

**TWEED SHIRE COUNCIL  
MEETING TASK SHEET**

**User Instructions**

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

**Action Item - COUNCIL MEETING Tuesday, 15 June 2010**

Action is required for Item **20** as per the Council Resolution outlined below.

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**TITLE: [PR-CM] State Emergency Services/Unlimited Arts - Development of Site**

**Cr K Milne  
Cr D Holdom**

**RESOLVED** that Council:

1. Endorses the permanent location of the State Emergency Service Tweed Heads Unit and Tweed Unlimited Arts on Lot 682 DP 41192 Pioneer Parade, Banora Point.
2. Requests from the Land and Property Management Authority to create an additional purpose of the reserve for emergency service facilities to ensure the long term tenure of the State Emergency Services facility.
3. Prepares a works schedule and a Section 94 Plan for the support of State Emergency Services in Banora Point, Murwillumbah, Pottsville and an outpost at Kings Forest.

The Motion was **Carried**

**FOR VOTE - Unanimous**

**Agenda Report**

**TITLE: [PR-CM] State Emergency Services/Unlimited Arts - Development of Site**

**ORIGIN:**

**Building & Environmental Health**

**SUMMARY OF REPORT:**

Lot 682 DP41192 Pioneer Parade, Banora Point, is crown land for the purpose of public recreation and under the management of the Banora Point (R89237) Reserve Trust as notified by Government Gazette on 12 July 1974. The affairs of the Trustee are managed by Tweed Shire Council. The existing uses of the site are shared between the State Emergency Service Tweed Heads Unit and Tweed Unlimited Arts. This report presents a concept plan for future development of the site for consideration.

This report also addresses the matters raised as a Notice of Motion at the Council meeting of Tuesday 16 February 2010.

**RECOMMENDATION:**

**That Council:**

- 1. Endorses the permanent location of the State Emergency Service Tweed Heads Unit and Tweed Unlimited Arts on Lot 682 DP 41192 Pioneer Parade, Banora Point.**
- 2. Requests from the Land and Property Management Authority to create an additional purpose of the reserve for emergency service facilities to ensure the long term tenure of the State Emergency Services facility.**
- 3. Prepares a works schedule and a Section 94 Plan for the support of State Emergency Services in Banora Point, Murwillumbah, Pottsville and an outpost at Kings Forest.**

**REPORT:**

Lot 682 DP 41192 Pioneer Parade, Banora Point, is crown land for the purpose of public recreation and under the management of the Banora Point (R89237) Reserve Trust as notified by Government Gazette on 12 July 1974. The affairs of the Trustee are managed by Tweed Shire Council. The use of the site is shared between the State Emergency Service (SES) Tweed Heads Unit and Tweed Unlimited Arts.

Under the provisions of the *State Emergency Service Act 1989* (the *Act*) the functions of the SES is to protect persons from dangers to their safety and health, and to protect property from destruction or damage, arising from floods, storms and tsunamis. They are the combat agency for these emergencies and co-ordinate the evacuation and welfare of affected communities. They carry out rescue operations, assist other emergency service organisations and recovery management. Section 17 of the *Act* requires a council of a local government area to provide (free of charge) suitable training facilities and storage and office accommodation for the SES. These requirements are in addition to the 11.7% annual monetary contribution payable by Council out of its consolidated fund.

In 2009, discussions were held with the SES Richmond Tweed Region Controller, to determine future accommodation needs based on the projected population growth within the Tweed and in consideration of the NSW SES Standards of Covers. The outcome of these discussions identified the Tweed Heads Unit location as a focal point for SES services in the Tweed Heads area. It determined that the SES Tweed Heads Unit required some additional garaging and storage capacity but most importantly an upgrade of the operations centre to allow it to coordinate major flood and severe weather response operations requiring all agency support and control of significant SES Out of Area assistance resources. The Tweed Heads location is in the most urbanised part of the shire with the most significant flood, storm, coastal inundation and Tsunami threats and developing the SES Tweed Heads Unit to a level three capacity will preclude the need to duplicate that capability elsewhere in the Shire.

Within the current financial year alterations and addition are proposed at the SES Tweed Heads Unit. The total project value is \$120 000 with a \$50 000 subsidy to be provided by the SES. These works are considered stage 1 with further works required once more funds are secured.

In addition future funding needs have been identified within the 7-year plan for a Unit to be located within the Kings Forest area. Following discussions with the SES last year it has been concluded that should the SES Tweed Heads Unit site be upgraded to the required capacity a separate unit at Kings Forest will not be required with possibly an outpost to garage equipment deemed necessary to support the growth from the coastal population.

As part of the discussions with the SES, Tweed Unlimited Arts (TUA) was approached to consider its future on the site. TUA have been based at the site for approximately 30 years and occupies the original Terranora school building, cottage and operates a public gallery from the original Banora Point post office building that was relocated onto the site. TUA offer a variety of arts and craft services and classes for all age groups including persons with disabilities. TUA have formed a co-operative relationship with the SES Tweed Heads Unit offering to vacate their buildings for use during emergency events as

was the case in the May 2009 severe storm event. The TUA has also expressed a desire to extend their services offered to the Tweed community on the site.

A concept plan has therefore been developed to accommodate the needs of both the SES Tweed Heads Unit and TUA (see Attachment 1). It is recommended that the Council adopts the concept plan thus allowing each organisation to remain on-site and to pursue their future needs with the knowledge of the security of tenure.

Should Council support the concept plan a request to the Land and Property Management Authority to create an additional Reserve purpose will be necessary prior to any further development preparations being undertaken as the current purpose is for public recreation only. Therefore it is recommended that this request be undertaken as soon as possible to secure tenure for the Service.

Further to the above, following a recent workshop with the State Emergency Service (SES) at Council Meeting Tuesday 16 February 2010 Cr K Milne successfully motioned that a Council report be brought forward outlining the following four matters:

- 1. Consideration of the need for an improved SES Control Centre identified by the SES, to the standard of the new Lismore Control Centre (\$1.5M), and options for providing funding in Council's upcoming and future budgets for a such a facility.**

This report addresses the provision of future facilities for the State Emergency Service of the Tweed Shire.

A Section 94 Contributions Plan is to be developed for consideration to fund the provision of required SES facilities due to future population growth.

- 2. Options for enhancement of emergency infrastructure funds due to the high risk flooding category of the Tweed as outlined by the SES.**

In July 2009 the NSW Government introduced a new emergency services funding model. It included the SES within the same contributory funding structure as the NSW Fire Brigades (NSWFB) and NSW Rural Fire Service (NSWRFS). Therefore from the 2009/10 financial year council's statutory contributions to the NSWRFS and NSWFB was reduced from the existing 13.3% and 12.3% respectively and is now a standard 11.7% for all three emergency services. The State Government contribution rose from 13% for the NSWRFS and 14% for the NSWFB to 14.6% to all three emergency services.

Council's estimated Emergency Service Levees for 2009/10 therefore:

NSWFB	\$334,330
NSWRFS	\$162,895
NSWSES	<u>\$33,764</u>
	<b>\$530,989</b>

Council's SES voluntary contributions \$121 336 (excluding capital works proposed for Pottsville and Tweed Heads).

Recently Council has been advised that redevelopment of the funding methodology has been undertaken by the SES and will be calculated on population base. The revised model is to be phased in over a 5 year period commencing 1 July 2010.

To date formal written notification of the dollar amount has not been provided to Tweed Shire Council.

The emergency service levees are in addition to the statutory obligations of Council under the provisions of the *State Emergency Services Act* Section 17 requiring a council of a local government area to provide (free of charge) suitable training facilities and storage and office accommodation for the SES.

Council currently meets its statutory obligations to the SES, consults openly with the organisation as to their strategic infrastructure needs and now awaits advice from the SES as to the statutory funding obligations into the future.

**3. Any other emergency services infrastructure responsibilities under Council's jurisdiction.**

Point 2 above provides information as to the financial contributions to the three emergency service organisations, as required of Council, under the provisions of their respective Acts.

In addition Council makes voluntary contributions annually to a number of volunteer organisations, and for the 2009/10 year, to:

Volunteer Marine Rescue (Point Danger)	\$11,440
Australian Volunteer Coast Guard Association (Kingscliff)	\$11,440
Volunteer Rescue Association	\$23,942
Careflight	\$10,500
Surf Life Saving	<u>\$12,800</u>
	<b>\$70,122</b>

Council had previously provided capital works funding to the Surf Life Saving through Contributions Plan 16 however following the review this Plan has been closed and the current works schedule being finalised.

Council also provides maintenance to a number of Council owned/controlled buildings housing emergency service organisations and considers requests for contributions to capital works.

**4. Consideration of advertising the evacuation centres and evacuation routes on the Council website.**

The *State Emergency and Rescue Management Act* is the Act that provides the legislative basis for co-ordination of emergency preparedness, response and recovery operations. The Act provides for the preparation of a State Disaster Plan (Displan) and subordinate plans to ensure a co-ordinated response for necessary operations; the establishment of Emergency Management Committees at State, District and Local Government levels; and arrangements for controlling emergency operations. Accordingly, the Displan devolves control and co-ordination of emergency operations and the responsibility for preparedness, response and

recovery to the lowest possible level but lays out a structure by which these resources may be augmented by District and State resources if the Local level resources cannot cope. The Local level committees are responsible to the District level committees and in turn District level committees are responsible to the State level.

A resource list of local evacuation centres is the responsibility of, and maintained by, the Tweed Shire Local Emergency Management Committee. Under the provisions of the Act the Committee is chaired by a senior representative of Council and Council provides executive support to the Committee however the Committee is not a Council Committee.

The nomination of an appropriate evacuation centre, taken from the resource list, in response to an emergency is the responsibility of the relevant combat agency (lead emergency service organisation) and/or Local Emergency Operations Controller at that time. It is dependent on the hazard presented, the needs of the evacuees and is in consideration of the criteria of the evacuation centre. Once an evacuation is called the combat agency is responsible for the safety and welfare of the evacuees and therefore any consideration for an evacuation is not taken lightly.

Community members may be placed at further risk should they move to an advertised evacuation centre where an evacuation has not been called, where an advertised evacuation centre no longer operates or has been subject to damage or further risk due to the emergency event.

The State Emergency Management Committee does not support the advertising of evacuation centres therefore the Tweed Shire Local Emergency Management Committee does not make the resource list of evacuation centres publicly available.

#### **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) (from 8.00pm Wednesday the week before the meeting) or visit Council's offices at Tweed Heads or Murwillumbah (from 8.00am Thursday the week before the meeting) or Council's libraries (from 10.00am Thursday the week of the meeting).*

1. EH09001 Concept Plan (ECM 16079401)
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Our Ref: 08/0854

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

Attention: Doreen Harwood

W: 10502

TWEED SHIRE COUNCIL	
FILE No: SES	.....
DOC. No: .....	
RECD: 13 SEP 2010	
ASSIGNED TO: HARWOOD D	
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Dear Sir/Madam

**Re: Reserve 89237 for Public Recreation**

18441455

Reference is made to your correspondence dated 28 June 2010 in regard to State Emergency Services located on Crown Reserve 89237 for Public Recreation. A letter dated 15 January 2009 with an application for licence was sent to State Emergency Services which offered a Crown licence for the occupation of the reserve contrary to the reserve purpose. No reply has been received.

The buildings and car park area being used by State Emergency Services have already taken up a large area of this public reserve rendering it difficult for the usage of Public Recreation. The Reserve Trust is managed by Tweed Shire Council and a licence is in place to Tweed Unlimited Arts Inc at minimum rent for part of the reserve.

Provision of land for State Emergency Services is a function of Council. Crown reserve 89237 is a reserve for Public Recreation and State Emergency Services has not been authorised to occupy this reserve.

An extension to the SES area is not supported without extensive public consultation and an appropriate tenure being in place for the occupation of all the SES facilities on this reserve.

Should you wish to discuss this matter, please contact me on (02) 6640 3412.

Yours sincerely

9/9/2010

WT 682 DP 41192  
TERRAURA RD BAYURA PT.

Helen Campbell  
Senior Property Officer  
Land Administration - Grafton

