422
<b>Membrane Contract</b>	
- Design, Supply, Deliver, Commission	\$ 5,632,000
- Rise & Fall on 7-year DLP	\$ 50,000
Utilities	\$ 168,933
Works by Council	\$ 525,000
Commissioning	\$ 315,000
<b>Non-Construction</b>	
Concept Design	\$ 15,000
Design & Input During Construction	\$ 4,946,607
Hazards Analysis (updated Mar '08)	\$ 64,000
Landscape Design	\$ 5,000
SCADA & PLC Programming	\$ 138,241
Development & Licence Fees	\$ 150,000
Land Purchase (Duroon Ave)	\$ 270,000
Proj Management (completion in Oct '09)	\$ 1,670,397
Proj Mgmt allowing for 3 month delays	\$ 209,400
<b>Current Project Estimate (incl Land)</b>	<b>\$ 75,700,000</b>

**PROJECT CASHFLOW (\$M) (Cumulative)**

2008	Jan	Feb	Mar	Apr	May	Jun
<b>Predic</b>	5.35	6.7	8.7	9.7	15.3	20.9
<b>Actual</b>	5.35	6.7	8.7	9.7	13.7	20.1
2008	Jul	Aug	Sep	Oct	Nov	Dec
<b>Predic</b>	27.1	33.1	38.2	43.1	49.5	54.4
<b>Actual</b>	27.3	30.0	32.3	34.2	37.1	38.3
2009	Jan	Feb	Mar	Apr	May	Jun
<b>Predic</b>	62.3	65.7	67.9	69.6	71.4	72.6
<b>Actual</b>	40.6	45.3	51.8	56.8		

**SHORT TERM MILESTONES/ACTIVITIES**

- Membrane Building structural steel 95%.
- Membrane roof sheeting and louvres 75%.
- Mechanical fitout incl gratings in Pump Gallery and membrane tanks 80% complete.

- Membrane Facility internal walls, HVAC, hydraulics and electrical rough-in 66%.
- Blowers, compressors and vacuum pumps installed.
- Structural steel at PAC and Sludge 90%
- Concrete road pavement commenced and road drainage 90% complete.

**PROGRESS FOR PERIOD**

Overall percentage complete	77.5%
Preconstruction (20%)	100%
Construction (70%)	80%
Testing & Commissioning (10%)	15%

**CONTRACTOR PERFORMANCE**

- 52 days EOT rain to date. Total payment due to RCA at end of April is approx. \$49M.
- OHS – One incident in April. No LTIs
- Environmental management is good. Sound wall earthworks complete.
- Site visit by GE Zenon did not find any major faults or problems with filtration or dosing systems

**ISSUES FOR TSC**

- Lighting in membrane facility not considered by TSC to be satisfactory for working environment and long term maintenance. Variation of some \$100k may be required.
- Other variations estimated to be valued in total at \$400-500k.

**COMMENTS/RISKS**

- DoC believes that completion of Milestone 2 will be around mid August 2009. Milestone 3 complete around mid December 09 – remains the view at this time.
- Commissioning Team progress – Monthly meetings occurring, HWA commissioning manager directing traffic, RCA advised testing to begin mid May 09.

**PROJECT PHOTO**



	Contact: Michael Wraight Telephone: 02 6670 2411 Email: anthonyb@tweed.nsw.gov.au		Contact: Mark Upton Telephone: 02 6670 2280 Email: mupton@tweed.nsw.gov.au

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**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

The subject variations are within the contract budget and the total project budget.

If exercised in full, the delegated approval of variations of the General Manager to a total of 10% of the original contract sum (ie. \$5,655,777.73 excl GST) is within the project budget.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://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).*

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**O33 [CNR-OC] Proposed Telecommunications Facilities - Boxsell Road Reserve Tyalgum****ORIGIN:****Waste****SUMMARY OF REPORT:**

Council has received a request to provide owners consent for Optus Mobile Pty Ltd (C/- Daly International) to lodge a development application to erect a telecommunications tower on Council owned road reserve, being Tyalgum Transfer Station (garbage depot), Boxsell Road Reserve, Tyalgum. The proposal is to lease a 66 square metre area within the Council owned Boxsell Road Reserve to enable the construction of a mobile phone tower attached to a transmit and receive base station. It is proposed that the infrastructure be located in the vicinity of existing infrastructure used as part of the Tyalgum Transfer Station operations.

Optus Mobile Pty Ltd (C/- Daly International) have indicated a term of twenty (20) years made up of an initial term of five years, with 3 five year options. The rental for the initial year will be \$10,000 with annual increases of 4%.

It is recommended that Council provide owners consent for the lodgement of the development application. Optus Mobile Pty Ltd (C/- Daly International) are to lodge a development application, conduct necessary investigations, obtain development consent, and, subject to obtaining development consent, prepare a lease prior to Council granting permission for the works and that Optus Mobile Pty Ltd (C/- Daly International) are to cover all costs relating to the preparation and registration of the lease plan.

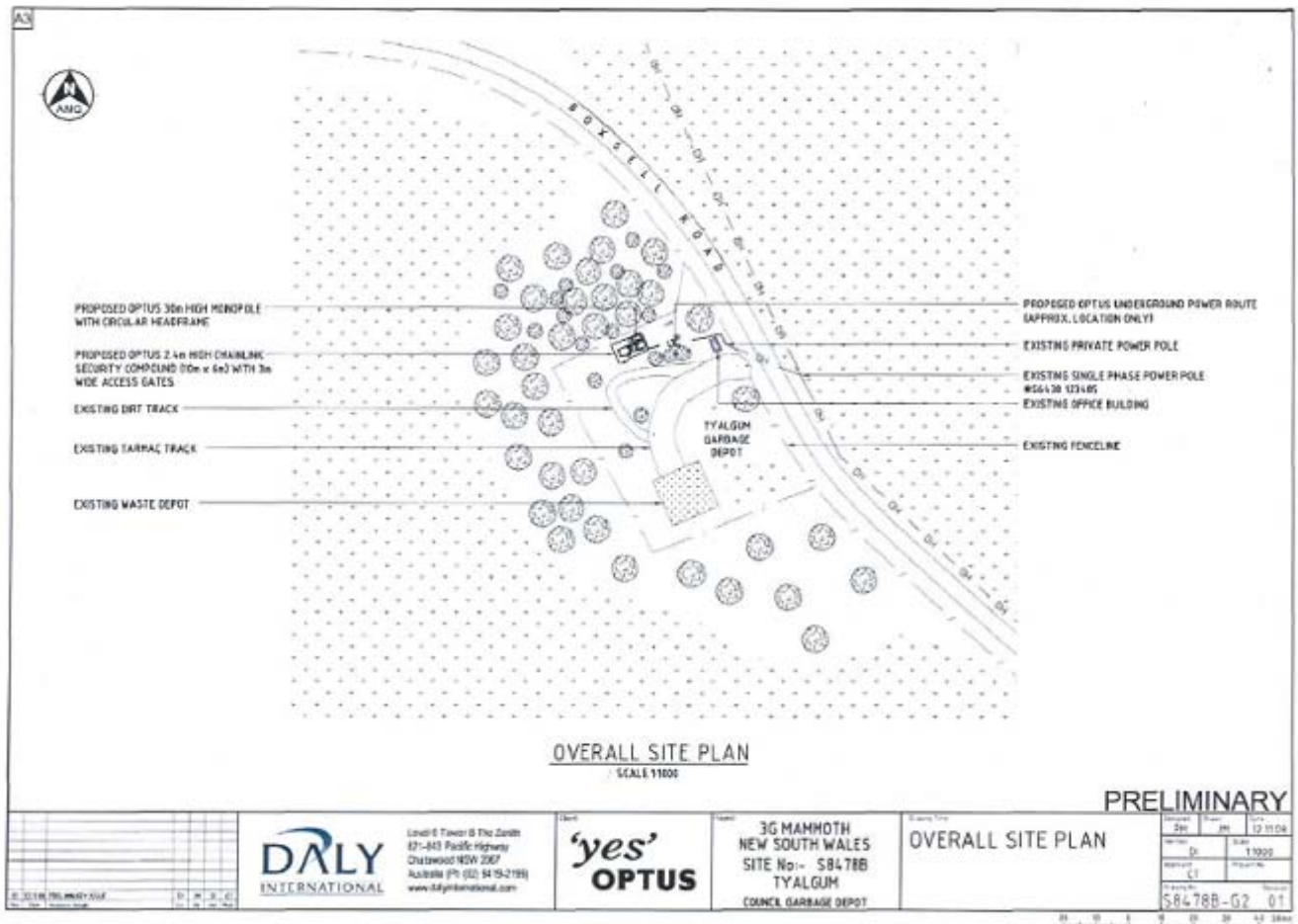
**RECOMMENDATION:**

**That the General Manager be authorised to provide owners consent for the development application to erect a telecommunications tower on Council owned road reserve, being Tyalgum Transfer Station (garbage depot), Boxsell Road Reserve, Tyalgum.**

**REPORT:**

As per summary of report.

The plan below shows the location of the proposed works and lease area:



**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](http://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).

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**O34 [CNR-OC] Regulation of Traffic - Carraboi Terrace Tyalgum****ORIGIN:****Water/Design****SUMMARY OF REPORT:**

There is a reported history of motor vehicle 'hoons' accessing the gravel road section of Carraboi Terrace adjacent to the Tyalgum Water Treatment Plant and the creek weir after hours. This access has raised concerns for security of the Water Treatment Plant site and to the landowners across the creek.

It is intended to upgrade the water treatment plant at Tyalgum and it will be necessary to regulate the traffic around the work site during and after construction. There is a concern for security of the site during the course of construction. Prior experience has shown that construction sites are often subject to break-ins and damage to plant and equipment outside working hours.

Council intends to erect a substantial and lockable gate to replace a cattle grid over Carraboi Terrace where the water treatment plant is located to secure the construction site. It is proposed to restrict access beyond the gate to daylight hours only to restrict use of the road reserve to the landowner and his invitees.

Council has the authority under Section 122 of the Roads Act to regulate traffic on a public road.

**RECOMMENDATION:****That:**

- 1. Under Section 122 of the Roads Act, 1993 Council regulates the traffic on Carraboi Terrace, Tyalgum by means of a gated structure that will be opened in daylight hours between 7.30am to 5.00pm; and**
- 2. Council advertises the regulation of traffic on Carraboi Terrace, Tyalgum in the Tweed Link.**

**REPORT:**

There is a reported history of motor vehicle 'hoons' accessing the gravel road section of Carraboi Terrace adjacent to the Tyalgum Water Treatment Plant and the creek weir after hours. This access has raised concerns for security of the Water Treatment Plant site and to the landowners across the creek.

It is intended to upgrade the water treatment plant at Tyalgum and it will be necessary to regulate the traffic around the work site during and after construction. There is a concern for security of the site during the course of construction. Prior experience has shown that construction sites are often subject to break-ins and damage to plant and equipment outside working hours.

Council intends to erect a substantial and lockable gate to replace a cattle grid over Carraboi Terrace where the water treatment plant is located to secure the construction site. It is proposed to restrict access beyond the gate to daylight hours only to restrict use of the road reserve to the landowner and his invitees.

The property owner is prepared to open and close the gate as his contribution to providing improved security. Council's contribution will be the construction and maintenance of the gate.

Council has the authority under Section 122 of the Roads Act to regulate traffic on a public road.

Section 122 of the Roads Act, 1993 provides:

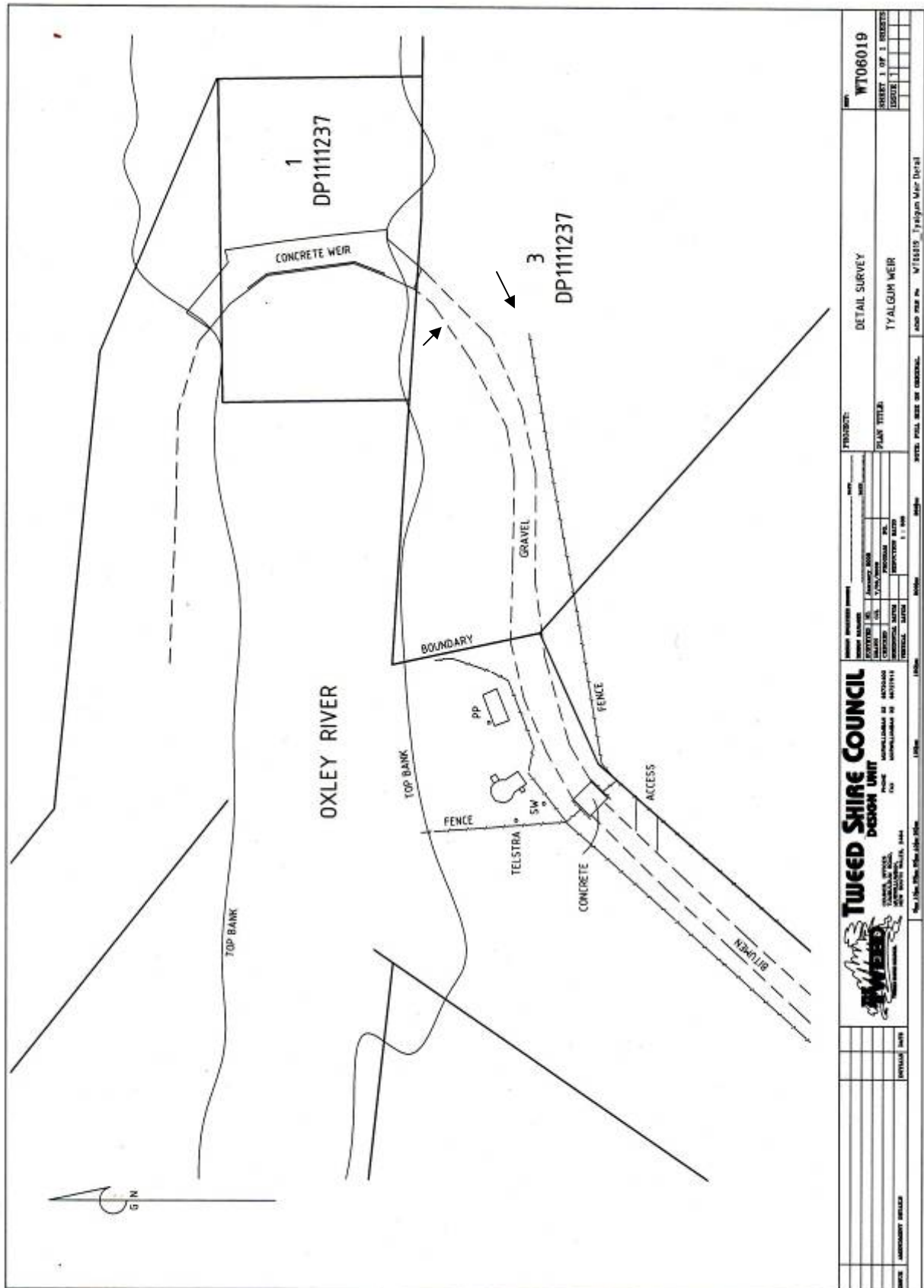
**"Section 122            Temporary Regulation of Traffic**

- (1) *A roads authority may regulate traffic on a specified public road or on all public roads for which it is the roads authority:
  - (a) *in relation to a classified road, by means of an order published in a daily newspaper circulating generally throughout the state, or*
  - (b) *in relation to any other public road, by means of an order published in one or more local newspapers or in a daily newspaper circulating generally throughout the state."**
- (5) *A roads authority must revoke any order under this section as soon as the circumstances giving rise to its making cease to exist.*
- (6) *Unless sooner revoked, an order under this section ceases to have effect at the expiration of 12 months after it was made.*
- (7) *Subsection (6) does not prevent an order being remade.*

This section of the Act enables Council to regulate the use of Carraboi Terrace by the general public during and after the course of the upgrade of the water treatment plant. The gated structure can be locked, and keys given to the landowner that uses the road and other recognised users, or potential users of the road.

Council will ensure that emergency service organisations will have access to a key.

The following plan indicates the proposed location of the gate, over the concrete cattle grid, within the fence line:



DATE: 1/10/09		PROJECT: DETAIL SURVEY		JOB NO: WT06019	
DRAWN BY: [Name]		CLIENT: TYALGUM WEIR		SHEET 1 OF 1 SHEETS	
CHECKED BY: [Name]		PLAN TITLE: TYALGUM WEIR		DATE: [Date]	
APPROVED BY: [Name]		SCALE: 1:100		DRAWN BY: [Name]	
DATE: [Date]		PROJECT: [Name]		JOB NO: [Number]	
DRAWN BY: [Name]		CLIENT: [Name]		SHEET 1 OF 1 SHEETS	
CHECKED BY: [Name]		PLAN TITLE: [Name]		DATE: [Date]	
APPROVED BY: [Name]		SCALE: [Scale]		DRAWN BY: [Name]	
DATE: [Date]		PROJECT: [Name]		JOB NO: [Number]	



**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](http://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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**O35 [CNR-OC] Wildlife Signage**

**ORIGIN:**

**Natural Resource Management**

**SUMMARY OF REPORT:**

Council at its meeting on 27 January 2009 resolved the following:

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

The following report addresses the first part of this resolution.

**RECOMMENDATION:**

**That:-**

- 1. Natural Resource Management staff, in consultation with wildlife care organisations, undertake further investigation in accordance with contemporary best practice to determine potential wildlife road kill black spots that would benefit from wildlife signage within Tweed Shire.**
- 2. Natural Resource Management staff investigate signage design issues and liaise with Engineering & Operations on appropriate placement.**
- 3. A sum of \$5000 per year for the next two years be allocated from the existing Biodiversity Program budget to meet the costs of installation.**

## REPORT:

### Introduction

Wildlife road-kill involves the death of wildlife resulting from collisions with a moving vehicle. It occurs because wildlife and people driving vehicles are on the road simultaneously, and cannot predict the behaviour of one another.

Tweed Shire is home to an extremely high diversity of native animals including a large number of threatened species, many of which face a range of pressures including mortality from road trauma. Apart from the threats to biodiversity, animal-vehicle collisions also represent a danger to human road users, involve considerable financial costs to individuals and the community, and adversely affect resident and visitor perceptions.

There are essentially two strategies to reduce wildlife road-kill:

- 1) by changing driver behaviour and
- 2) by changing wildlife behaviour.

Changing driver behaviour can be achieved by increasing public awareness (eg. educational campaigns, driver training, general signage etc), making people aware of “black spots” (signage, rumble strips, lighting etc) and by physically or psychologically slowing traffic (traffic calming devices, road markings etc). Wildlife behaviour can be altered by discouraging wildlife from loitering near roads (reducing food or water, odour repellents, light road colouring etc), preventing wildlife from crossing roads (fencing, reflectors, ultrasonic devices etc), and by providing safe crossings (overpasses, underpasses, escape routes).

Wildlife signage is thought to increase driver awareness and help slow traffic in “black spots”. For public authorities, appropriate signage warning of known road hazards also helps satisfy “duty of care” responsibilities.

### Road Kill Occurrences & Impacts

The NSW Wildlife Information Rescue & Education Service (WIRES) estimate that over 7000 native animals are killed on NSW roads each day. In Queensland, the RSPCA estimate native animal road mortality at over 2,000,000 incidents per year. A recent three year study conducted over 15000 km of roads in Tasmania reported an average road-kill density of one animal for every 3km. The Tasmanian study recorded over 50 species representing a wide range of native animals including lizards, snakes, frogs, birds, small and large mammals.

According to the NSW Wildlife Council, the NSW Roads and Traffic Authority spend in excess of \$350K per year on wildlife mitigation measures and the average NRMA insurance cost arising from animal-vehicle collisions is \$3000 per claim. Wildlife road trauma also accounts for a substantial proportion of the costs incurred by wildlife carer organisations which operate with limited funding throughout the Nation.



Although systematic studies of wildlife road kill have not been carried out in the Tweed, anecdotal evidence from wildlife care organisations (Tweed Valley Wildlife Carers, Friends of the Koala) Council road engineers and natural resource management (NRM) staff confirms that wildlife road mortality is a significant issue particularly for some species. Koalas (a Threatened species), for example, are found in their highest numbers on the Tweed Coast which is also where the most urban development is occurring. There is serious concern for the long term future of the Koala population on the Tweed Coast and road-kill represents one of the most significant threats to this iconic species. However, the threat to biodiversity from road mortality on the Tweed is not confined to the koala. Recent discussions with wildlife carers and others indicate that:

- 1) a wide range of species are affected including wallabies, echidnas, bandicoots, possums, gliders, Threatened frogs and reptiles, owls, raptors, waterfowl and other birds and
- 2) many casualties occur repeatedly at specific locations.

It should also be noted that almost all Australian native mammals, many reptiles, frogs, and some birds are nocturnal (active at night). This nocturnal habit means that most road kill occurs in dark or semi-dark conditions. In addition many native animals are dark in colour, a fact that contributes to low visibility at night.

### **Black Spots and Vehicle Speed**

The road kill research carried out in Tasmania is consistent with the anecdotal evidence in the Tweed, which indicates that most wildlife road kill is concentrated at particular locations. These so-called black spots are short sections of road (generally less than 1km in length) where many individual animals are killed or where individuals of a species of special interest are killed. Not surprisingly, the research also suggests a positive association between road kill and speed – over 50 per cent of road kill was observed where vehicle speed was greater than 80 km per hour. This suggests that a reduction in speed, particularly at night when most native fauna are active, in black spot areas could effect a considerable reduction in animal deaths.

Consultation with Tweed Valley Wildlife Carers and Friends of the Koala indicate a number of possible black spots based on their knowledge of where injured animals are picked up. A number of these areas already have signage. Further investigation to determine which locations would benefit from wildlife signage is required.

### **Effectiveness of Wildlife Signage**

The purpose of wildlife warning signs is to inform drivers that there is a danger of their vehicle colliding with an animal, and to encourage them to be alert and reduce road speed.

Unfortunately, there is not enough research to determine precisely how effective signage is, but it is important to consider that even if signs do not always reduce vehicle speed and driver alertness, they almost certainly have a positive effect on some individuals. Signs also serve to increase public awareness and perceptions of government action on the road kill issue. As noted previously, government authorities have a “duty of care” responsibility to warn road users of potential dangers such as wildlife hazards.

One of the main problems with signage to date has been the lack of clear guidelines as to where they are best installed. Signs are most often installed on an *ad hoc* basis in response to requests from the public. As a consequence it is not clear whether or not the site in question is a genuine black spot, or if it is, whether signage is the best or most cost effective means of reducing road kill at that location. To address this issue, Tasmanian researchers have developed protocol for determining and prioritising black spots for signage and other road kill mitigation measures.

Despite the lack of clear research to unequivocally determine the effectiveness of wildlife signage, the Tasmanian research recommends that:

- 1) signage be adopted as a road kill mitigation measure by local government as a “duty of care” and;
- 2) locations for signage are designated sparingly (to avoid habituation) and be confined to known black spots.

### Wildlife Signage Design & Costs

There are a variety of different signs used throughout Australia. Most signs typically take the form of a black animal silhouette (most often a kangaroo) on a yellow diamond-shaped background. This sort of sign, on its own, has been criticised, as it provides no information on how the driver should respond. Indeed, anecdotal information suggests that some tourists mistake these signs for tourist information about areas for viewing wildlife. For signs to be effective they need to change driver behaviour.

Although designs and sizes vary, most contemporary wildlife signage generally consists of three parts, an animal silhouette (sometimes depicting a collision with a car), an advisory speed limit (sometimes indicating “dusk till dawn” or the length of the black spot), and contact phone number to report injured animals (See Figure 1).



Figure 1 Examples of wildlife signs erected in Tasmania (left) and south east Queensland (right).

In 2003, installation costs for seven signs shown in the left of Figure 1 was slightly less than \$5000.

Further investigation is needed to determine the costs and most appropriate design(s) for installation at identified black spots within the Shire.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

It is recommended that subject to further investigation of potential black spots and existing signage by NRM staff in consultation with wildlife care organizations, \$5000 per year for the next two years be allocated from the existing Biodiversity Program budget to meet the costs of installation.

**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](http://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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**O36 [CNR-OC] Water Quality Management System**

**ORIGIN:**

**Water**

The Water Unit is developing a Water Quality Management System (WQMS) to meet the requirements of the Australian Drinking Water Guidelines. An essential part of this process is workshops with relevant stakeholders to undertake hazard identification and risk assessment, and determination of preventative measures. Water Futures and City Water Technology, has been awarded the tender to develop this part of the WQMS and will be facilitating two 9.00 am to 4.00 pm workshops on 11 and 18 June 2009.

**RECOMMENDATION:**

**That Council determines Councillor attendance at the Water Quality Management System workshops on 11 and 18 June 2009.**

**REPORT:**

The Water Unit is developing a Water Quality Management System (WQMS) to meet the requirements of the Australian Drinking Water Guidelines (ADWG) - Framework for Management of Drinking Water Quality. The WQMS will cover the water supply catchment, treatments and distribution system for the Tweed Shire. Essential parts of Elements 2 and 3 of the Framework (and hence the WQMS) are Hazard Identification and Risk Assessment, and Preventative Measures Workshops.

A team comprising water quality risk and treatment experts from Water Futures and City Water Technology, has been awarded the tender to develop this part of the WQMS and will be facilitating two 9.00 am to 4.00 pm workshops on 11 and 18 June 2009.

In the Framework, it is recommended that the workshop team be comprised of suitably qualified representatives from the local community, state government agencies, local government and water professionals.

A list of the proposed attendees for the workshops is:-

Organisation	Position	Name
Tweed Shire Council	Manager Water Unit	Anthony Burnham
Tweed Shire Council	Water & Sewerage Operations Engineer	Peter Haywood
Tweed Shire Council	Assistant Water & Sewerage Operations Engineer	Marty Hancock
Tweed Shire Council	Senior Headworks Operator	Wayne Watson
Tweed Shire Council	Environmental & Health Coordinator	Doreen Harwood
Tweed Shire Council	Senior Technical Officer	Paul Wright
Tweed Shire Council	Waterways Program Leader	Tom Alletson
NSW Health	Environmental Health Officer	Geoff Sullivan
Department of Water & Energy		Chris Hennessy
Combined Tweed Rural Industries Association	President	Colin Brooks
Community	Retired Manager Water	John Henley
Water Futures		Annette Davison
Water Futures		Daniel Deere
City Water Technology		Bruce Murray
Hunter Water Australia Pty Ltd	Team Leader - Membranes, Process and Operations	Matt Bloomfield
TSC Councillor		To be advised

**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](http://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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**O37 [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 Valley Banana Festival:-**
  - (a) **provides the Murwillumbah Civic Centre Auditorium free of charge for Banana Festival activities from 11 to 22 August 2009,**
  - (b) **pays the hire fee of \$600 for the catwalk for the fashion parade on 14 August 2009;**
  - (c) **provides the Murwillumbah Civic Centre Auditorium for a reduced fee of \$106.50 being 50% of the full fee of \$213 for the trivia night on 15 May 2009;**

**and that Council's support is recognised with the following acknowledgement "This programme has been supported by Tweed Shire Council".**

2. **With reference to the request from Amrit Bhorla, Council declines the request for a reduction of fees for hire of the Murwillumbah Civic Centre on 25 July 2009 for an Indian Cultural Show and afternoon tea.**

**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 Valley Banana Festival	Request fee be waived for hire of Murwillumbah Civic Centre for Banana Festival events from 11 to 22 August 2009 and request Council pay hire and erection fee for catwalk for fashion parade on 14 August 2009.	\$2,030	That the fee of \$2,030 be waived.	Yes
Tweed Valley Banana Festival	Request fee be waived for hire of Murwillumbah Civic Centre for Banana Festival fundraising trivia night on 15 May 2009.	\$106.50	That the fee be reduced to \$106.50 being 50% of the full fee of \$213.	Yes
Amrit Bhorla	Request fee be reduced for hire of Murwillumbah Civic Centre for an Indian cultural show and afternoon tea on 25 July 2009.	\$0	That the request for a reduction in fees be declined.	No. Applicant does not reside within Shire.

A copy of the request is reproduced below:



# TWEED VALLEY BANANA FESTIVAL

Po Box 603, Murwillumbah NSW 2484

Phone: (02) 6672 6186

Fax: (02) 6672 7766

Website: [www.bananafestival.org](http://www.bananafestival.org)

Email: [info@bananafestival.org](mailto:info@bananafestival.org)



18 February 2009



The General Manager  
Tweed Shire Council  
Mr. Mike Raynor



**Re: Use of the Civic Centre Complex for the Tweed Valley Banana Festival**

Dear Mike,



Preparations for this year's Tweed Valley Banana Festival.



As President of the Tweed Banana Festival, I would like to request the use of the Civic Center Auditorium under similar terms as previous festivals, with the council donating the use of the auditorium on the specified dates at no fee as part of council sponsorship of the event.



We would also ask that again the council meet the cost of acquiring and erecting the catwalk for the Fashion parade, as was the case last year.



The dates the auditorium is required are Tuesday 11<sup>th</sup> August through to and including Saturday 22<sup>nd</sup> August. We have discussed these date with David Martian and these dates fit within his diary bookings. All evening functions will be concluded by midnight.

We have reviewed the operations of last years calendar and you will note this years program combines the bulk of the activities on Sat 22<sup>nd</sup> August, with street closures street parade and festival family to be held immediately after in Knox Park followed by the Crowning and Ball.

SPONSORSHIP -  
DONATIONS  
FESTIVALS - TWEED VALLEY BANANA  
TWEED SHIRE COUNCIL  
P.E.S. NO. CIVIC CENTRE - MIBAH - HIRE  
Date: 18 FEB 2009  
ASSED BY: WIGGINS, L  
APPROVED  AMH

We seek permission to close off half of the parking area closest to the band rotunda, from Saturday morning, to accommodate the food stalls and have made tentative booking for the park area through to the forest walk and with the possible use of the adjacent oval.

We seek a meeting with your traffic, and parks and recreation department to discuss the activities to be stage on that day.

Once we have confirmed our full itinerary we will post it on our festival web site [www.bananafestival.org](http://www.bananafestival.org) .

We also seek permission for the sale of alcohol for the fashion parade on the 14 August, and Friday 22 August for the Banana Festival Ball and Crowning.  
A license will be obtained by Banana festival or their nominees and a copy of this license will be given to you as usual.

I attach a copy of our budget for 2009 for your perusal.

Yours faithfully



Chris Chrisostomos  
Tweed Banana Festival President



Project of Rotary Club  
Murwillumbah Central

# TWEED VALLEY BANANA FESTIVAL

Po Box 603, Murwillumbah NSW 2484

Phone: (02) 6672 6186  
Fax: (02) 6672 7766

Website: [www.bananafestival.org](http://www.bananafestival.org)  
Email: [info@bananafestival.org](mailto:info@bananafestival.org)  
ABN: 56 296 301 754  
CORPORATION No: Y06901-28

SPONSORSHIP  
LICENCE - LIQUOR  
DONATIONS  
FESTIVALS - TWEED VALLEY BANANA

TWEED SHIRE COUNCIL
TITLE No. CIVIC CENTRE - MIBAH - HIRE
DATE No. ....
REC'D 30 APR 2009
APPROVED BY BUCKLEY, L
RECEIVED BY <input type="checkbox"/> INITIALS <input checked="" type="checkbox"/>



29 April 2009

General Manager:

Mike Rayner  
Tweed Shire Council  
PO Box 816  
Murwillumbah NSW 2484



Dear Mike,

The Banana Festival committee has booked the civic centre for the purpose of conducting a trivia night on the 15 May 2009.



As part of our charity fundraising and further to our original letter regarding the use of the Civic Centre for Banana festival activities, we seek confirmation from Council as to the donation of the cost of the auditorium for this event, as part of the Council sponsorship to the banana festival.



We also seek permission to conduct the evening as a BYO event, as we believe our supporters will enjoy a glass of wine or beer while participating in the event.

Thank you for your generous support, looking forward to your favourable reply.

Yours faithfully  
Banana Festival



**Chris Chrisostomos**  
Festival President





**Gabby Arthur**

**From:** Amrit Bhorla [bhorla01@hotmail.com]  
**Sent:** Wednesday, 6 May 2009 4:30 PM  
**To:** Gabby Arthur  
**Subject:** (DWS Doc No 2046134) reg. festival at tweed civic hall on 25th july

Dear Mr Cobert,

As you know, last year the Indian community celebrated a traditional mothers and daughters festival at Murwillambah in Tweed Civic Hall. People from all cultural background are welcome to attend. The tickets are only \$15.00 per person. This celebration on 25th july includes an Indian cultural show and afternoon tea. Females from Murwillambah, Mullbimby and Gold coast are performing and this year we are expecting people from Coffs Harbour and Brisbane as well.

Considering the current economic condition and taking all the expenses into consideration, we seek your financial assistance in considering discounting the hire fee being charged for the Tweed Civic Hall. Any discount offered by the council would be greatly appreciated. This function is being held to generate cultural awarness in the local and surrounding communities.

Thanking you in anticipation

Kind Regards

Amrit Bhorla

**Forward it to Lesley Buckley** please.

Find out how with Windows Live! Want to stay on top of your life online?

07/05/2009

**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

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**O38 [CNR-OC] Entomological Control Report for period February - April 2009**

**ORIGIN:**

**Entomology**

**SUMMARY OF REPORT:**

The following report outlines control, monitoring and research relating to biting insects, pests and vermin carried out February to April 2009.

**RECOMMENDATION:**

**That the Entomological Control Report for the period February to April 2009 be received and noted.**

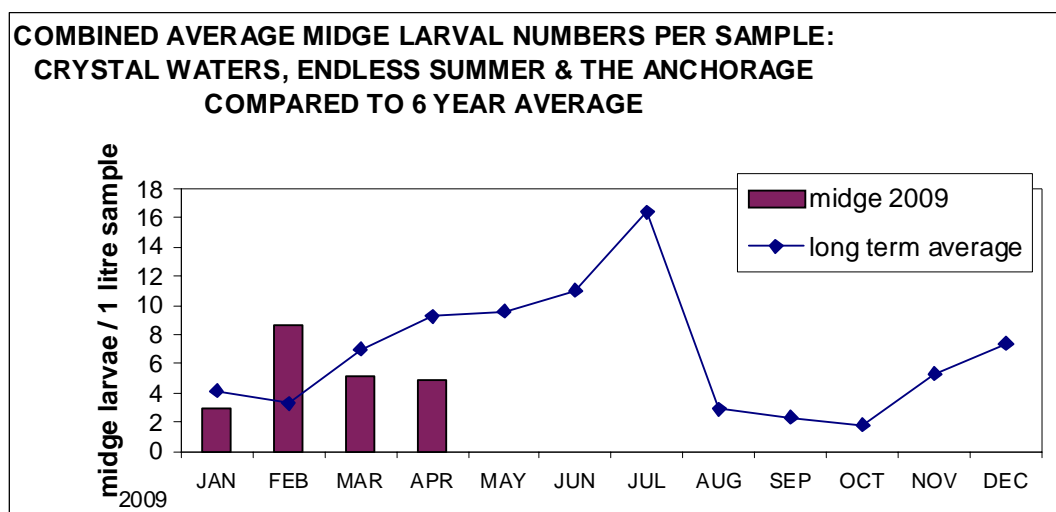
**REPORT:**

**BITING MIDGE**

**Seasonal activity**

Biting midge activity remained below the seasonal average over the report period. There were 12 enquiries related to biting midges over the report period.

The following graph compares biting midge larval numbers averaged in 3 major canal estates to long-term averages.



**Control**

Biting midge canal beach treatments are proposed for mid winter when most of the midge population is in the larval stage.

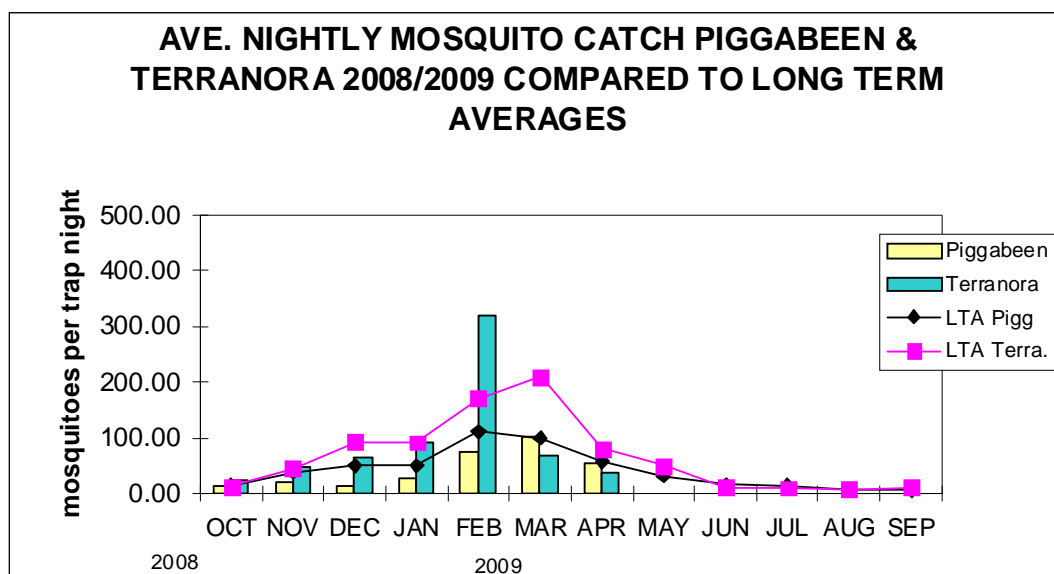
**MOSQUITOES**

**Seasonal abundance**

Mosquito numbers surged in February when heavy rainfall, spring tides and storm surge combined to cause extensive mosquito hatches. There were 35 enquiries relating to mosquitoes. Most of the mosquito complaints came from coastal areas, particularly from areas in the Pottsville district close to wetlands. The generally uncommon species, *Aedes burpengaryensis* was implicated around Tweed Heads and Fingal Head in late April following a localized major rain event. The source of these mosquitoes appears to be Ukerebagh Nature Reserve. A degraded drainage pipe from this area is exacerbating the problem. Remedial drainage measures are being sought at this site.

The most frequently caught mosquitoes in carbon dioxide baited mosquito traps were the brackish water breeding species *Culex sitiens*, followed by the fresh water pond breeding *Coquillettidia xanthogaster* and the domestic container breeding *Aedes notoscriptus*. As was the case over the whole mosquito season, *Cx. sitiens* was by far the dominant mosquito species caught in carbon dioxide baited monitoring traps. This species is not targeted for control as it does not cause major local nuisance and is not a competent virus carrier in this region.

The following graph outlines monthly average mosquito catches in carbon dioxide baited traps at long term trapping sites this season.



### Control

Applications of sustained release insect growth regulating pellets inhibited adult mosquito emergence at chronic coastal mosquito breeding sites over the report period.

Two aerial control treatments utilising the biological larvicide Bti were applied to extensive hatches of mosquito larvae near Terranora and Bilambil Heights over the report period. Good control efficacy was achieved.

Date	Site	Time	Chemical & rate	Hectares & amt. used	Weather	Target species	Pre spray dip ave.	Post spray dip ave
19-Feb-09	Bilambil site A	0745	Vectobac	20ha	Fine	Ae.vigilax	4	0
				20L	4K SW, 21C	V.funerea	6	1
19-Feb-09	Bilambil site B	0810	Vectobac	4ha	Fine	Ae.vigilax		
				4L	4K SW, 21C	V.funerea	18	3
13-Mar-09	Bilambil A	0745	Vectobac	15ha	8k SE, 20C	Ae.vigilax	4	0
				18L		V.funerea	4	0
13-Mar-09	Bilambil B	0800	Vectobac	3ha	8k SE, 20C	Ae.vigilax		
				3L		V.funerea	5	0

### Terranora Mangrove breeding mosquito research project

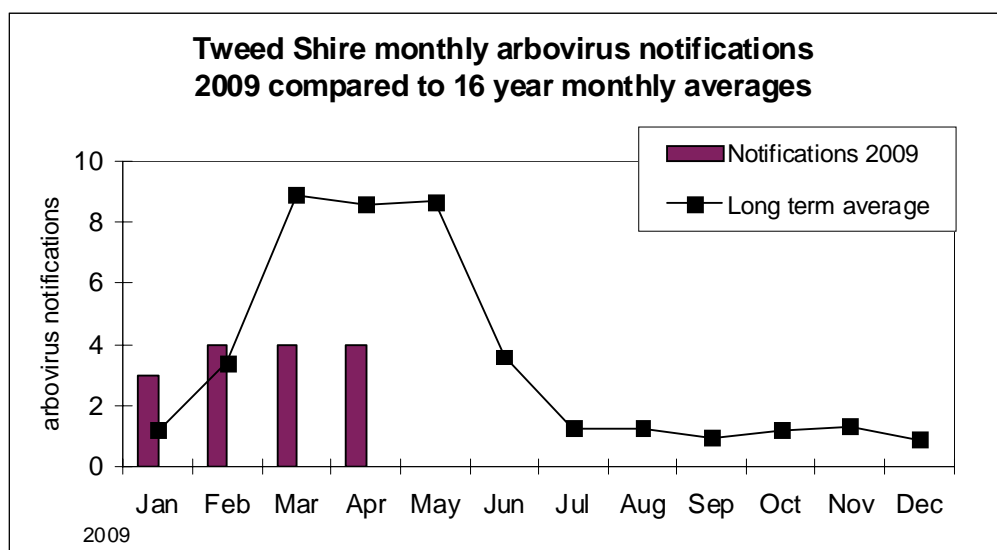
A research project funded by the Australian Arbovirus Research Committee is being undertaken By Griffith University's School of Environmental Science and Australian Rivers Institute adjacent to Terranora Broadwater. This project has yielded some interesting and useful data on the micro contours and substrate where saltmarsh mosquitoes are laying their eggs at this site. Substrate samples collected from the site have been laboratory processed to extract mosquito eggs. The sample sites are linked to GPS data for spatial analysis. Council's LIDAR contour information for the site has been overlaid with the egg shell data. Extensive areas containing mosquito eggs exists through much of the 12 hectare site. A broad area contains egg shell densities in excess of 10,000 per square metre. This information validates the saltmarsh mosquito productivity of this site. Mosquitoes disperse into residential areas overlooking the site.

Further data is being downloaded from field equipment on the hydrological dynamics of the site. This data may suggest possible habitat modification techniques such as improving tidal flushing of the site to reduce mosquito productivity and increase fish activity.

### Arbovirus

Tweed Shire arbovirus notifications were well below average over the report period with a total of 6 Ross River virus and 6 Barmah Forest virus cases.

The following graph shows the seasonal combined monthly Ross River virus and Barmah Forest virus notifications compared to long-term averages.



### OTHER PESTS

#### Miscellaneous

There were 139 miscellaneous enquiries/service requests over the quarter. The most common enquiries related to ants, rats and rabbits.

#### Rodents

Rodent baiting was carried out over the report period around coastal holiday parks and gardens, sewer treatment plants, adjacent to several drainage reserves and infested sections of Tweed River rock walls.

#### Pandanus plant hoppers

Continued monitoring of Pandanus trees for plant hopper related dieback has been carried out in coastal areas. As was reported in January, Pandanus trees growing on beachside reserves at the southern end of Kingscliff and a small area at Hastings Point have moderate plant hopper populations. Parasitism of plant hopper eggs by small parasitic wasps increased from very low levels in late December to moderate levels by late January. The March generation of plant hopper eggs appeared to be poorly parasitized – possibly due to strong coastal winds inhibiting the tiny wasp’s flight. During April a high percentage of egg parasitism was again observed.

**Termites**

Inspection of 169 in-ground termite bait stations was carried out around Council owned buildings. Eleven termite bait stations were found active for termites and were baited to eliminate nearby active termite colonies.

**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](http://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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