



TWEED
SHIRE COUNCIL

Mayor: Cr B Longland

Councillors: M Armstrong (Deputy Mayor)
G Bagnall
C Byrne
K Milne
W Polglase
P Youngblutt

Agenda

Ordinary Council Meeting Thursday 19 June 2014

held at Murwillumbah Cultural and Civic Centre
commencing at 5.00pm

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

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CONFIRMATION OF MINUTES

- 1 **[CONMIN] Confirmation of Minutes of the Ordinary and Confidential Council Meetings held Thursday 15 May 2014 and Ordinary Council Meeting held Thursday 5 June 2014**

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
-

SUMMARY OF REPORT:

The Minutes of the Ordinary and Confidential Council Meeting held Thursday 15 May 2014 are attached for information and adoption by Council.

Also, the Minutes of the Ordinary and Confidential Council Meeting that follows the Planning Committee, which was held on Thursday 5 June 2014, are attached for information and adoption by Council.

RECOMMENDATION:

That:

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 15 May 2014 be adopted as a true and accurate record of proceedings of that meeting.**
2. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 5 June 2014 be adopted as a true and accurate record of the proceedings of that meeting.**
3. **ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (f) **matters affecting the security of the council, councillors, council staff or council property.**

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.4.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Attachment 1	Minutes of the Ordinary Council Meeting held Thursday 15 May 2014 (ECM 3364263).
(Confidential) Attachment 2	Minutes of the Confidential Council Meeting held Thursday 15 May 2014 (ECM 3364184).
Attachment 3	Minutes of the Ordinary Council Meeting held Thursday 5 June 2014 (ECM 3382440)

SCHEDULE OF OUTSTANDING RESOLUTIONS

2 [SOR] Schedule of Outstanding Resolutions



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making processes
-

CODE OF MEETING PRACTICE:

Section 2.8 Outstanding Resolutions

No debate is to be allowed on Outstanding Resolutions. Any changes to or debate on Outstanding Resolutions should only be by way of a Notice of Motion or a report to Council.

18 APRIL 2013

13 [NOM-Cr K Milne] Climate Change Priority

NOTICE OF MOTION:

197

Cr K Milne
Cr G Bagnall

RESOLVED that Council prioritises climate change as an urgent and high priority in all relevant areas of Council policy and operations, and brings forward to a future Workshop, policy options to implement this approach.

Current Status: Workshop conducted 12 September 2013 and will be dealt with through the Environmental Sustainability Strategy.

19 SEPTEMBER 2013

ORDERS OF THE DAY

4 [NOM-Cr B Longland] Aboriginal Employment Strategy

NOTICE OF MOTION:

532

Cr B Longland
Cr K Milne

RESOLVED that an Aboriginal Employment Strategy be developed as part of Council's Equal Employment Opportunity Management Plan which sets appropriate targets for aboriginal employment participation in the organisation and includes annual reporting against these targets. The Aboriginal Employment Strategy should also be included as an element of the yet to be developed Reconciliation Action Plan.

Current Status: The Aboriginal Employment Strategy is currently under review. Discussions in train with the Local Employment Coordinator and third party entities.

17 OCTOBER 2013

ORDERS OF THE DAY

6 [NOM-Cr M Armstrong] Graffiti Management Plan

634

Cr M Armstrong
Cr G Bagnall

RESOLVED that, in addition to investigating the feasibility of specified locations for graffiti walls and/or street art, Council brings forward a report outlining:

1. Strategies to engage with local youth to educate them on the costs arising from the damage caused by graffiti; and
2. The feasibility of developing a response team to assist local small businesses and landowners to clean up graffiti.

Current Status: This resolution will be addressed in the Graffiti Management Plan which is scheduled for delivery in 2014/15.

21 NOVEMBER 2013

9 [NOM-Cr K Milne] Coal Seam Gas

NOTICE OF MOTION:

707

Cr K Milne
Cr M Armstrong

RESOLVED that Council seeks advice on what planning or legal options Council could implement to protect the Shire from Coal Seam Gas Mining, or the use of, or access to Council owned public land, public infrastructure or assets such as road or water resources etc for Coal Seam Gas or Coal Seam Gas infrastructure purposes, and ways that Council's policies could be enhanced so the community could be afforded better consultation, for example Moree Shire Council's Seismic Policy.

Current Status: Response letter has been provided by Local Government NSW advising that they have not commissioned any legal advice regarding how communities may restrict coal seam gas mining. Local Government NSW has advised that they are willing to undertake a review across the State to determine what action each council has taken. Officers will also request pricing from Council's legal providers to obtain an indicative cost to provide formal legal advice on this matter.

12 DECEMBER 2013

REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS

54 [EO-CM] Response to Notice of Motion - Future Use of Murwillumbah Railway Station Building

866

**Cr M Armstrong
Cr G Bagnall**

RESOLVED that:

1. Council brings forward a report considering ways for incorporating the proposed community and cultural precinct at the Murwillumbah Railway Station into the proposed Rail Trail Network as originally envisioned in Council's motion.
2. This report be presented to Council after release of the Casino to Murwillumbah Rail Trail Feasibility Study.

Current Status: It is the officers understanding that the Feasibility Study has been presented to the Minister but not yet made publicly available.

23 JANUARY 2014

10 [NOM-Cr K Milne] New Year's Sustainable Resolution

NOTICE OF MOTION:

12

**Cr C Byrne
Cr P Youngblutt**

RESOLVED to defer this matter until the report relating to Item 13 of Council's Meeting of 18 April 2013 has been brought back to Council.

Current Status: Workshop conducted 12 September 2013 and will be dealt with through the Environmental Sustainability Strategy.

12 [NOM-Cr G Bagnall] Review of Planting Guide

NOTICE OF MOTION:

16

Cr G Bagnall
Cr M Armstrong

RESOLVED that officers undertake a review of the planting guides that currently govern developments in this Shire, including Tweed Shire Council's own plantings, and a further report be brought back to Council that examines the appropriateness and feasibility of requiring an increased sourcing of local occurring plants.

Current Status: Report to be prepared and workshop scheduled prior to report being submitted to Council.

20 FEBRUARY 2014

ORDERS OF THE DAY

48 [NOM-Cr M Armstrong] Public Open Space

NOTICE OF MOTION:

114

Cr M Armstrong
Cr K Milne

RESOLVED that Council officers bring forward a report outlining the proposed public open space strategy identified in the Delivery Program 2013-2017 including information on:

1. The state of existing public open spaces focusing on, but not limited to, public facilities;
 2. The status of current Section 94 contributions plan for open spaces; and
 3. Identify future funding opportunities to increase the provision of public open space.
-

Current Status: In progress.

10 APRIL 2014

REPORTS FROM THE GENERAL MANAGER

6 [GM-CM] Destination Tweed - Performance and Funding Contract

200

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. Council supports in principal the renewal of a funding contract of Destination Tweed for an additional four years expiring September 2018.
2. Council endorses the General Manager to enter into Deed of Variation with Destination Tweed to revoke the requirement to provide services described as B1 Marketing and Promotion of Tweed for Business Investment and undertakes all necessary documentation under the common seal of Council.
3. Council require Destination Tweed to provide Tweed Shire Council with a financial management plan (Business Plan) in detail for the funding period on how the funds will be dispersed within Destination Tweed.
4. A report be prepared for a future Council meeting to outline the Financial Plan/Management Plan and to seek Council's endorsement.
5. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

Current Status: Deed of Variation has been drafted and currently being reviewed by the Destination Tweed Board. Destination Tweed currently preparing the financial management plan. Other items still in progress.

REPORTS FROM THE DIRECTOR ENGINEERING

26 [E-CM] Mandating Sustainable Water Conservation Measures

226

**Cr K Milne
Cr G Bagnall**

RESOLVED that this item be deferred for a workshop on water conservation infrastructure initiatives in Greenfield developments.

Current Status: Workshop scheduled for 12 June 2014.

37 [NOM] Impacts of Cats on Native Fauna

NOTICE OF MOTION:

241

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council bring forth a report on the negative impacts of cats on native fauna, and recommendations for management.

This report to include, but not be limited to:

- a summary of current research on the interactions between cats (domestic, free-living strays and feral) and native wildlife on the eastern seaboard;
- what measures have been successfully employed by other Australian Councils to reduce the impacts of cats on native wildlife;
- recommendations as to possible measures Tweed Shire Council can adopt to reduce the impacts of cats on native wildlife; and
- suggestions on where these measures will fit into the organisational structure, and the resourcing implications of adopting such measures.

Current Status: Report to be prepared.

15 MAY 2014

ORDERS OF THE DAY

30 [NOM] Camphor Laurel Management - Condong Co-generation Plant Feedback

NOTICE OF MOTION:

289

**Cr P Youngblutt
Cr G Bagnall**

RESOLVED that Council reports on options for appropriate camphor laurel removal for the Condong co-generation plant, in consultation with Cape Byron Power, the Environment Protection Authority, and Far North Coast Weeds, and in light of the decision of Far North Coast Weeds to withdraw from the approval process, changes to Council's Local Environmental Plan and the Protection of the Environment Operations Regulation.

Current Status: Report to be prepared.

31 [NOM] Tree Vandalism Policy

NOTICE OF MOTION:

290

Cr G Bagnall
Cr K Milne

RESOLVED that Council officers prepare a report for Council's consideration on the forming of a "Tree Vandalism Policy" for the Tweed Shire

Current Status: Report to be prepared.

32 [NOM] Environmental Vandalism

NOTICE OF MOTION:

291

Cr G Bagnall
Cr K Milne

RESOLVED that Council conducts a workshop on the various types of environmental vandalism experienced in the Tweed Shire. Such a workshop will include, but not be limited to:

- the main types of vandalism of concern in this Shire;
- what other councils and Tweed Shire Council do to address these problems; and
- what further measures could be undertaken to deter such acts.

Current Status: Workshop to be scheduled.

33 [NOM] Tree Health Assessment Standards and Policy

NOTICE OF MOTION:

293

**Cr G Bagnall
Cr M Armstrong**

RESOLVED that Council undertakes a workshop to:

1. Identify existing best practice standards for tree health, hazard and risk assessment reports;
2. Compare current Council requirements for tree health, hazard and risk assessment reports with best practice standards for tree health assessment reports; and
3. Consider whether existing Council requirements for tree health, hazard and risk assessment reports could be improved.

Current Status: Workshop to be scheduled.

34 [NOM] Promoting Culture in the Streets

NOTICE OF MOTION:

294

**Cr K Milne
Cr M Armstrong**

RESOLVED that Council investigates the feasibility of holding or supporting a program of regular free lunchtime concerts in Tweed Heads featuring emerging Tweed musicians and performers and brings a report back to a future Council meeting.

Current Status: In progress.

MAYORAL MINUTE

3 [MM-CM] Mayoral Minute for May 2014

SUBMITTED BY: Cr B Longland, Mayor



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
-

Councillors

COMMITTEE MEETINGS

Attended by the Mayor

- § 1 May Local Traffic Committee Meeting - Mt Warning Meeting Room, Murwillumbah Civic Centre, Murwillumbah.
 - § 2 May NOROC Meeting - Ballina Council Chambers, Cherry Street, Ballina.
 - § 6 May Tweed Regional Gallery Foundation Board Meeting - Tweed Regional Gallery, Mistral Road, Murwillumbah - Cr Polglase also attended as Foundation President.
-

INVITATIONS / MAYORAL REPRESENTATION:

Attended by the Mayor

- § 2 May Murwillumbah Business Chamber Breakfast - Regent Cinema, Murwillumbah.
 - § 2 May Tweed Theatre Company's performance of "It's my party and I'll die if I want to" - Tweed Heads Civic Centre, Corner Wharf and Brett Streets, Tweed Heads.
 - § 3 May Soft opening of Arkinstall Park netball clubrooms - Arkinstall Park netball club rooms - Clr Polglase also attended.
-

- § 5 May Donations Policy cheque presentation and morning tea - Council Chambers Foyer, Murwillumbah Civic Centre.
- § 7 May Community Organisations' Round Table discussion re Draft 2013/2017 Delivery Program - Council Chambers, Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah - Cr Milne.
- § 8 May Launch of the Battle of the Border Cycling Race - Point Danger.
- § 9 May Opera on the Beach - Greenmount Beach, Coolangatta.
- § 9 May Mother's Day Service hosted by the "Murwillumbah Churches Together" and Ministers Fraternal - Tweed Valley Cemetery Chapel, Eviron Road, Eviron.
- § 9 May Beach Fest 2014 event run by students from Southern Cross University studying Sports Events - Cabarita Beach.
- § 15 May Opening of YWCA Belly to Big School and Beyond event for Families Week - Sunnyside Mall, Wollumbin Street, Murwillumbah.
- § 15 May Meet and greet with with Phil Ventham, Regional Event Development Manager of Destination NSW - Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah.
- § 16 May Southern Cross University (SCU) Vice Chancellor's Awards for Excellence and 20th Anniversary Celebrations - Lismore City Hall, Ballina Road, Lismore.
- § 18 May RSPCA Million Paws Walk - Jack Bayliss Park, Marine Parade, Kingscliff.
- § 19 May Family Centre Information Session - Murwillumbah Community Centre, Nullum Street, Murwillumbah.
- § 19 May Cudgen Progress Association Meeting - Cudgen Public School, Collier Street, Cudgen.
- § 20 May Citizenship Ceremony for 50 new citizens - Tweed Heads Civic Centre Auditorium, Corner Wharf and Brett Streets, Tweed Heads.
- § 21 May Twin Towns Friends Association Volunteers Appreciation Ceremony - Community Hall, Heffron Street, South Tweed Heads.
- § 21 May Destination Tweed Board Meeting - World Heritage Rainforest Centre, Budd Park, Murwillumbah.
- § 22 May Official re-opening of Clarrie Hall Dam - Clarrie Hall Dam, Clarrie Hall Dam Road, Uki - Cr Youngblutt also attended.
- § 23 May Gala Opening of Midsummer Night's Dream performed by the Murwillumbah Theatre Company - Murwillumbah Civic Centre Auditorium, Tumbulgum Road.
- § 24 May Southern Cross University Graduation Ceremony - Tweed Heads Civic Centre, Brett Street, Tweed Heads.

- § 24 May Circus Arts fundraiser for the Northern Rivers Rail Trail - Circus Arts, 17 Centennial Court, Byron Bay.
- § 25 May Councillors Community Catchup - Murwillumbah Showground Markets, Queensland Road, Murwillumbah - Crs Armstrong and Bagnall.
- § 25 May Richmond Tweed Region SES Award Ceremony - 'The Island Room', Ballina Island Motor Inn, Cnr Ronan Place and River Street, West Ballina.
- § 27 May "Planning for the Future" Forum hosted by Community Options - South Tweed Community Hall, Cnr Minjungbal Drv & Heffron St, Tweed Heads South.
- § 28 May Mountain View Retirement Village Bring and Buy Auction for the Cancer Council's Biggest Morning Tea - Mountain View Retirement Village Community Centre, 1 Ingram Place, Murwillumbah.
- § 29 May NSW Keep Australia Beautiful Clean Beach Awards Judging Inspection - Fingal Headland.
- § 30 May Reconciliation Week community screening of documentary Utopia by John Pilger - Hoyts Cinemas, Tweed City, Minjungbal Drive, Tweed Heads South - also attended by Crs Milne and Bagnall.
- § 31 May Official Launch of Dancing with the Stars fundraising event for Cancer - Ivory Tavern, Tweed Heads South.
- § 31 May Opening of the Uki Cafe Art Gallery - Uki Cafe, 1 Rowlands Creek Rd, Uki.

Attended by other Councillor(s) on behalf of the Mayor

- § 7 May Visit to Year 4 students to talk about Local Government and the role of Councillors - Bilambil Public School, 418 Bilambil Road, Bilambil - Cr Armstrong attended.
- § 13 May Tweed Chamber of Commerce Breakfast - Sails on Tweed, Tweed Heads Bowls Club - Cr Polgase attended.
- § 14 May Welcome to the National Road Series for Men hosted by QSM Sports - Saltbar, Salt Village, Bells Road, Kingscliff - Cr Armstrong attended.
- § 18 May NSW Rural Fire Service Official Opening of the Newrybar Rural Fire Brigade Station and presentation of service medals to Far North Coast Volunteers - Newrybar Rural Fire Brigade, Old Pacific Highway - Cr Youngblutt attended.

Inability to Attend by or on behalf of the Mayor

- § 2 May Aboriginal Advisory Committee meeting - Tweed Byron Local Aboriginal Land Council, 21/25 Ourimbah Road, Tweed Heads.
- § 8 May Taste of Kingscliff and the Tweed Coast Official Program Launch for the upcoming event - Salt Bar, Bells Road, Salt Village, Kingscliff.

- § 30 May Tweed Hospital Auxiliary Annual Fashion Parade - Tweed Heads Civic Centre, Corner Wharf and Brett Streets, Tweed Heads South.
-

REQUESTS FOR WORKSHOPS:

Councillors did not request any additional workshops during May 2014.

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

Councillors did not attend any conferences during May 2014.

Information on Conferences to be held

- § 24-25 July Local Government INNOVATION 2014 - Crowne Plaza, 2809 Gold Coast Highway, Surfers Paradise, Gold Coast - *International and Australian Councils, Researchers and Experts will share their views on the need for Local Government to embrace innovation to get on top of the constant threats of reduced funding, rates income reliance, rising costs and independence* - \$1200 Registration, no flights or accommodation required. Note:- The Mayor and General Manager have been invited to attend selected sessions during the 2 day conference at a special rate of \$240 each, excluding social events and lunch catering.
- § 1-3 September 7th International Urban Design Conference "Designing Productive Cities" - Intercontinental, Adelaide - The conference will explore the framework required for creating today's cities, the process of designing and shaping our cities to make them more functional, attractive and sustainable. It will examine affordable housing and diversity for "Gen Y" who are interested in more compact design models. For the rapidly growing ageing population sector, it will discuss isolation, location, ease of transport, mobility and affordability - Registration \$890pp Earlybird rate by 18 July, plus flights and accommodation - refer <http://urbandesignaustralia.com.au/index.html>
-

SIGNING OF DOCUMENTS BY THE MAYOR:

- § 2 May 2014 Request document - Land Acquisition Reserve Creek Road Kielvale.
- § 15 May 2014 Business Investment Deed of Agreement - Stone and Wood.
- § 23 May 2014 Transfer document - Purchase of Road Reserve - Broadwater Esplanade Bilambil Heights.
-

- § 23 May 2014 Transfer document - Purchase of 772 Terranora Road Terranora.
- § 23 May 2014 Request document - Dedication of land as Road - Reserve Creek Road Kielvale.
-

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.4.

b. Budget/Long Term Financial Plan:

Appropriate expenditure is allowed for attendance by Councillors at nominated conferences, training sessions and workshops.

c. Legal:

Not applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

RECOMMENDATION:

That:-

- 1. The Mayoral Minute for the month of May 2014 be received and noted.**
 - 2. The attendance of Councillors at nominated Conferences be authorised.**
-

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

RECEIPT OF PETITIONS

4 [ROP] Receipt of Petitions

SUBMITTED BY: CORPORATE GOVERNANCE



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.2	Improve decision making by engaging stakeholders and taking into account community input
1.2.2	Decisions made relating to the allocation of priorities will be in the long-term interests of the community

SUMMARY OF REPORT:

Under Section 1.5.4 Receipt of Petitions in the Code of Meeting Practice Version 2.4, *Petitions received by Councillors or forwarded to the (Acting) General Manager will be tabled as per the Order of Business, Item 11, Receipt of Petitions.*

Unless Council determines to consider it in conjunction with a report already listed on the agenda, no motion (other than a motion to receive the same) may be made on any petition until the next Ordinary Meeting after that at which it has been presented.

RECOMMENDATION:

That the following tabled Petition(s) be received and noted:

- **Petition containing 309 signatures requesting that Council "does NOT levy developer charges on such specified organisations, including, but not limited to, Tweed Heads Community Men's Shed Incorporated."**

REPORT:

As per Summary

OPTIONS:

That in accordance with Section 1.5.4 of the Code of Meeting Practice Version 2.4:

1. The tabled Petition(s) be considered in conjunction with an Item on the Agenda.
2. The tabled Petition(s) be received and noted.

CONCLUSION:

Any Petition tabled should be considered under Section 1.5.4 of the Code of Meeting Practice Version 2.4.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.4.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

5 [GM-CM] Organisational Restructure - Phase 2

SUBMITTED BY: General Manager

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.3	Delivering the objectives of this plan
1.3.1	Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan

SUMMARY OF REPORT:

This report is submitted in accordance with Council's resolution of 15 August 2013 that:

"The organisational structure be reviewed within a reasonable timeframe after the appointment of the new General Manager and the restructuring completed prior to the next election of the full council."

As a first step towards achieving this resolution reports detailing Phase 1 restructure recommendations were considered at the Council Meeting held on 20 February 2014 Council meeting. Phase 1, dealt with the executive structure at divisional level defining the number of required directorates and their overall functions and became effective from 24 February 2014.

An excerpt of the Council Resolution of 20 February 2014 is as follows:

"1. In accordance with Sections 332 and 333 of the Local Government Act 1993 determines the executive and senior staff structure as outlined in the body of this report, effective Monday 24 February 2014, being:

*General Manager
Director Corporate Services
Director Engineering
Director Planning and Regulation
Director Community and Natural Resources*

2. Endorses the addition within the organisation structure of the new role of Executive Officer to report directly to the General Manager."

Since the adoption of Phase 1 the focus has shifted to Phase 2 of the restructure which deals with the organisational structure below director level. Even though the resolution of Council of 20 February 2014 satisfies the requirements of the Local Government Act 1993 in the Determination of Structure (Section 332) and the Re-Determination of Structure (Section 333), this report is presented to Council for information to enable better understanding of the overall organisation structure and how the structure is being realigned to better cater for the current and future priorities of the council and the community.

Phase 2 of the restructure has focussed on:

- Improving customer service,
- Improving efficiency and effectiveness,
- Creating a can do organisation,
- Aligning the structure with changing legislative and operational priorities, and
- Enhancing responsiveness and flexibility.

A further goal of Phase 2 of the restructure was to achieve the required change within the existing salary budget and staffing establishment levels, with the proposal producing the following results:

Division	Budget Impact	Establishment Impact - Short term	Establishment Impact - Long term
Office of the General Manager	0	+2	+2
Corporate Services	-\$59,478	-1	-1
Engineering Services	\$8,602	0	0
Community & Natural Resources	-\$6,372	+2.5	1
Net General Fund Result	-\$57,248	+3.5	+2
Water/Sewer Fund	-\$160,000	Included above	Included above
Waste Management Funds	-\$79,318	Included above	Included above

Note: - the two long term positions in the table above are detailed within the report. One of the positions is initially a two year fixed term position but has been included in the long term establishment as the position may be made permanent and the end of the employment term.

Included within the restructure are two part time (2 days per week) positions that are proposed to be made redundant.

With regard to the Planning and Regulation Division, any proposed changes have not been included within this Organisation Restructure Phase 2 report, while the structural review is well underway, additional time is required to fully investigate and consider alternative assessment and compliance structures, processes and service delivery models. This has been compounded by uncertainty created by the recent stalling of the NSW State Government's Planning Reform process and the restructuring of NSW Planning and Infrastructure has a critical bearing on what resourcing and structural changes Council will need to implement within this functional area, both in the short and medium term, and it is recommended that additional time be invested in this process, which is expected to be completed within the first quarter of 2014/2015.

RECOMMENDATION:

1. In accordance with Sections 332 and 333 of the Local Government Act 1993 endorses the Divisional Organisational Structure as outlined in the body of this report for the Corporate Services, Engineering and Community and Natural Resources Divisions, effective from 14 July 2014, being:
 - (a) Office of General Manager - (*italics - adopted 20/2/14 Minute 65*)
 - Director Corporate Services*
 - Director Engineering*
 - Director Planning and Regulation*
 - Director Community and Natural Resources*
 - Executive Officer*
 - Holiday Parks and Economic Development
 - Personal Assistant to the General Manager
 - (b) Corporate Services
 - Communications and Customer Services
 - Corporate Governance
 - Financial Services
 - Human Resources
 - Information Technology
 - Internal Auditor
 - Executive Assistant Director Corporate Services
 - (c) Engineering
 - Infrastructure Delivery
 - Design
 - Water and Wastewater
 - Roads and Stormwater
 - Executive Assistant Director Engineering
 - (d) Community and Natural Resources
 - Community and Cultural Services
 - Natural Resource Management
 - Recreation Services
 - Waste
 - Executive Assistant Director Community and Natural Resources
2. Receives and notes organisational changes to be implemented beneath Director level within the structure; and
3. Endorses the delaying of the Phase 2 restructure for the Planning and Regulation Division with a further report to be presented in the first quarter of 2014/2015.
4. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (a) personnel matters concerning particular individuals (other than councillors)

REPORT:

This report is submitted in accordance with Council's resolution of 15 August 2013 that:

"The organisational structure be reviewed within a reasonable timeframe after the appointment of the new General Manager and the restructuring completed prior to the next election of the full council."

As a first step towards achieving this resolution reports detailing Phase 1 restructure recommendations were considered at the Council Meeting held on 20 February 2014 Council meeting. Phase 1, dealt with the executive structure at divisional level defining the number of required directorates and their overall functions and became effective from 24 February 2014.

An excerpt of the Council Resolution of 20 February 2014 is as follows:

"1. In accordance with Sections 332 and 333 of the Local Government Act 1993 determines the executive and senior staff structure as outlined in the body of this report, effective Monday 24 February 2014, being:

*General Manager
Director Corporate Services
Director Engineering
Director Planning and Regulation
Director Community and Natural Resources*

2. Endorses the addition within the organisation structure of the new role of Executive Officer to report directly to the General Manager."

Since the adoption of Phase 1 the focus has shifted to Phase 2 of the restructure which deals with the organisational structure below director level. Even though the resolution of Council of 20 February 2014 satisfies the requirements of the Local Government Act 1993 in the Determination of Structure (Section 332) and the Re-Determination of Structure (Section 333), this report is presented to Council for information to enable better understanding of the overall organisation structure and how the structure is being realigned to better cater for the current and future priorities of the council and the community.

Review Methodology

In reviewing the current organisation structure consideration has been given to the Community Strategic Plan and associated Integrated Planning Documents; proposed legislative and industry changes; documentation prepared in association with the proposed 2012 structure review; staff consultation and discussions held at Executive, Divisional, Management, Unit and individual level. Input was also been sought from potentially impacted staff, Union Representatives and Consultative Committee members and all staff have been kept fully informed on the process via Staff Notices and formal and informal briefings.

Phase 2 of the restructure has reviewed the organisation structure beneath that of Director Level with the aims of:

- Improving customer service,

- Improving efficiency and effectiveness,
- Creating a can do organisation,
- Aligning the structure with changing legislative and operational priorities,
- Enhancing responsiveness and flexibility, and
- Creating an environment where staff feel valued and can make a positive contribution.

A further goal of Phase 2 of the restructure was to achieve the required change within the existing salary budget and staffing establishment levels.

As a consequence of this review, a number of structural changes have been identified within the General Managers Office, Corporate Services, Engineering and Community and Natural Resources Divisions. Refer to the Organisational Structure diagrams within the Attachments 2 and 3 to this report.

With regard to the Planning and Regulation Division, any proposed changes have not been included within this Organisation Restructure Phase 2 report, while the structural review is well underway, additional time is required to fully investigate and consider alternative assessment and compliance structures, processes and service delivery models. This has been compounded by uncertainty created by the recent stalling of the NSW State Government's Planning Reform process and the restructuring of NSW Planning and Infrastructure has a critical bearing on what resourcing and structural changes Council will need to implement within this functional area both in the short and medium term.

In acknowledgement of the complexity of these issues and to allow for the development of a better sense of emerging directions on planning and development matters under new Premier Baird and Planning Minister Goward, it is recommended that additional time be invested in this process, which is expected to be completed within the first quarter of 2014/2015.

Notwithstanding the yet to be completed review of the Planning and Regulation Division and to ensure that required changes across the other Divisions are not unnecessarily delayed, it is proposed that the remainder of the proposed structural changes (contained within this report) be implemented on a staged basis commencing mid-July.

Significant Changes

It should be noted that only the significant changes have been identified within this report, with the other changes that are predominantly operational in nature being undertaken within the organisation, through the appropriate delegations granted to the General Manager.

Allowing for these highlighted changes, external customers of the organisation will still enjoy a seamless and uninterrupted customer service experience with Council.

General Manager's Office

- Communications and Customer Services Section to be relocated to Corporate Services Division - this will provide consistency with other organisation wide services that are provided by the Corporate Services Division.
- Business and Economic Development Unit to be renamed Holiday Parks and Economic Development Unit - the word "Business" in the unit title Business and Economic Development can be misinterpreted to mean that Council has direct involvement in and responsibility for private business operations. The correct

connotation is the "Business" relates to Council owned/controlled operations, particularly the Tweed Coast Holiday Parks and the name change is needed to clarify the function of this Unit.

- Creation of 2 year fixed term Economic Development Officer role following reallocation of funding from Destination Tweed - B1 Marketing and Promotion of Tweed for Business Investment - this role will oversee the implementation and actions arising from the Economic Development Strategy and 'selling' the Tweed to business. The advertising for this position is to be structured to allow for the option for the position to be made permanent at the end of the two year period dependent on operational need.
- Establishing a Business Liaison Officer role (within the current staff complement), which will primarily undertake the functions of a Business Concierge - this will assist new/existing business to establish/expand in the Tweed.

Funding consideration of these proposed changes has a nil impact on the budget as the savings generated have been allocated to the Economic Development Strategy.

Refer to the Office of the General Manager Organisational Structure diagram within the Attachment 3 to this report.

Corporate Services Division

- Transfer of Communication and Customer Services Section from General Manager's Office - this will provide consistency with other organisation wide services that are provided by the Corporate Services Division.
- Internal transfer of Records Section from Information Technology to Corporate Governance - the introduction and resourcing implications of the GIPA Act /informal access requests and subpoenas on the Governance Unit, coupled with Council's existing obligations for records compliance and access, has resulted in the need for these two functions to be within the one Unit.
- Internal transfer of Revenue and Recovery Section to Financial Services - the functions of the Revenue and Recovery Unit are more aligned with and have similar responsibilities to that of the financial services functions.
- Internal transfer of Integrated Planning and Reporting to Financial Services - this will provide overall control and monitoring of financial and corporate based planning and reporting to be within the one Unit.
- Two other changes of note include: 1) the Internal Auditor to report directly to the Director Corporate Services - this will reduce the existing number of reporting lines for the Internal Auditor and improve reporting independence and 2) the recruitment of a Financial and Systems Analyst role, replacing an existing vacant position, to undertake the corporate performance/reporting role including undertaking analysis of the efficiency and processes of all units to focus on performance and value for money (actuary role).

Funding consideration of these proposed changes has a saving of \$59,478 on the budget.

Refer to the Office of the Corporate Services Division Organisational Structure diagram within the Attachment 3 to this report.

Engineering Division

- A review of the Engineering Division has resulted in a redesign of the Division's structure to support the establishment of a service delivery model based around two internal service units (Infrastructure Delivery and Design) and two external service units (Water and Wastewater, and Roads and Stormwater). This will result in the Engineering Division moving from a five unit to a four unit internal structure.
- The Infrastructure Delivery Unit will have a focus on procurement, project management and infrastructure delivery through Council's day labour workforce and external contractors. The intention is to create centres of knowledge and expertise in procurement and project delivery which can be utilised by the entire organisation.
- The new Unit of Roads and Stormwater will be responsible for Strategic Asset Planning, Asset Management, Development Control, Operations and Maintenance for Flood mitigation assets, Stormwater, Roads, Bridges footpaths and cycleways. The Unit will also be responsible for Traffic Planning and Management, Floodplain Management and the development and management of Section 94 Developer Contribution plans.
- The Water Unit will undergo a name change to Water and Wastewater to recognise the dual services this unit provides to the community as well as discontinuing the outsourced arrangement with NSW Public Works which will result in a net saving of \$160,000 per annum.

Funding consideration of these proposed changes has a cost of \$8,602 on the General Fund budget and a saving of \$160,000 on the Water/Sewer Funds.

Refer to the Engineering Division Organisational Structure diagram within the Attachment 3 to this report.

Community and Natural Resources Division

- Council has a strategic role in community and cultural service provision as well as the development and planning of services. Improved role clarification between community services and programs and the planning and development teams is proposed and will provide improved communications with the community and customers.
- The Museum has capacity within the allocated salaries budget to support a redesigned position to meet program development and delivery needs, including in relation to collection management. Museum staffing has been largely on a fixed term or permanent part time basis as Council has undergone significant change to its Museum program, including the building of a Museum storage facility, introduction of a Collections Management System and the extension to the Murwillumbah Museum. Further details are included within the Confidential Councillor Memo.

- The success of the MOAC and the recent retirement of a staff member have resulted in the need for a review of operations at the Art Gallery. This will be achieved over time under delegated authority of the General Manager and could entail fixed term positions in the short term.
- The prioritisation for the formulation of strategy and policy development within the Natural Resource Management will be addressed by a dedicated 3 days per week position funded within the existing establishment as detailed in the Confidential Councillor Memo.
- The significant building and recreation assets portfolio of the division requires some minor restructuring of the asset maintenance service delivery area to better coordinate building maintenance activities. This will place the assets maintenance functions together under the coordination of one position.
- Realignment of roles within the Waste Management area to cater for the delivery of the impending Waste Strategy and capital works program while still maintaining the current expected service levels. It is also proposed to not fill the current vacant position of 'Team Leader Waste Management' and remove this position from the establishment.
- The closure of Tyalgum transfer station will result in the redundancy of a permanent 2 day per week position. Council has previously resolved that the net savings due to this closure will be allocated to programs within the Tyalgum area.

Funding consideration of these proposed changes has a saving of \$6,372 on the General Fund and a further saving of \$79,318 on the Waste Management budget.

Refer to the Community and Natural Resources Division Organisational Structure diagram within the Attachment 3 to this report.

OPTIONS:

1. Resolve the proposed revised Organisational Structure and associated structural changes.
2. Retain the current Organisational Structure.

CONCLUSION:

To resolve the recommendations as proposed for Phase 2 of the Organisational restructure.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

As detailed within the report and as per the following summary:

Cost and Position FTE Summary

Division	Budget Impact	Establishment Impact - Short term	Establishment Impact - Long term
Office of the General Manager	0	+2	+2
Corporate Services	-\$59,478	-1	-1
Engineering Services	\$8,602	0	0
Community & Natural Resources	-\$6,372	+2.5	1
Net General Fund Result	-\$57,248	+3.5	+2
Water/Sewer Fund	-\$160,000	Included above	Included above
Waste Management Funds	-\$79,318	Included above	Included above

Note: - the two long term positions in the table above are for the Economic Development Officer (if progressed from 2 year fixed term to permanent) which is funded by a variation to the contract with Destination Tweed and the permanent establishment of an existing casual position which exists within the current budget.

c. Legal:

In accordance with Sections 332 and 333 of the Local Government Act 1993.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Confidential Councillor Memo - Organisational Structure Phase 2 (ECM 3382682).

Attachment 2 Existing organisation structure charts (ECM 3383182).

Attachment 3 Proposed organisation structure charts (ECM 3382681).

6 [GM-CM] Contract EC2014-068 Request for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings Pty Ltd

SUBMITTED BY: General Manager

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.2 Council will seek the best value in delivering services
-

SUMMARY OF REPORT:

Tender EC2014-068 Request for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings was called to engage an appropriately skilled and experienced independent party to perform the role of Independent Chair for future dealings between Council and Leda and to Chair Development Consultation Meetings, between the two parties.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender Submissions closed at 4:00pm (local time) on 14 May 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

RECOMMENDATION:

That:

- 1. In relation to Tender EC2014-068, for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings, Council accepts the submission from APP Corporation Pty Ltd, in particular the nominee Clare Brown.**
- 2. Notwithstanding Section 11 of the Local Government Act 1993, Council provide Leda Holdings with a copy of the following Confidential documents for the purposes of reviewing the information as Leda Holdings have agreed to meet fifty percent (50%) of the costs associated with the Independent Chair:**
 - Request for Tender (EC2014-068) Documentation;**
 - Submissions received from Tenderers for Tender (EC2014-068); and**
 - Confidential Attachment 1 to Council Report for Contract EC2014-068.**

3. **ATTACHMENT 1 is CONFIDENTIAL** in accordance with Section 10A(2)of the Local Government Act 1993, because it contains:-
- (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:

Tender Background

Tender EC2014-068 Request for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings was called to engage an appropriately skilled and experienced independent party to perform the role as Independent Chair for future dealings between Council and Leda and to Chair Development Consultation Meetings, between the two parties.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender Submissions closed at 4:00pm (local time) on 14 May 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

The Leda Property Group (Leda) is one of the largest green field development land holders within the Tweed Shire local government area. They have two large development areas known as Cobaki and Kings Forest.

Cobaki borders Queensland and will have access initially from Kirra in Queensland. Cobaki was approved through a Part 3A Assessment by the NSW Department of Planning and Infrastructure and is expected to deliver approximately 5500 residential lots.

Kings Forest is located on the Tweed coast, south of Kingscliff Council and was also approved under Part 3A following assessment by the NSW Department of Planning and Infrastructure and approval by the Minister for Planning. Kings Forest has long been zoned for residential housing development and was also identified as such in the Far North Coast Regional Strategy. It is expected that Kings Forest will deliver 5000 residential lots.

A positive working relationship between Council and Leda is essential to delivering a positive planning, infrastructure, environmental and economic outcome for the residents of the Tweed and Leda.

Council received three significant complaint documents between 2011 and 2013 from the Leda Property Group in respect of its dealings with Council on the approvals processes for both Kings Forest and Cobaki. Council has since acted to respond to these complaints.

In June 2013, following a quotation process, SINC Solutions Pty Ltd were engaged to conduct a review of documents with findings in relation to issues raised by LEDA Developments (LEDA) in their August 2011 (Kings Forest) document which was provided to Council in October 2011, their October 2011 (Cobaki) document which was provided to Council in November 2011 and a January 2013 Council document titled "Reply to LEDA to Tweed Shire Council's Management Response Report, a Report to NSW Department of the Premier and Cabinet, Division of Local Government" and to also review Council's investigation and management response to the 2011 LEDA documents.

The final report on these complaints submitted to Council by SINC Solutions included 115 findings and 19 recommendations to facilitate a better working relationship between Council and LEDA moving forward.

At its meeting of 17 October 2013, Council resolved the following:

"RESOLVED that:

1.
 - (a) Council receives and notes, the contents of the review report (Review of Documents with Findings) prepared by SINC Solutions, into the issues raised by LEDA in their 2011 and 2013 reports.
 - (b) Council notes management's intention to implement the SINC Solutions report recommendations and to provide advice to Council on the progress of the implementation on a regular basis.
 - (c) Council notes legal advice may be required with regards to the matters that the Independent Chair (Recommendations 12-14) will be permitted to determine given Council's Statutory, Planning and Delegation obligations.
 - (d) Council notes that pending the outcome of Recommendation 2(c) of the Council Resolution that the seeking of legal advice in accordance with Recommendation 13 of the SINC Solutions report will only be obtained upon an equal cost share basis as agreed between the parties.
 - (e) That in addition to the proposed attendees in Recommendation 14 of the SINC Solutions report; that the Regional Manager of LEDA responsible for the Cobaki and Kings Forest (Project 28 Pty Ltd) developments, the Tweed Shire Council Mayor, and the Tweed Shire Council Director responsible for Planning and Regulation; and any other persons requested, as agreed by either party, also be invited.
2. Council further notes that a copy of the complete SINC Solutions report has been forwarded to the Division of Local Government.
3. ATTACHMENTS 1, 2 and 3 are confidential in accordance with The Local Government Act 1993 Clause 10A(2):
 - (a) personnel matters concerning particular individuals (other than councillors); and
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(Notwithstanding these provisions in relation to confidentiality it is deemed in the Public Interest to make the Recommendations contained within the SINC Solutions report (contained within Attachment 1) publicly available and to provide a confidential extract of the report being Attachment 3 to LEDA).
4. A confidential extract copy of the SINC Solutions report (Attachment 3) be provided to LEDA which comprises the following:
 - o Executive Summary;
 - o Background;
 - o 115 Findings with the exception of 11 complete and 3 partial which have had redactions applied;
 - o 19 Recommendations with the exception of a small redaction which is immaterial to the recommendation; and
 - o Attachment B of the SINC Solutions report comprising the complaint summary."

On the basis of the report to Council's meeting of 17 October 2013, Council resolved to accept the recommendations (as amended) arising from a review by the firm SINC Solutions examining previous dealings between Council and Leda Holdings in respect of their development sites at Kings Forest and Cobaki. These recommendations were aimed at

improving the procedural aspects of Council's processes for responding to complaints and better managing the quality and efficiency of Council's assessment processes and relationship with Leda.

Recommendations 12, 13 and 14 from the SINC Solutions report focus on the proposal to appoint an Independent Chair:

" Recommendation 12

That no formal facilitation process be undertaken between Council staff and LEDA representatives. Instead, it is recommended that an experienced and highly skilled Independent Chair be engaged to facilitate regular scheduled meetings between LEDA representatives and Council staff and determine matters as required. Both parties should agree on the Independent Chair selected; costs should be divided equally and explicit agreement completed committing each party to the process.

Recommendation 13

That in instances where there can be no agreement or decision on matters of dispute in the development after being through the meeting held by the Independent Chair, and particularly in cases where Council and LEDA have opposing legal advice, it is recommended that consideration be given to seeking independent legal advice from a third party in an endeavour to resolve the issue.

Recommendation 14

That in order to ensure future success of the regular scheduled meetings between LEDA and Council, and the operations of the Independent Chair, it is recommended that the first meeting between the parties be attended by Ms Kath Roach (author of this report) in order to confirm agreement from both parties as to the proposed system as detailed within this report. Council's Acting General Manager and the Executive Chairman of LEDA should be in attendance at this initial meeting."

Subsequently tenders were called in relation to the following non-price selection criteria:

1. Demonstrated experience dealing with high level planning and development issues
2. Knowledge and understanding of a local government authorities statutory and governance roles.
3. Knowledge and understanding of the costs and constraints (including red tape) that a developer experiences in bringing residential land subdivision to the market.
4. Demonstrated experience in facilitation, communication and negotiation to achieve an outcome acceptable to multiple parties.
5. Demonstrated experience in being able to produce and present detailed reports (sometimes technical in nature) to external parties such as a Council, State Government Authority (Planning and Infrastructure) or to the Chairman and Executive of a large commercial enterprise such as Leda Holdings Pty Ltd.
6. Ability to make formal presentations to elected members (Local, State and Federal) as well as to government authorities and the Chairman/ Executive of a commercial enterprise.
7. Ability to undertake the role of an Independent Chair as outlined in section 4 of the - Terms of Reference - Development Consultation Committee Meetings - LEDA and Tweed Shire Council.
8. Examples of similar work with contact details of referees who can attest to the similar work provided.

9. Local Preference (mandatory 10% for submissions having a greater value than \$10,000)

Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 14 May 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

A total of five responses were recorded for EC2014-068 at the Tender Box opening on 14 May 2014 and they were as follows:

Tenderer
APP Corporation Pty Ltd
KR Nash and Associates Pty Ltd
Sean O'Toole Consulting Pty Ltd
Hill PDA Pty Ltd
Peter Noel Shepherd

Tender Evaluation

The Tender Evaluation was conducted by an independent panel to examine the submissions as to meeting the requirements for the performance and capabilities required under this contract. The composition of the panel is listed below:

Name	Position
Kath Roach	Independent member (SINC Solutions) Chairperson
Mick Donohoe	NSW Public Works
Mark Stalhut	NSW Public Works

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

A copy of the Tender Evaluation Report - Confidential Attachment 1 is attached.

ATTACHMENT 1 is **CONFIDENTIAL** in accordance with Section 10A(2) 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.

OPTIONS:

That Council appoints an Independent Chair in accordance with the recommendations of the SINC Solutions report resolved by Council on 17 October 2013.

CONCLUSION:

In accordance with the information submitted and the evaluation results it is recommended that APP Corporation Pty Ltd, and in particular their nominee, Ms Clare Brown, be appointed

to the role of Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings and accept the submission of APP Corporation Pty Ltd in response to the Tender Request EC2014-068.

Further as Leda Holdings have agreed to meet fifty percent (50%) of the costs associated with the Independent Chair, it is considered appropriate that Council provide Leda Holdings with a copy of the following Confidential documents for the purposes of reviewing the information:

- Request for Tender EC2014-068 Documentation;
- Submissions received from Tenderers for Tender EC2014-068; and
- Confidential Attachment 1 to Council Report for Contract EC2014-068.

As these documents contain confidential and commercial in confidence information, the documentation should not be disseminated, distributed or communicated by LEDA Holdings to any other party.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.6

b. Budget/Long Term Financial Plan:

Cost sharing agreement has been allowed within the Budget.

c. Legal:

Local Government Act 1993 and Local Government (General) Regulations 2005

d. Communication/Engagement:

Inform - we will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1: Tender Evaluation Report (ECM 3384755).

Attachment 2

Letter from LEDA Developments Pty Ltd - Independent Chair (ECM 3329280)

7 [GM-CM] Applications for Financial Assistance 2014/2015 - Festivals and Events Policy

SUBMITTED BY: Business and Economic Development

Valid



Supporting Community Life



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 3 Strengthening the Economy
 - 3.1 Expand employment, tourism and education opportunities
-

SUMMARY OF REPORT:

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

Council's Events Strategy 2011-2016 provides a framework to assist the community and Council develop and support festivals and events in the Tweed. The Festivals and Events Policy version 1.1 was adopted by Council at its meeting on 23 January 2014. There is one funding round each year with applications due in by 15 March. Council invited applications for financial assistance from eligible organisations through the Tweed Link in accordance with its Festivals and events Policy.

Applicants are able to apply for multi-year funding but there are no applications this year for multi-year funding. Funding continues to those organisations which have current multi-year agreements decided at previous Council meetings.

RECOMMENDATION:

That:

- 1. Council allocates Festival and Events funding for 2014/2015 under the Festivals and Events Policy as follows:**

Applicant	Amount
(a) Tweed Heads Croquet Club Inc (Croquet Spring Festival, 26-29 September 2014)	\$1500
(b) Caldera Environment Centre (World Environment Day, 7 June 2015)	\$5000
(c) Octopus Garden Festival Inc (Octopus's Garden Festival, 8 August 2014)	\$1500

(d)	Tweed District Orchid Society (Tweed Diamond Jubilee Orchid Spectacular, 1-2 Nov 2014)	\$1500
(e)	Crabbes Creek Community Film Society (CrabbesFest, 12 September 2014)	\$1500
(f)	Burringbar District Sports Club (Car Enthusiasts Festival, 12 October 2014)	\$1500
(g)	Murwillumbah Rowing Club (Head of the Tweed, 21 June 2015)	\$1500
(h)	Tweed Valley Equestrian Group (Tweed Valley Equestrian Official Dressage Championships, 2-3 August 2014)	\$1500
(i)	Dragons Abreast Mt Warning (Dragons Abreast Inaugural Festival Regatta, 13 July 2014)	\$1500
	TOTAL:	\$17,000
2.	Council has allocated multi-year funding in 2012/2013 to the following groups in 2014/2015:	
(a)	Tweed River Agricultural Society (Murwillumbah Show)	\$7500
(b)	Island Style Promotions (Australian Longboard Surfing Festival)	\$5000
(c)	Tyalgum Music Festival (Tyalgum Music Festival)	\$6000
	TOTAL:	\$18,000
3.	Council has allocated multi-year funding in 2013/2014 to the following groups in 2014/2015:	
(a)	Rotary Club of Murwillumbah Central Inc (Tweed Valley Banana Festival)	\$7500
(b)	Tweed Food Fest Inc. (Tweed Foodie Fest)	\$5000
(c)	Murwillumbah Festival of Performing Arts Inc (Murwillumbah Festival of Performing Arts)	\$7500
(d)	Cabarita Beach Pottsville Beach Lions Club Inc (Lions Charity Greenback Tailor Fishing Competition)	\$1500
	TOTAL:	\$21,500

REPORT:

Applicant	Amount Requested	Festival
Tweed Heads Croquet Club Inc	\$1500	Croquet Spring Festival 26 - 29 Sept 2014 Tweed Heads
Caldera Music Incorporated	\$2000	Concert program 2014-15
Caldera Environment Centre	\$5000	World Environment Day Sunday 7 June 2015 Murwillumbah
Tweed Shire Senior Citizens Committee	\$10,000	Tweed Seniors Expo (Thurs) September 2015 Murwillumbah
Octopus Garden Festival Inc	\$5000	Octopus's Garden Festival Sunday 8 August, 2014 Boyd's Bay and Terranora Inlet at Tweed Heads
Tweed District Orchid Society	\$4500	Tweed Diamond Jubilee Orchid Spectacular 1-2 November 2014 Tweed Heads
Crabbes Creek Community Film Society	\$1500	CrabbesFest 2014 12 September 2014 Crabbes Creek
Burringbar District Sports Club	\$1500	Car Enthusiasts Festival 12 October 2014 Burringbar
Murwillumbah Rowing Club	\$1500	Head of the Tweed 2015 21 June 2015 Tweed River from Chinderah to Murwillumbah
Tweed Valley Equestrian Group	\$1500	Tweed Valley Equestrian Group Official Dressage Championships 2014 2-3 August 2014 Murwillumbah
Dragons Abreast Mt Warning	\$1500	Dragons Abreast Inaugural Festival Regatta 13 July 2014 Clarrie Hall Dam (tbc)

Total funds applied for \$35,500

OPTIONS:

There are no new applications for multi-year funding this year.

CONCLUSION:

Funding to be allocated to festivals and events within the 2014/2015 budget of \$57,000; which includes multi-year funding allocated in previous years.

COUNCIL IMPLICATIONS:

a. Policy:

Festivals and Events Policy Version 1.1

b. Budget/Long Term Financial Plan:

1. An amount of \$57,000 is recommended for distribution in 2014/2015;
2. The remaining balance of \$7,500 be rolled over to add to the 2015/2016 budget for Festivals Funding Assistance and the rest be expended on Tweed Link notices \$207.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1: Assessment - Festivals and Events Funding 2014/2015
(ECM 3365758)

8 [GM-CM] Major Event Proposal for Murwillumbah

SUBMITTED BY: Business and Economic Development



Supporting Community Life



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.1	Foster strong, cohesive, cooperative, healthy and safe communities
3	Strengthening the Economy
3.1	Expand employment, tourism and education opportunities

SUMMARY OF REPORT:

Cooly Rocks On proposes to establish a new major event in Murwillumbah that includes:

- Show 'n' Shine of emerging classic cars (pre 1985) and swap meet.
- Friday and Saturday evening car cruises around the main streets.
- Music, dancing, memorabilia and fashion from the 1970s and 1980s.
- Fun for the whole family.

Cooly Rocks On currently organises Australia's largest rock 'n' roll nostalgia festival focused on the 1950's and 1960's in Tweed Heads and Coolangatta each June. This year registrations for 1300 car entries were all but sold out within 40 minutes of opening. The new event planned for Murwillumbah will enable an expansion by Cooly Rocks On into a new event featuring the 1970's and 1980's era. This will attract visitors initially from Northern NSW and SE Queensland then expand nationally and internationally. The event will bring a much needed economic boost to Murwillumbah and surrounding districts.

Cooly Rocks On is seeking seed funding for marketing, as well as some in kind assistance to establish this new major event in Murwillumbah, over the next three years. The event will then operate on its own generated resources. With their national reputation in presenting major events of this kind, Cooly Rocks On is in a unique position to deliver this exciting new event.

Cooly Rocks On is run by volunteers on 11 committees with a paid event manager /CEO and a part-time paid event administrator. The events would be run separately but use joint organisational resources such as the current database, local expertise and national networks. It is a not for profit community organisation which aims at breakeven and reinvests any surplus into the next event.

RECOMMENDATION:

That Council:

1. **Supports this new major event in Murwillumbah with seed funding over three years as follows:**
 - \$20,000 exc. GST from 2014-2015 Budget**
 - \$17,500 exc. GST from 2015-2016 Budget**
 - \$15,000 exc. GST from 2016-2017 Budget**
2. **Endorses a funding agreement to be signed between Council and Cooly Rocks On. This agreement will require Cooly Rocks On to prepare a comprehensive event management business plan, satisfactory performance report, an economic impacts evaluation and audited financial reporting.**
3. **Executes the agreement under the Common Seal of Council.**

REPORT:

Event outline:

The event is made up of four main components:

- Emerging Classics (pre 1986) Show 'n' Shine and Swap Meet
- Car cruises around Murwillumbah
- Live music, dancing, memorabilia and fashion from the 1970's and 1980's
- Family/children's entertainment.

Origin of the event

At Cooly Rocks On, held in Tweed Heads and Coolangatta each year the range of cars shown is up to 31 December 1969, leaving a substantial gap for all of those who have classic vehicles post this period. Cooly Rocks On is consistently bombarded with requests to expand their date range to encompass vehicles from the '70s and '80s. This has been considered but it is felt by the organising committee that this would detract from the '50s and '60s nostalgia image of the festival. It is because of these consistent requests and the need for Cooly Rocks On to be true to its genre that they are proposing to create this new event in Murwillumbah.

Why Murwillumbah

The main reason is that since the demise of Speed on Tweed, the town and surrounding region, has been crying out for a major event that has the capacity to attract people from far and wide to give a significant economic boost to the area. The organising committee believe, given the economic boost Cooly Rocks On gives to both the Tweed and Gold Coast regions, this new event has the capacity to deliver a similar economic boost to Murwillumbah and the surrounding region.

In the first year of the event it is expected that the majority of participants will come from the drive market and up to 300 to 500km radius looking for accommodation for one or two nights. As the event grows and because it is a 'Cooly Rocks On' produced event, it can be expected to attract a similar range of participants from all over the east coast who will stay for the duration of the event. Once established the event will draw national and international visitors.

It is proposed that a competition be held in the Tweed to gather suggestions to select a name for the new event in Murwillumbah. This was done with Cooly Rocks On when it took over from Wintersun in 2010.

About the event

Cooly Rocks On is looking to hold the event during the first weekend of December (this year that is 5 - 7 December), as currently this is a time where there does not seem to be a great number of similar events on the east coast and it is still far enough away from the Christmas holiday period so as not to be effected.

The most significant aspect of the event will be the display of cars from pre 31 December 1986 which are deemed to be emerging classics, as in 2015 they will be 30 years old and older, hence the tag 'emerging classics'. There will be a show 'n' shine section with various categories for those who enter. This aspect will be similar to Cooly Rocks On in so much as the cars will not be roped off from the public, they will be free of barriers, to allow the public to get up close to have a good look at the cars. In addition to the car show 'n' shine there

would be a swap meet where people could buy, sell and swap cars and car parts from vehicles of the era, as well as memorabilia and other items relevant to the event.

There will be car cruises on the Friday and Saturday evenings from 6pm to 8pm which would leave from the Murwillumbah showground cruising through the main streets of Murwillumbah, subject to approval and supply of an approved traffic management plan. This will bring a direct benefit to the businesses in the town that are open on those evenings as these cruises attract a large, broad range of spectators.

There will also be music and dance of the era starting on Friday evening and running throughout the duration of the event, with some larger bands playing as well as smaller duets and trios.

Cooly Rocks On is also considering having carnival type rides and other activities for the younger attendees whose main interest may not be in cars or dancing. The carnival rides would not be an over bearing aspect of the whole event just an aside for the children along with pony rides etc. Prices for rides would be kept to a minimum.

The event will be attractive to a broad range of families and will bring significant social and economic benefits to Murwillumbah and surrounding districts.

What is required from Tweed Shire Council

Cooly Rocks On is seeking support from Tweed Shire Council of financial and in kind sponsorship of the event. This is to assist through seed funding with the marketing of the event to get the word out to those who would attend the event, recognising that it is not easy to get a major event of this scale off the ground, especially in not well populated areas. In kind support is also sought to assist with road closures for the car cruises through town, as well as other infrastructure that an event of this nature requires which the Council may be able to provide.

OPTIONS:

1. Provide support of financial and in kind sponsorship of the event to Cooly Rocks On.
2. Don't provide the support, in which case Cooly Rocks On may look at alternative locations outside the Tweed.

CONCLUSION:

If Cooly Rocks On is given the opportunity to establish this new major event in Murwillumbah with the support of Tweed Shire Council then it is anticipated that this event has the capacity to out-shine Speed on Tweed, even in its hey-day.

COUNCIL IMPLICATIONS:

a. Policy:

Festivals and Events Policy.

b. Budget/Long Term Financial Plan:

In kind support from current budget allocations.

\$20,000 exc. GST from 2014-2015 Budget
\$17,500 exc. GST from 2015-2016 Budget
\$15,000 exc. GST from 2016-2017 Budget

The funds would be provided from Major Events Attraction in the Economic and Business Development annual budget. The amounts are the same as those offered to the Battle of the Border Cycling Festival 2013-2015.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

9 [GM-CM] Business Excellence Awards Tweed Shire 2014

SUBMITTED BY: Business and Economic Development



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
 - 3.1 Expand employment, tourism and education opportunities
-

SUMMARY OF REPORT:

In 2013 Council resolved to become a Sponsor to the 2014 Business Excellence Awards Tweed Shire (BEATS). The level of sponsorship was to be determined when further details became available from the organisers.

This report recommends becoming a Platinum sponsor of these awards.

RECOMMENDATION:

That Council becomes a Platinum Sponsor to the 2014 Business Excellence Awards Tweed Shire (BEATS) organised by the Murwillumbah District Business Chamber to the value of \$5,600 being held on 11 October 2014.

REPORT:

Council Resolution 21 November 2014

"RESOLVED that Council becomes a Sponsor to the 2014 Business Excellence Awards Tweed Shire (BEATS) with the level of sponsorship to be deferred until after the value of each level has been determined by the organisers."

Tweed Shire Council has been approached by the Combined Tweed Business Chamber to become a sponsor of the 2014 Business Excellence Awards Tweed Shire (BEATS). These awards are to be held on 11 October 2014. Early sponsorship by larger sponsors will allow the event organisers leverage to attract greater and wider sponsorship and provide a degree of surety in planning/budgeting.

The Chambers have developed the BEATS awards to encourage and recognise excellence in customer service. The Chamber believes that the BEATS awards will contribute to the reputation and identity of Tweed business as well as fostering pride in the business community. Through these awards, Tweed businesses will gain a stronger and more prominent business reputation.

The Vision of the awards is:

To showcase, promote and unite businesses within the Tweed Shire, by recognising excellence in innovation, productivity and customer service. Highlighting their ideals and aspirations while applauding their achievements and endeavour to succeed whether large, medium or small in any economic climate. Tweed Business is a diverse landscape that will strive, thrive and survive by recognition.

The Mission identifies that the:

Business Excellence Awards Tweed Shire (BEATS) will acknowledge businesses in the Tweed Shire that excel in their nominated industry and exceed customer expectations with a professional yearly awards programme.

BEATS 2014

Council provided platinum level sponsorship through a cash contribution of \$5,000 and complimentary use of the Tweed Heads Civic Centre in 2013. It is proposed that the same level of sponsorship be provided to the 2014 BEATS Awards through increasing the contribution to \$5,600 for this event.

The hire of the Murwillumbah Cultural and Civic Centre will be available at the community rate which is 50% of the normal cost.

A letter of request has been received from the organisers of the 2014 BEATS awards.

"We would like to take this opportunity to firstly thank you for your Platinum Sponsorship in 2013 and to invite you and your organisation to once again support of The Business Excellence Awards Tweed Shire- The BEATS 2014.

*Your **Platinum sponsorship of \$5,500 and inkind contribution for the cost of the Tweed Heads Civic centre venue** contributed to creating a truly unbeatable event that benefited the whole of the Tweed Shire Business Community.*

Many winners have now incorporated their BEATS Award into their business models and have been utilising the status that it brings to their business in very positive ways.

As we saw in 2013 The BEATS is an opportunity to showcase and inspire Business Excellence in the Tweed. These Awards recognise and reward local businesses that excel in the Tweed Business community in a variety of pre-determined categories.

In 2014, Caldera Living Pty Ltd has been engaged to coordinate and runs these Awards. This company is headed by Natascha Wernick and Toni Zuschke who collectively have over 30 years' experience in event management in the Tweed Shire and are both actively involved in the local business community. Having a professional company at the heart of these Awards will ensure the security and longevity of The BEATS for many years to come. Tweed Business needs and deserves to celebrate and be recognised in this way.

This year The BEATS will take place on the night of October 11th 2014 at a Gala Awards Dinner and Theatre Presentation at the Murwillumbah Civic Centre. Individual and corporate bookings will be available and we are expecting up to (250) local business representatives will attend. The night will be professionally formatted with special ongoing recognition of all our valued sponsors throughout the evening. The following packages outline the exceptional marketing opportunity available to our sponsors this year. Sponsors are the Superheros of The BEATS Awards. Become one today! [Click here to sign up now.](#)

Platinum Investment over \$5,500

These can be tailored to suit your requirements, to ensure that your business will benefit from the level of involvement that you have chosen. We are open to submissions. Let's talk!

Gold Investments from \$5,500*

- 1. This category will be given maximum prominence in the BEATS Awards*
- 2. Company name acknowledged on trophy presented to category winner*
- 3. Opportunity to present an award category at the Business Awards*
- 4. Speaker credits at the event*
- 5. Visual credits through the awards*
- 6. Company name and logo promoted via The BEATS and MDBC website & BEATS social media.*
- 7. Company name and logo running continuously on stage screen throughout event*
- 8. Company name and logo printed on Business Awards Programs*
- 9. Opportunity to place banners at the Business Awards Gala Event*
- 10. Company name and logo printed on Business Awards Tickets and Menus*
- 11. Company name and logo on all Business Awards correspondence and material*
- 12. Company name exposure via radio (where practical)*
- 13. BEATS supporter window decal*

14. *Two complimentary tickets to the awards ceremony*
15. *Support for local business and reward business excellence*
16. *Contribute to the winners prize hampers and The BEATS show bags.*

Silver Investments from \$1,100*

1. *Speaker credits at the event*
2. *Visual credits running continuously through the awards*
3. *Company name & logo promoted via The BEATS and MDBC website & BEATS social media.*
4. *Company name and logo displayed via on stage screen throughout event*
5. *Company name and logo printed on Business Awards Programs*
6. *Company name and logo printed on Business Awards Tickets and Menus*
7. *Company name and logo on all Business Awards correspondence and material*
8. *Company name exposure via radio (where practical)*
9. *BEATS supporter window decal*
10. *Two complimentary tickets to the awards ceremony*
11. *Support for local business and reward business excellence*
12. *Contribute to the winners prize hampers and The BEATS show bags.*

Bronze Sponsor Investments from \$150

1. *the corporate names being displayed on all official correspondence,*
2. *Speaker credits at the awards*
3. *Visual credits running continuously through the awards*
4. *BEATS supporter window decal.*
5. *Company name promoted via The BEATS and MDBC website & BEATS social media.*
6. *Contribute to the winners prize hampers and The BEATS show bags.*

All prices shown () are exclusive of GST*

We urge all businesses to support these awards that will give so much back to the business community within the Tweed Shire. The Tweed is a wonderful place to do business and we have some very successful, innovative and creative businesses that truly deserve recognition. The BEATS is the forum for providing this recognition and we encourage your organization to continue your generous and valuable support to ensure that The BEATS 2014 will be another unbeatable event for Tweed Business.

Please find attached the 2014 sponsorship proposal or click here to sign up now. Or if you wish, let's make a time to meet and discuss how we can maximise the exposure for Tweed Shire Council in 2014.

Thank you for considering this matter and we look forward to your involvement.

Kind regards,

Natascha Wernick and Toni Zuschke

It should be noted that the Chambers have engaged an event management company, Caldera Living Pty Ltd whose principals are Toni Zuschke and Natascha Wernick to undertake management of the event. The appointment of a private company to ensure the BEATS Awards' ongoing sustainability is considered appropriate.

Success of 2013 Awards

The 2013 BEATS Awards was attended by over 200 people which was achieved by a multimedia marketing campaign involving TV, radio, newspaper, email word of mouth and social networking. Invitations to participate as sponsors or to nominate for categories were sent out through the Combined Chambers of the Tweed networks reaching approximately 4000 Tweed Shire businesses. Dozens of nominations were received from Tweed Heads, Murwillumbah and the coastal and hinterland villages.

A diverse representation of Tweed business were involved as finalists, from the A&R Boutique Kingscliff to the Billabong Swim School and very small home based businesses such as Emubeads from Uki to the SAE Group which has 50 employees. The innovative decision to have the creative industries as a category was a positive step with six businesses becoming finalists in that category.

The nomination process was based on that of the State Chamber of Commerce, with all nominations being confidential and Southern Cross University acting as an independent judge.

The gala evening itself was a great success with the food, beer, entertainment, staff, decor, trophies all sourced from within the Tweed Shire or Northern Rivers region. The businesses were honoured and rewarded with trophies, hampers, certificates and prizes. The finalists were encouraged to try again next year. The venue provided an interesting space with many rooms and areas that allowed for dancing, eating and quiet conversations.

Award Categories:

- 2013 Best Cafe & Restaurant Award
- 2013 Colour In Your Life Creative Industries Award
- 2013 Best Community & Social Service award
- 2013 Destination Tweed Tourism & Accommodation Award
- 2013 Best Tweed Event Award
- 2013 Best Hair & Beauty Award
- 2013 Best Health, Wellbeing & Fitness Award
- 2013 Best Media Award
- 2013 Best Professional Service, Education & Training Award
- 2013 Best Pubs & Clubs Award
- The Daily News Customer Service

- 2013 Tweed Valley Weekly Best Retail Award
- 2013 Best Trade, Construction & Primary Industries Award
- 2013 Tweed Shire Council Best Environmentally Sustainable Business
- 2013 Combined Chambers of the Tweed People's Choice Award
- 2013 Best Business in the Tweed Award

People's Choice Votes: 2390

OPTIONS:

The options available to Council are:

1. Support the Business Excellence Awards Tweed Shire by becoming a sponsor. Sponsorship options include Bronze, Silver, Gold, Platinum.
2. Not proceed with any sponsorship of the Business Excellence Awards Tweed Shire.

CONCLUSION:

By becoming an early sponsor of the BEATS 2014, Council will be showing its support to the business community of the Tweed. This report recommends that Council become a Platinum Sponsor to the Business Excellence Awards Tweed Shire.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

This report recommends that Council sponsor the BEATS Awards as a Platinum Sponsor to the value of \$5,600 with funds coming from the Business and Economic Development 2013/2014 Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. BEATS Sponsorship Proposal 2014 (ECM3373399)

10 [GM-CM] Correspondence - Response to Policy v1.5

SUBMITTED BY: General Manager



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
-

SUMMARY OF REPORT:

Council staff at the moment devotes a significant amount of time responding to the correspondence received from a minority of persons in which they have raised the same issue on numerous occasions.

The policy as it currently stands does not allow Council staff to simply read, file and acknowledge the correspondence unless it is part of an ongoing communication with the same person at Council. The suggested amendment will allow staff who receive correspondence from the same author, which refers to an issue that has been dealt with previously or is being dealt with at the time the new correspondence is received to read, file and acknowledge the correspondence accordingly after determination by the Public Officer or Corporate Compliance Officer unless significant new information relating to their complaint or concern is demonstrated.

RECOMMENDATION:

That Council adopts the Correspondence - Response to Policy Version 1.5 and in accordance with section 161 (2) of the Local Government Act 1993, as the amendments are not substantial, dispenses with the requirement of publicly advertising the policy.

REPORT:

Council's *Correspondence - Response to Policy* was first adopted by Council in 2008 and sets out how official correspondence which requires a formal written response is to be dealt with. Council receives a large volume of correspondence from persons via a number of sources in particular written letters and emails.

A small group of persons and or organisations within the Tweed Shire community regularly correspond with Council during which time they raise the same issues repeatedly. These persons or organisations do not fall within the definition of a difficult person pursuant to Council's *'Dealing with Difficult People'* policy, but tend to demand of staff time in dealing with non recurrent matters. This correspondence in the past has included receiving numerous emails on the same day in a very short period of time about the same subject and emails on a daily basis relating once again to the same subject where Council staff is already investigating the persons concerns before formally responding to them.

Council staff at the moment devotes a significant amount of time responding to the correspondence received from a minority of persons. The policy as it currently stands does not allow Council staff to simply read, file and acknowledge the correspondence unless it is part of an ongoing communication with the same council officer. The suggested amendment will allow staff, after consultation and determination by the Public Officer or Corporate Compliance Officer to read, file and acknowledge the correspondence which details the same issues already dealt with unless significant new information relating to their complaint or concern is demonstrated.

OPTIONS:

1. That Council **adopts** the amendments to the *Correspondence - Response to Policy* Version 1.5. This will enable Council staff to devote more time to their other core duties instead of regularly responding to correspondence received from the same person/organisation regarding the same issues which has already been investigated and responded to previously.
2. That Council **not adopt** amendments to the *Correspondence - Response to Policy* Version 1.5. This will require staff to provide a detailed response to the same issues on each occasion correspondence is received from the same person/organisation.

CONCLUSION:

The *Correspondence - Response to Policy* addresses how official correspondence requiring a formal response is dealt with by Council staff. A small number of community members and organisations write on numerous occasions to Council during which they repeatedly raise the same issue. This requires staff to devote a large amount of time in responding to issues already addressed or in the process of being attended to.

The amendment to the policy is minor in its nature but will improve staff efficiency in dealing with correspondence.

COUNCIL IMPLICATIONS:

a. Policy:

Correspondence - Response to Policy v1.4 (replaced upon adoption of version 1.5)

Dealing with Difficult People Policy v1.1

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1: Correspondence - Response to Policy Draft V1.5 (ECM3377261)

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - SECT 79C 79C Evaluation

(1) Matters for consideration-general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

Note: See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or
- (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995 .

- (2) Compliance with non-discretionary development standards-development other than complying development If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:
- (a) is not entitled to take those standards into further consideration in determining the development application, and
 - (b) must not refuse the application on the ground that the development does not comply with those standards, and
 - (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,

and the discretion of the consent authority under this section and section 80 is limited accordingly.

- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
- (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 80 is not limited as referred to in that subsection, and
 - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note: The application of non-discretionary development standards to complying development is dealt with in section 85A (3) and (4).

- (4) Consent where an accreditation is in force A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.
- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).
- (6) Definitions In this section:
- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
 - (b) "non-discretionary development standards" means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

11 [PR-CM] PP10/0007 - Mooball Planning Proposal

SUBMITTED BY: Planning Reforms

FILE REFERENCE: PP10/0007 Pt2



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.5	Manage and plan for a balance between population growth, urban development and environmental protection and the retention of economical viable agriculture land
1.5.3	The Tweed Local Environmental Plan will be reviewed and updated as required to ensure it provides an effective statutory framework to meet the needs of the Tweed community

SUMMARY OF REPORT:

The purpose of this report is to present a request received from the planning consultant acting on behalf of the Proponent for this Planning Proposal to the Council for consideration and determination. This request was outlined in a letter received from Planit Consulting dated 28 May 2014, and through a further clarifying email dated 4 June 2014. The request seeks the following review of that part of Points 3 and 6 of the resolution on this matter from Council's Meeting of 21 November 2013:

"3. *On receiving an affirmative Determination Notice all outstanding studies, to include Flood Impact Study (including cumulative impacts), Geotechnical and Slope Stability Assessment and Bushfire Hazard Assessment, and works be prepared and the Planning Proposal finalised, following which it is to be exhibited in accordance with the Determination or where there is no condition or a condition requiring a public notification less than 28 days, for a period not less than 28 days; and,*"

Planit's Request: "As highlighted we do not want to nor see the need, to undertake any of these studies right now". Planit's request relies in part on the content of the NSW Department of Planning and Environment's 'Gateway Determination Notice', which they consider lends support for the view that those additional studies are not justified. Planit has estimated the cost of preparing the additional studies at \$120,000.

"6. *Prior to any public exhibition of the Planning Proposals provisions are put in place to protect the existing agricultural land-use pursuits of Lot B and against noise complaints, protection of the existing Right of Way servicing Lot B and for the exclusive use of Lot B, provision of an adequate clear buffer to retain rural amenity for the life of Lot B as a rural Lot and Plan of how the buffer is to be maintained/managed and including during earthworks/construction phase.*"

Planits' Request: "We do not agree to do this and consider these elements to have either been addressed in detail previously or should be addressed in a detailed plan to be

prepared (perhaps even in the DCP). I am sure that through the exhibition period, the same requests will be made and we will need to respond accordingly before Council further resolves to push forward. As such we are formally seeking to have this element removed also."

The Council officers have previously reported to Council their view that additional studies identified in Point 3 of the resolution were not required at this point of the planning process. Council resolved to include these additional studies at the 21 November Council Meeting.

The requirements of Point 6 of the resolution are considered to be important elements of a lengthy negotiation process that occurred between the proponent and adjoining owners.

This is now a matter for Council's consideration and determination.

RECOMMENDATION:

That in respect of Planning Proposal PP10/0007 relating to the site Lot 2 in DP 534493 and Lot 7 in DP 593200, Mooball, Council makes a determination of preferred action from one of the two following options:

Option 1

Reject the request of the planning consultant acting on behalf of the Proponent for this Planning Proposal to remove Points 3 and 6 of the resolution on this matter at Council's Meeting of 21 November 2013, which requires additional studies and other matters to be prepared by the proponent as part of the proposed exhibited Planning Proposal documents, and that Council officers are to proceed with preparing the Planning Proposal in accordance with the resolution; or

Option 2

Resolve to remove Points 3 and 6 of the resolution on this matter at Council's Meeting of 21 November 2013, whereby no further studies or actions as necessitated by these Points are required. Council officers are to proceed with preparing the Planning Proposal in accordance with Points 1, 2, 4 and 5 of the resolution.

REPORT:

At its meeting of 21 November 2013 Council considered a report regarding PP10/0007 - Mooball Planning Proposal (the Proposal), which sought a resolution to refer the Proposal to NSW Department of Planning and Environment (DP&E) for a Gateway Determination. A copy of that report is provided at Attachment 2, for the present purposes the resolution of Council was in the following terms:

- "1. The Planning Proposal PP10/0007 relating Lot 2 in DP 534493 and Lot 7 in DP 593200 be updated to align with the preliminary subdivision layout illustrated in the Concept Master plan detailed within Figure 1 of this report;*
- 2. The Planning Proposal, as amended in accordance with Resolution 1 above, be referred to the NSW Department of Planning and Infrastructure requesting a Gateway Determination under Section 56(1) of the Environmental Planning and Assessment Act 1979;*
- 3. On receiving an affirmative Determination Notice all outstanding studies, to include Flood Impact Study (including cumulative impacts), Geotechnical and Slope Stability Assessment and Bushfire Hazard Assessment, and works be prepared and the Planning Proposal finalised, following which it is to be exhibited in accordance with the Determination or where there is no condition or a condition requiring a public notification less than 28 days, for a period not less than 28 days; and,*
- 4. Following public exhibition of the Planning Proposal a report is to be submitted to Council at the earliest time detailing the content of submissions received and how those, if any, issues have been addressed.*
- 5. Prior to any public exhibition of the Planning Proposal a Site Contamination Report demonstrating compliance with the provisions and requirements of State Environmental Planning Policy 55 - Remediation of Land, Clause 6, is to be prepared to Council's satisfaction.*
- 6. Prior to any public exhibition of the Planning Proposals provisions are put in place to protect the existing agricultural land-use pursuits of Lot B and against noise complaints, protection of the existing Right of Way servicing Lot B and for the exclusive use of Lot B, provision of an adequate clear buffer to retain rural amenity for the life of Lot B as a rural Lot and Plan of how the buffer is to be maintained/managed and including during earthworks/construction phase."*

Resolutions 1 and 2 have been actioned and a Gateway Determination was issued on 1 May 2014 (Attachment 4). It included a condition that the proposal be completed within 12 months. This was communicated to the Proponent on 12 May.

A letter from Planit Consulting dated 28 May 2014 (Attachment 1) advances a request on behalf of the Proponent for the Mooball Planning Proposal. The particulars of the request were further clarified in an email dated 4 June 2014 (Attachment 2), and are collectively referred to in this report as the 'proponent's request'.

The collective requests put forward the view that the additional studies and provisions required through Points 3 and 6 of Council's 21 November resolution are not justified. The Proponent also contends that view to be consistent with the DP&E's view, which is to be implied from the conditions upon the Gateway Determination Notice issued by them. Planit Consulting has also estimated the cost of preparing the additional studies at \$120,000.00.

Planit Consulting requested a meeting with The Mayor, General Manager, and Director Planning and Regulation to discuss the content of their letter. The meeting was held at Council on 29 May 2014, and included another representative of the proponent, Don Neale. This occurred prior to the email correspondence of 4 June, which raised additional matters to those addressed in the meeting.

It was agreed at this meeting that the matter be reported to the June Council Meeting.

OPTIONS:

The Council officers have previously reported to Council their view that additional studies were not required. Council resolved to include these additional studies in Point 3 of the 21 November 2013 Council Meeting.

The requirements of Point 6 of the resolution are considered to be important elements of a lengthy negotiation process that occurred between the proponent and adjoining owners.

It is therefore considered appropriate to seek a determination from Council from the following two options:

Option 1

Reject the request of the planning consultant acting on behalf of the Proponent for this Planning Proposal to remove Points 3 and 6 of the resolution on this matter at Council's Meeting of 21 November 2013, which requires additional studies and other matters to be prepared by the proponent as part of the proposed exhibited Planning Proposal documents, and that Council officers are to proceed with preparing the Planning Proposal in accordance with the resolution; or

Option 2

Resolve to remove Points 3 and 6 of the resolution on this matter at Council's Meeting of 21 November 2013, whereby no further studies or actions as necessitated by these Points are required. Council officers are to proceed with preparing the Planning Proposal in accordance with Points 1, 2, 4 and 5 of the resolution.

CONCLUSION:

In accordance with Council's resolution of 21 November 2013, the planning proposal was updated to reflect the indicative concept plan and referred to DP&E. The Gateway Determination Notice was issued on 1 May 2014. Among other matters, the conditions of the Notice (No. 2) indicate that the DP&E are satisfied with the present level of technical studies and that additional studies are not required for the public exhibition of the planning proposal. Condition No. 3 of the Notice clearly indicates an acknowledgement that Council intends on preparing additional studies however; DP&E take the view that this should not delay the making of the LEP beyond the 12 months timeframe stipulated in their covering letter.

The Proponent has submitted a further contaminated land assessment in satisfaction of the earlier resolution. This report is essential as it is needed to demonstrate compliance with a State Environmental Planning Policy as a precondition to the LEP being made.

The correspondence from Planit Consulting dated 28 May and 4 June 2014 (as provided in Attachment 1 and 2 of this report) puts forward the view that the additional studies and provisions required by Points 3 and 6 of Council's current resolutions are not justified and that it would be unreasonable to require studies at a cost of about \$120,000 under those conditions.

It was detailed in the report to the Council meeting of 21 November 2013 that Council Officers were of the view that additional studies were not required.

The proponents' request to seek a review of the requirements for the additional studies is a matter for Council's consideration and determination.

In the meantime Council Officers will proceed to implement the Council resolutions as made, and until such time, if any, Council resolves differently.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Not Applicable

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.	Planit Consulting letter of 28 May 2014 (ECM 3381003)
Attachment 2.	Planit Consulting email (extract) of 4 June 2014 (ECM 3381004)
Attachment 3.	Council report of 21 November 2013 (ECM 3381005)
Attachment 4.	Gateway Determination Notice dated 1 May 2014 (ECM 3381006)

12 [PR-CM] Planning Reform Unit - Priorities Work Plan 2014/15

SUBMITTED BY: Planning Reform Unit



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.5 Manage and plan for a balance between population growth, urban development and environmental protection and the retention of economical viable agriculture land
 - 1.5.2 Land use plans and development controls will be applied and regulated rigorously and consistently and consider the requirements of development proponents, the natural environment and those in the community affected by the proposed development
-

SUMMARY OF REPORT:

This report has been prepared to provide Tweed Councillors with the option of resolving to identify their strategic town planning priorities, which will assist in the formulation of a work plan for the Planning Reform Unit.

A Councillor workshop was held on 15 April 2014 to discuss options for allocating resources to projects based on their perceived benefit and their likelihood of them being delivered within reasonable time horizons. This preceded a further workshop on 22 May at which a priority led assessment matrix was tabled, along with a draft Project Plan for 2014-15.

Councillors demonstrated a preference for a move away from the previous format of work programmes, which centred on timeframe based resource allocation, which had been used since 2009. This was in recognition that projects with an apparent greater benefit to the Tweed community were often being delayed while lesser benefiting/value projects were resourced for no other reason than being commenced earlier in time.

A meaningful work plan is an essential project management tool. It assists staff with the allocation of finite resources as well providing a useful aid for advising the broader community about the Council's strategic planning priorities. They may also assist prospective applicants determine time associated risks with their own project forecasting.

A work plan based on priority opposed to first in-time is amenable to change and better signifies Council's intention to deliver outcomes. It is more flexible but inherently less certain for proponents as there must be a limit to the quantum of high priority projects meaning that marginal projects may be downgraded as resources are redirected or allocated.

This report presents a strategic planning project prioritisation plan based on feedback from the elected Council, which manifests the key areas or project of priority to the Council. A Work Plan 2014-15 representing the Organisation's Divisional resource response to the Council's priorities is also provided. Both are recommended for adoption and endorsement.

RECOMMENDATION:

That the:

- 1. Council's strategic planning project prioritisation plan detailed in Table 1 through to Table 4, as detailed in the report, is adopted.**
- 2. Planning Reform Unit's priority project Work Plan 2014-15, identified as Table 5 within the report, is endorsed.**

REPORT:

Background

As part of the on-going project management of Council's strategic town planning resources the Planning Reform Unit's Work Program is reviewed annually and where appropriate revised to reflect and 'match' resource-to-commitment.

First adopted in June 2009 and employed successively up to and including June 2014 it has been effectively utilised to manage expectations arising from speculative requests and investigations as well as genuine development strategic/opportunity proposals arising either through Council or from the private sector.

The major challenge for the work programmes has been the inflexibility inherent with the allocation of resources on a first-in-time basis. This arises in part because it raises an expectation with the project proponent that once their project is 'in' and resourced it will remain so for the duration of the project. Projects that are later-in-time, despite any apparent greater net benefit, are then forced to wait until resources become available, and this has given rise to significant tension between the interests and priorities of the proponent and the Council. The net result has been a gradual and unsustainable increase in the number of projects expected to be resourced and delivered by the Planning Reform Unit. The effective result is that projects are fundamentally treated as having the same level of priority, which in totality of the quantum of projects to resources available means they each rank relatively low, and that higher priority allocation is typically reactive, short-lived, and responsive only to matters of conflict or complaint.

Prior to preparing this report a Councillor workshop was held on 15 April 2014 to discuss options for allocating resources to projects based on their perceived benefit and their likelihood of being delivered and within a reasonable timeframe. Councillors were briefed on sixteen project reports and were provided with an overview of each project, the time that each project had been with the Council, the technical issues, progress and an opinion on the proponent's and Council's performance with regard to progressing a project. Evident from the project overview is that many projects had been with the Council exceeding 3 years, and many were delayed by factors beyond the Council's control. Reasons for want of progress are many and varied and driven equally by many factors; economic, technical, communication, willingness, public reception and the like. No matter the cause, the translation of Council's resource commitments to tangible planning outcomes has consistently yielded less than expected returns.

Through detailed discussion it became quite apparent the format of the Planning Reform Unit's work program was not delivering the right information to enable the Council's Operational Division to allocate and reassign resources. The first-in-time allocation of resources was proving inflexible essentially locking valuable resources to projects that for many reasons, including the public interest, are not warranting of that commitment.

Preceding a further workshop on 22 May the 15 April workshop was decisive for the Councillors because it was clear their expectations of strategic planning were not being achieved. Their clear preference for a priority assessment of projects led to the development of a priority based assessment matrix and this was tabled at 22 May workshop, along with a draft project Work Plan 2014-15. Both the matrices and draft Work Plan were presented and discussed in detail at the workshop. Important to the development of the matrices is the acknowledgement that it is a tool of the elected council for representing their priorities, opposed to those of the Council Officers who recast the priorities into their resource based work plan.

Priority Planning Projects

Tables 1 to 4 below have been developed for and in consultation with Tweed Councillors, and reflect the current list of projects and their priority to the Council.

In the left column to each table is the list of projects, these have been categorised under the headings of; LEPs, DCPs, Locality Plans, and Strategies. The second column in each table reflects the level of priority to be assigned to the respective project from the date the Work Plan is adopted, if at all, to the date when the priority level is amended by Council resolution, if any. The third column to each table shows the number of projects by priority category under each heading, and the column to the right is a guide to the number of projects that the Planning Reform Unit can reasonably be expected to manage efficiently within current Unit resourcing capacity.

Table 1 - Strategic planning project prioritisation plan (LEPs)

LEPs	Priority	Project Count	Project Workplan Target:
PP10/0002 Marana Street	PRIORITY 2	PRIORITY 1: 6	
PP10-0007 Mooball Village(Perio)	PRIORITY 2	PRIORITY 2: 8	
DA10/0787 s721 BP Chinderah Extension (South Bound)	PRIORITY 3	PRIORITY 3: 6	PRIORITY 1: 4 ✘
PP10/0005 Extension of Hundred Hills Murwillumbah	PRIORITY 3	BLANK: 0	PRIORITY 2: 6 ✘
PP10-0004 Enterprise Avenue	PRIORITY 3	Total : 20	PRIORITY 3: 4 ✘
PP10-0006 225 Terranora Road	PRIORITY 3		14
PP11/0002 Pottsville: Employment Land	PRIORITY 1		
PP11/0005 Club Banora (Leisure Drive)	PRIORITY 2		
PP12/0001 Terranora Road (Stones)	PRIORITY 2		
PP12/0002 Mooball Village (No 2)	PRIORITY 3		
PP12/0003 Palms Village Caravan Park (Dry Dock Rd)	PRIORITY 2		
PP12/0004 Wardrop Valley Employment	PRIORITY 3		
PP13/0001 Border Park (Bunnings)	PRIORITY 1		
PP13/0002 Palm Lake Resort (Banora Point)	PRIORITY 2		
PP13/0003 Chinderah Service Station (North Bound)	PRIORITY 1		
PP13/0004 Wooyung (Neff)	PRIORITY 2		
PP14/0001 Coastal Villages	PRIORITY 1		
PP14/0002 Lot 490 (Kingscliff)	PRIORITY 1		
PP14/0003 Elrond Drive Kingscliff	PRIORITY 2		
PP14/0004 Environmental Zones Review	PRIORITY 1		

Table 2 - Strategic planning project prioritisation plan (DCPs)

DCPs	Priority	Project Count	Project Workplan Target:
Tweed DCP (maintenance review)	PRIORITY 2	PRIORITY 1: 4	
Mooball DCP (facilitating)	PRIORITY 2	PRIORITY 2: 5	PRIORITY 1: 2 ✘
Standard Instrument DCP	PRIORITY 1	PRIORITY 3: 2	PRIORITY 2: 4 !
Border Park (Bunnings) DCP	PRIORITY 2	BLANK: 7	PRIORITY 3: 2 ✓
Fingal Head (Heights) DCP Review	PRIORITY 1	Total : 11	8
Urban Agriculture	PRIORITY 1		
Rural Tourism DCP	PRIORITY 2		
Pottsville Employment DCP (facilitating)	PRIORITY 2		
Heritage DCP	PRIORITY 1		
Landscaping DCP	PRIORITY 3		
Business Park/Industrial DCP	PRIORITY 3		

Table 3 - Strategic planning project prioritisation plan (Locality Plans)

Locality Plans	Priority	Project Count	Project Workplan Target:
Chinderah Locality Plan	PRIORITY 2	PRIORITY 1: 1	PRIORITY 1: 1 ✓
Tyalgum Locality Plan	PRIORITY 2	PRIORITY 2: 3	PRIORITY 2: 1 ✘
Kingscliff Locality Plan	PRIORITY 1	PRIORITY 3: 8	PRIORITY 3: 2 !
Fingal Head	PRIORITY 2	BLANK: 1	4
Kievale Locality Plan	PRIORITY 3		
Chillingham Locality Plan	PRIORITY 3		
Bray Park Locality Plan	PRIORITY 3	Total : 7	

Table 4 - Strategic planning project prioritisation plan (Strategies)

Strategies	Priority	Project Count	Project Workplan Target:
Local Growth Mngt Strategy	PRIORITY 2		
Aboriginal Cultural Heritage Study / Management Plan	PRIORITY 1		
Architectural Roof Features/Key Sites	PRIORITY 3		
Rural Land Strategy	PRIORITY 1		
FNCRS Review	PRIORITY 2		
Scenic Iconic Landscape Strategy	PRIORITY 1		
Rural Villages	PRIORITY 1		
		Total	6
		Project Count	
		PRIORITY 1	4
		PRIORITY 2	2
		PRIORITY 3	1
		BLANK	0
		Total	7
		Project Count	
		PRIORITY 1	15
		PRIORITY 2	18
		PRIORITY 3	12
		BLANK	9
		Total	45

Planning Reform Unit - Work Plan 2014-15

Utilising the priority project information from Tables 1 to 4, Table 5 represents a work plan of resourcing estimates for the period 2014-2015. This is derived from the priority status of each project and combined with an estimate of how much resourcing would be required to progress a project based on an assessment of its, benefit to the community, its technical complexity, and proponent's track record.

Table 5 - Project Work Plan 2014-15

Planning Proposals (PPs)	CSP Code	Strategic Policy	CSP Code	General Tasks
Total (weighting)	13.5		Total (w)	20.0
				Total (w)
				7.56
PP11/0002 Pottsville Employment		Standard Instrument DCP		Briefing notes, workshops & presentations, Edu/training or similar (public & internal)
PP13/0001 Bunnings		Fingal Head (Heights) DCP		DAU/BAU Support
PP13/0003 Chinderah S/Station		Urban Agriculture DCP		Other interdivisional support
PP14//0001 Coastal Villages		Heritage DCP		General Corro, enquiries, GIS & s149 support
PP14/0002 Lot 490		DCP Maintenance		Goods & Services Procurement
PP14/0004 Env. Zones Review		Mooball DCP		Contract Preparation & Management
PP10/0002 Marana Street		Border Park (Bunnings) DCP		Grant & Funding Applications
PP10/0007 Mooball (Perlo)		Rural Tourism		NSW Housing Monitor / SEPP Compliance GIS
PP11/0005 Club Banora		Pottsville Employment Land DCP		Student / University Programs assistance
PP12/0001 Terranora (Stones)		Landscaping DCP		Heritage advisor - management
PP12/0003 Palms Village		Business Park/Industrial DCP		
PP13/0002 Palm Lake				
PP13/0004 Wooyung		Kingscliff Locality Plan		
PP14/0003 Elrond Avenue		ACHM Plan		
DA10/0737 BP Chinderah		Rural Lands Strategy		
PP10/0004 Hundred Hills		Rural Villages Strategy		
PP10/Enterprise Avenue		Scenic Landscape Strategy		
PP10/0006 225 Terranora Rd		Chinderah Locality Plan		
PP12/0002 Mooball (No2)		Tyalgum Locality Plan		
PP12/0004 Wardrop Valley		Fingal Locality Plan		
		LGMS		
		FNCRS Review		
		Kielvale Locality Plan		
		Chillingham Locality Plan		
		Bray Park Locality Plan		
		Design Comp Guidelines		
				Total ALL Task
				41.0
Total Resource Allocation 2014-15				
138.5%				
Fluctuation Range 92% 147%				
Resource Commitment by Project Area				
<ul style="list-style-type: none"> ■ Planning Proposals (PPs) ■ Strategic Policy ■ General Tasks 				

With regard to the resources presently available within the Planning Reform Unit it is estimated that the Unit would be running at capacity with the extensive level of projects and corresponding resource demand arising from the Work Plan in Table 5. At the bottom right corner of the table is an estimate of commitment and this takes into account the ebb and flow inherent in the start-stop nature or strategic planning work; where resource commitment is projected to fluctuate between 90% to 145%, and which is highly sensitive to additional demands.

What this will most likely translate too is a channelling of resources too Priority 1 projects when required, and for the duration of that demand. During these periods other lower

priority projects may receive minimal or no resourcing and their advancement may be temporarily ceased. However, resourcing a Priority 1 project should result, providing all other conditions are met, with the project being completed sooner, enabling more resources to be committed across the lower priority projects or lower priority projects being elevated up the priority scale. This may be influenced by future demand.

With a continuum of new projects it is likely that some projects may never be elevated above their present priority assignment. This may be viewed several ways, but ultimately the level of resourcing is linked to three key overriding factors: the overall benefit of the project to the broader community ranked against all others, the reasonable likelihood of the project actually succeeding, and the ability and track record of the proponent to actually deliver an outcome within a reasonable time frame.

For the reasons highlighted above there is an imperative for the Council to prioritise projects and for resources to be allocated to those projects perceived to have the greatest benefit to the Tweed.

OPTIONS:

1. Adopt Tables 1-4 and in so doing express the collective view of the Council on the priority level of projects currently being managed by the Planning Reform Unit, and in association endorse the draft Work Plan 2014-15, or
2. Amend or defer either or both the table(s) of priorities or draft Work Plan.

Option 1 is recommended.

CONCLUSION:

There is an essential need for Council to indicate its collective preference with regard to the strategic planning priorities within the Tweed Shire, and without which the Operational Division of the Council has no overriding guidance as to where the Planning Reform Unit's scarce resources should best be allocated.

It is well known and understood that the strategic planning priorities of the Council are established by the elected body, whereas the allocation of resources remains an operational activity under the jurisdiction of the General Manager and their delegates. These two functions are each a dependant on the other for the efficient and effective delivery of policy that can effectuate tangible outcomes.

Using the information gathered from the Councillor workshops held in April and May, a list of projects and their relative strategic priority has been compiled, and is used to form the basis of an operational work plan. Both are presented in the body of this report.

The rationale behind the change in approach from a work plan based on first-in-time to one of priority is that it better defines the areas of strategic planning where the Council believes the public interest would be best served. This may originate through resourcing projects that have an environmental, social or economic benefit for the greater community, over individual interests or those of a small class or group. This correlates with the notion that public resources should be used to obtain and secure the best and highest public benefit.

Inevitable with a priority based work plan is that in times of high demand for scarce resources projects perceived or with an apparent lower level of public benefit relative to others will remain the least resourced. This may be seen as unfair by their proponent because they perceive their project to be justified irrespective of the level of benefit it may

bring to the broader community. It is the first-in-time basis of the previous work plan methodology that has provided a greater opportunity to access resources for those proponents however, it is has been established that in terms of managing finite resources that are under considerable demand the most appropriate way for achieving the greater good of the community is to design a strategy that prioritises the public interest over any other interest. Council has recognised the need to prioritise projects for that purpose. In doing so the Council is responding to its statutory and civic duties as it endeavours to allocate its scarce public resources during these continuing periods of high demand.

The rationale for the prioritisation of strategic planning projects is sound. It provides clear guidance to the community and development industry about where the Council priorities are for the present time. It also provides a clear direction that operation Divisions of the council can use to define work plans for the allocation of their resources.

Tables 1-5 comprising the strategic planning project prioritisation plan and the Work Plan 2014-15 are recommended for adoption and endorsement respectively.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Escalation of strategic planning strategies and the introduction of new strategies may have implications for the long term financial plan if they require funding. At this stage and based on the Work Plan 2014-15 detailed in this report no additional funding is being sought.

c. Legal:

There are no apparent legal matters arising from the prioritisation of projects or from the Work Plan 2014-15.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE ACTING DIRECTOR COMMUNITY AND NATURAL RESOURCES

13 [CNR-CM] Surf Life Saving Services

SUBMITTED BY: Director

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.4 Provide education and advocacy to promote and support the efforts of the police, emergency services and community groups to improve the safety of neighbourhoods and roads
-

SUMMARY OF REPORT:

Council has received the Annual Report from Australian Lifeguard Services (ALS) for the provision of lifeguard services for the 2013/2014 season.

The report makes a recommendation for increased service levels at Duranbah and Kingscliff. However, in June 2013 Council received the Coastal Public Safety Risk Assessment Plan from Australian Coastsafe that presented a raft of findings and recommendations in relation to risk management in the Tweed Local government Area. The recommendations of the plan were reported to Council in a workshop held 7 November 2013.

The report includes 42 recommendations with responsibility spanning number of land management agencies including 21 recommendations that are Tweed Shire Council specific.

It is considered more appropriate for Council to make its decisions on surf life saving service levels with reference to the Coastal Public Safety Risk Assessment Plan from Australian Coastsafe than the recommendations from ALS as contractors to Council.

The full report is provided as an attachment and this report provides a summary of the service statistics.

RECOMMENDATION:

That Council receives and notes:

- 1. The Season Report 2013-2014 for Tweed Shire Council provided by the Australian Lifeguard Service.**
- 2. The Coastal Public Safety Risk Assessment by Australian Coastsafe.**

REPORT:

Council has received the Annual Report from Australian Lifeguard Services (ALS) for the provision of lifeguard services for the 2013/2014 season.

This report provides a comprehensive overview of activities undertaken on behalf of Tweed Shire Council by ALS. There are two parts to the report; the first provides a descriptive overview of the ALS service provision and the latter presenting data obtained from the Daily Report Logs from specific lifeguard service locations.

The complete report is provided as an attachment with the following information provided as a summary to the seasons activities.

LIFEGUARD SERVICE PROVISION

Patrolled Beaches

The following is a summary of lifeguard services this season:

Beach	Patrol Dates	Days of Service	Patrol Times
Cabarita #	21/09/2013 - 07/10/2013 19/12/2013 - 28/01/2014 12/04/2014 - 27/04/2014	5 days	9:00 am – 5.00 pm Dec – Jan 9.00am – 6.00pm
Casuarina	21/09/2013 - 07/10/2013 19/12/2013 - 28/01/2014 29/01/2014 - 11/04/2014 12/04/2014 - 27/04/2014	7 days 7 days 2 days (Sat & Sun) 7 days	9:00 am – 5.00 pm 9:00 am – 6.00 pm 9:00 am – 5.00 pm 9:00 am – 5.00 pm
Fingal #	21/09/2013 - 07/10/2013 19/12/2013 - 28/01/2014 12/04/2014 - 27/04/2014	5 days	9:00 am – 5.00 pm Dec – Jan 9.00am – 6.00pm
Flagstaff (Duranbah)	21/09/2013 – 07/10/2013 19/12/2013 – 28/01/2014 29/01/2014 – 11/04/2014 12/04/2014 – 27/04/2014	7 days 7 days 2 days (Sat & Sun) 7 days	9:00 am – 5.00 pm 9:00 am – 6.00 pm 9:00 am – 5.00 pm 9:00 am – 5.00 pm

Beach	Patrol Dates	Days of Service	Patrol Times
Hastings Point	21/09/2013 – 07/10/2013 19/12/2013 – 28/01/2014 29/01/2014 – 11/04/2014 12/04/2014 – 27/04/2014	7 days 7 days 2 days (Sat & Sun) 7 days	9:00 am – 5.00 pm 9:00 am – 6.00 pm 9:00 am – 5.00 pm 9:00 am – 5.00 pm
Kingscliff/Cudgen #	21/09/2013 to 07/10/2013 19/12/2013 to 28/01/2014 12/04/2014 to 27/04/2014	5 days	9:00 am – 5.00 pm Dec – Jan 9.00am – 6.00pm
North Kingscliff	19/12/2013 - 12/01/2014	7 days	9:00 am – 6.00 pm
Pottsville (North)	21/09/2013 to 07/10/2013 19/12/2013 to 28/01/2014 12/04/2014 to 27/04/2014	7 days	9:00 am – 5.00 pm Dec – Jan 9.00am – 6.00pm
Pottsville (South) (Mooball)	21/09/2013 to 07/10/2013 19/12/2013 to 28/01/2014 12/04/2014 to 27/04/2014	7 days	9:00 am – 5.00 pm Dec – Jan 9.00am – 6.00pm

Weekends and Public Holidays were covered by volunteer surf lifesavers.

SERVICE STATISTICS

During the contracted service period 2013-14, lifeguards performed **99 significant rescues**. 'Significant Rescues' are defined as when lifeguards render assistance to swimmers who find themselves in difficult situations. Potentially the response from lifeguards can result in the saving of life.

'Preventative actions' are defined as when lifeguards advise swimmers that they are swimming in a dangerous location or swimming outside the flags or when lifeguards proactively provide other safety advice. Such proactive measures are typically undertaken when swimmers are in danger of getting into a hazardous situation, a prudent method of lifeguarding. Lifeguards performed **12,966 preventative actions** during the contracted period.

A full summary of statistics follows:

Beach	Lives Saved	Preventative Actions	First Aid Treatments	Law Enforcements	Public Relations
Cabarita	12	675	6	13	522
Casuarina	4	1,375	3	0	1,593
Fingal	2	820	8	0	1,131
Flagstaff (Duranbah)	41	3,294	27	251	2,016
Hastings Point	10	1,751	7	65	1,873
Kingscliff/Cudgen	14	1,351	12	8	1,352

Beach	Lives Saved	Preventative Actions	First Aid Treatments	Law Enforcements	Public Relations
North Kingscliff	3	594	0	3	477
Pottsville (North)	8	1,505	3	5	1,176
Pottsville (South) (Mooball)	5	1,601	5	11	1,393
TOTAL	99	12,966	71	356	11,533

BEACH VISITATIONS

Lifeguards are required to capture an aggregate beach attendance figure over the course of the day in the *daily logs*. Below is an overall summary of the beach visitations to the beaches during Lifeguard patrols:

Beach	Attendance
Cabarita	18,743
Casuarina	18,336
Fingal	18,523
Flagstaff (Duranbah)	53,133
Hastings Point	27,222
Kingscliff/Cudgen	27,468
North Kingscliff	8,349
Pottsville (North)	15,921
Pottsville (South) (Mooball)	14,885
TOTAL	202,580

The report also provided the following recommendation:

RECOMMENDATIONS:

The Australian Lifeguard Service respectfully recommends that due consideration is provided to:

- *That Lifeguard services are provided at Duranbah Beach during the seven month season between the Spring and Autumn School Holidays for all weekends as a minimum; and*
- *That Lifeguard services are provided at Kingscliff Beach for the duration of the seven (7) month Lifesaving Season (September through April).*

In June 2013 council received the Coastal Public Safety Risk Assessment plan from Australian Coastsafe that presented a raft of findings and recommendations in relation to risk management in the Tweed Local Government Area. The report includes 42 recommendations with responsibility spanning number of land management agencies including 21 recommendations that are Tweed Shire Council specific.

It is considered more appropriate for Council to make its decisions on surf life saving service levels with reference to the Coastal Public Safety Risk Assessment plan from Australian Coastsafe than recommendations from ALS as contractors to Council.

Five of these recommendations involve increases to lifeguard services as detailed below:

Recommendation 1.14:

Tweed Shire Council should explore means to fund an increase to its lifeguard service at Duranbah to patrol all weekends during the surf life saving season. Lifeguards should also patrol every day during the summer months.

Recommendation 1.15:

Tweed Shire Council should explore means to fund an increase to its lifeguard service at Kingscliff to provide year round patrols (12 months, 365 days), excluding when the volunteer lifesavers patrol the beach on weekends and public holidays (during the surf lifesaving season).

Recommendation 1.16:

After the contract for Salt expires, it is recommended that lifeguard patrol coverage is decreased as funding can be used at other priority locations such as Duranbah and Kingscliff. However, as the beach is backed by large resorts and new development, a lifeguard service should still operate during the school holiday periods (spring, summer and autumn). Lifeguards should also patrol every day during the summer months.

Recommendation 1.17:

Tweed Shire Council should explore means to fund an increase to its lifeguard service at Cabarita to patrol every day during the summer months.

Recommendation 1.18:

Tweed Shire Council should explore means to fund an increase to its lifeguard service at Pottsville North to provide coverage on weekends from the end of the summer school holidays until the start of the autumn school holidays.

The cost estimates to deliver these recommendations are:

Recommendation 1.14	\$35,000
Recommendation 1.15	\$130,000
Recommendation 1.16	\$62,000
Recommendation 1.17	\$27,000
Recommendation 1.18	\$15,000
Sub Total	\$269,000

With reference to Recommendation 16, the consent conditions requiring the Salt development to provide year round services ceases after April 2015. There will be an expectation (already expressed) that Council will assume responsibility for provision of the current services at Salt.

There will also be an expectation that Council assumes the responsibility for providing a year round service and from the Body Corporate at Salt that the year round service continues to be provided at Salt.

The funding to continue the service at Salt for the 2014/2015 patrol season at the conclusions of the Salt developments obligations was included in the 2014/2014 budget working papers for consideration but not included in the Draft2014/2015 budget.

OPTIONS:

1. That Council receives and notes the reports.
2. That Council determines another action.

CONCLUSION:

The Australian Lifeguard Services provides a valuable service to Tweed Shire Council and the yearly report indicates that they provide a needed and professional service to the community and visitors to the Tweed.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Significant cost implication to long term financial plan if recommendations are implemented.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Season Report 2013-14 (ECM 3371861)

Attachment 2. Excerpt from Coastal Public Safety Risk Assessment (3121860)

14 [CNR-CM] Community Organisations on Council Land - Developer Contributions

SUBMITTED BY: Director

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
-

SUMMARY OF REPORT:

At its meeting of 20 February 2014, Council considered a report from the General Manager regarding developer contributions and resolved:

"Council place the draft Policy "Developer Contributions – Community Organisations" on public exhibition for 28 days, inviting public submissions for 42 days, and the Policy, if adopted, will apply retrospectively to DA13/0362, Tweed Heads Community Men's Shed, and DA13/0025, Kingscliff Mini School."

At the close of the exhibition period, one submission (incorporating a petition) was received.

RECOMMENDATION:

That Council adopts the policy "Developer Contributions - Community Organisations".

REPORT:

At its meeting of 20 February 2014, Council considered a report from the General Manager regarding developer contributions and resolved:

"Council place the draft Policy "Developer Contributions – Community Organisations" on public exhibition for 28 days, inviting public submissions for 42 days, and the Policy, if adopted, will apply retrospectively to DA13/0362, Tweed Heads Community Men's Shed, and DA13/0025, Kingscliff Mini School."

The draft policy was advertised in the Tweed Link with one submission (incorporating a petition) being received from the Tweed Heads Community Men's Shed Inc. seeking that Council does not apply developer contribution charges on specified organisations however as stated in the report of 20 February 2014, it is not appropriate for Council to waive developer contributions and considers it more appropriate to allow organisations to enter into a long term deferred payment plan with annual repayments. A copy of the submission/petition received is provided to Councillors as part of the petitions received report.

OPTIONS:

1. That Council adopts the policy "Developer Contributions - Community Organisations".
2. That Council does not adopt the policy "Developer Contributions - Community Organisations".

CONCLUSION:

The Council adopts the policy "Developer Contributions - Community Organisations".

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

15 [CNR-CM] Murwillumbah Library Alterations (Pond and Landscaping)

SUBMITTED BY: Recreation Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
-

SUMMARY OF REPORT:

At its meeting held 10 April 2014 Council resolved:

that Council officers bring forward revised plans for the Murwillumbah Library pond that provide for the retention of further pond elements while adequately addressing safety issues identified with the existing pond.

A revised plan has been completed in consultation with library staff and is presented in this report for further consultation.

This report identifies the need to address the public safety risk inherent in retaining the fish pond/water feature adjacent to Murwillumbah Library. A proposal to use landscaping to remove this risk and at the same time create a civic centre forecourt area and improved street presence for the library has been developed and estimated to cost approximately \$95,000.

RECOMMENDATION:

That:

- 1. Council places the Murwillumbah Library Pond Landscape Plan as described as Figure 2 within this report on exhibition for 28 days.**
- 2. A further report be prepared for Council's consideration at the close of the submission period.**

REPORT:

The fish pond/water feature adjacent to Murwillumbah Library has been identified as a safety hazard (refer to letter from Lismore City Council) as well as potentially causing damage to the building infrastructure due to rising damp.

Subsequently, a draft design (Figure 1) to remove the water hazard concomitant with creating a civic centre forecourt area was prepared by Council's Landscape Architect. Through consultation with library staff, the area between the library and the Autumn Club has been designed as an "outdoor classroom" for use by the library in delivery programs to children. This proposal was first presented to the Executive Management Team (EMT) in August 2012 and resulted in an EMT decision for "a risk assessment of the pond area . . . to validate the advice received from Lismore City Council's Health and Safety Committee" following a reported incident of a child falling into the pond.

The assessment identified two main risks associated with the pond area:

- Injury
- Damage to building infrastructure

Furthermore, the assessment report stated:

Injury or death (in an extreme case) may result due to a trip, slip or fall into the pond area. This type of incident could lead to the following types of impacts on the organisation:

- *Public Safety*
- *Workplace Health and Safety (WHS)*
- *Financial*
- *Reputational*

Given that the majority of the pond area is adjacent to a public pathway and that there have been incidents in the past where people have fallen into the pond it is very likely that there will be future incidents. Insurance (public liability and workers compensation) is an effective control for limiting the financial consequences associated with this risk. In regards to the public safety, WHS and reputational risk consequences, the area has lighting at night and a small section of the pond area has a barrier to prevent access to pond.[sic] These controls have limited effectiveness. Of the two groups at risk, members of the public are more likely to fall into the pond based on past history, the demographics of this group includes children and the elderly, and they are less likely to be familiar with the surroundings.

In regards to the building infrastructure risk, the report noted that the Assets and Essential Services Officer indicated that the pond required maintenance to prevent further deterioration of the shell and possible damage to the library building. Neither the landscaping proposal nor the renovation of the pond proceeded at the time. The risks as identified in this report are included in the Corporate Risk Register.

The original proposal (figure 1) was considered and adopted by Council Meeting at its meeting held 20 March 2014, but subsequently rescinded and replaced with the following resolution at the Council meeting held 10 April 2014:

Council Officers bring forward revised plans for the Murwillumbah Library pond that provide for the retention of further pond elements while adequately addressing safety issues identified with the existing pond.

An alternative plan was produced in accordance with the resolution in consultation with library staff. The design (figure 2) addresses the safety and building concern raised previously, retains a water element and provides and a functional civic forecourt.

Safety implications have been reviewed with Library Management and Council's Corporate Risk process and determined that the proposed design reduces exposure to the identified risks and can be retrofitted further if observation of undesirable community behaviour warrants.



16 July 2012

The Acting General Manager
Tweed Shire Council
PO Box 816
Murwillumbah NSW 2484

ATTENTION: Assets Manager

Dear Sir

At a recent meeting of Lismore City Council's Health and Safety Committee, an incident involving a child falling into a Tweed Shire pond was raised as a concern. The Committee resolved to advise your council in writing so that the appropriate staff are aware of the risk to the public posed by the pond in its current state.

The incident occurred when a regular child Murwillumbah Library patron exited the front doors of the library with an armload of library books, and headed towards the car park with her mother. She fell into the pond located directly outside the library building. Fortunately she did not appear to have suffered any injury from the fall or the contents of the pond, but was soaked to the skin, shocked and frightened. The library Branch Technician offered assistance and checked on the child's wellbeing, however she was not injured and did not require further assistance. Library materials were also damaged beyond repair and had to be written off by the library.

Library staff report that there have been other incidents where children and animals have fallen into the pond, however it is understood that not all of these have been previously documented. This matter is now referred to you for your attention with respect to the relatively high public risk associated with this open body of water. Murwillumbah library staff will be happy to provide further assistance should you require any more information.

Yours faithfully

Wendy Adriaans
Manager Arts, Tourism and Leisure

All communication to
GENERAL MANAGER

Our ref: EF09/1126

Your ref: ARTIFICIAL LAKES

CIVIC CTR - MURWILLUMBAH

Contact: INSR - PUBLIC LIA

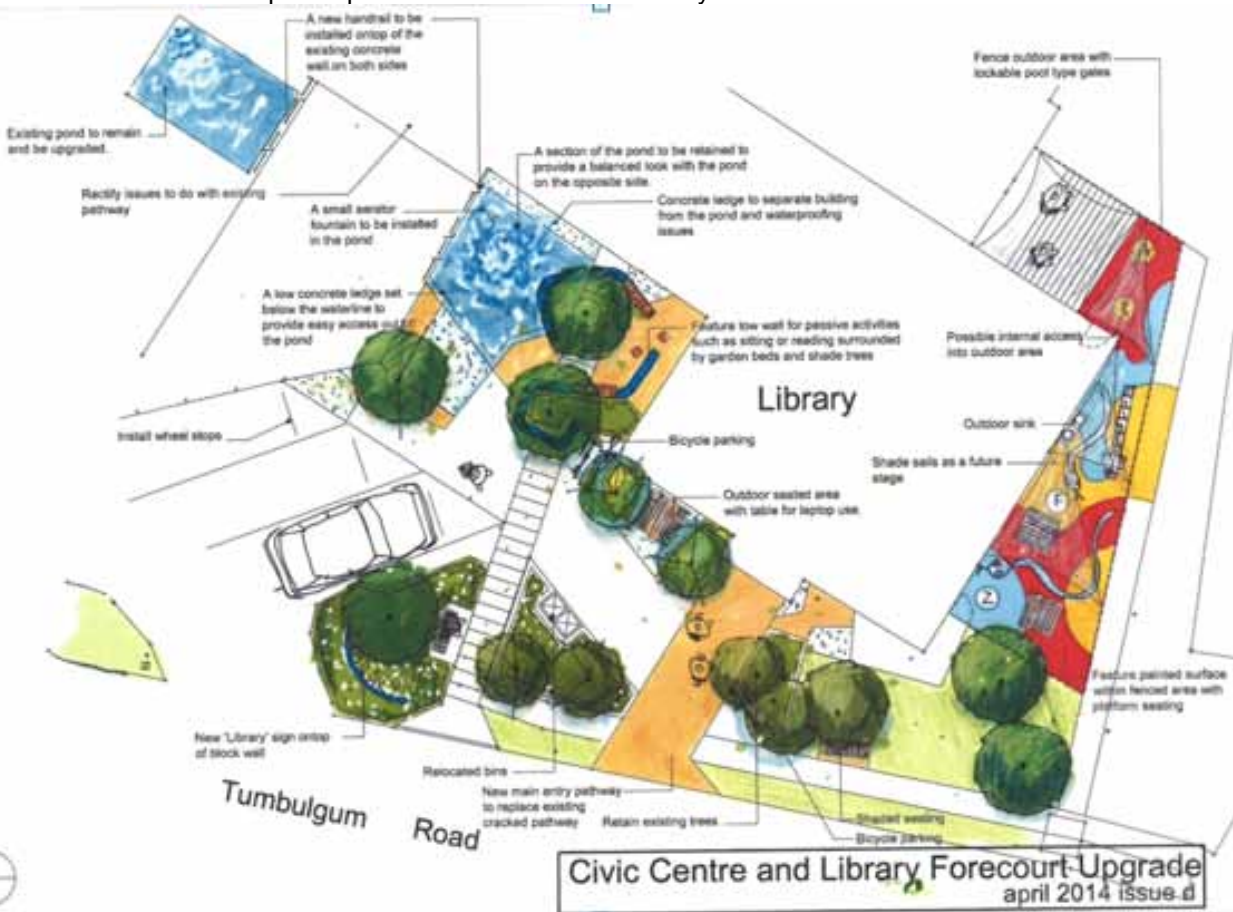
LIBRARY - RICHMOND THO RECT LIBRARY

TWEED SHIRE COUNCIL	
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Figure 1: Original Landscape Proposal for Murwillumbah Library Pond



Figure 2: Amended Landscape Proposal for Murwillumbah Library Pond



OPTIONS:

1. Place the amended library pond landscape plan on exhibition for 28 days with a further report to Council t the close of submissions.
2. Request further amendments to the proposed plan.
3. Do nothing and leave the pond in its current state.

CONCLUSION:

To address a recognised public safety risk inherent in the retention of the fish pond/water feature adjacent to Murwillumbah Library a landscaping proposal has been further developed following feedback by Council's Landscape Architect. This proposal incorporates garden beds, bike racks, informal and formal seating in such a way that it identifies the library as an important asset for the community; a public place where people can meet as well as provide the library with some street appeal.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Funds of \$94,959 for the landscaping project shall be sourced from existing budgets.

c. Legal:

The Civil Liability Act 2002 sets out the general principles at Section 5B for determining negligence based on the risk of injury.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

16 [CNR-CM] Knox Park Masterplan

SUBMITTED BY: Recreation Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.6 Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities
-

SUMMARY OF REPORT:

In May 2013, Council was successful in attaining funding through the Regional Development Australia grant program for the design and construction of a youth precinct within Knox Park, Murwillumbah.

For the youth precinct to be successful, it is critical that its location and design are considered in the context of a masterplan for the whole of the park. Accordingly, at its meeting held 19 September 2013 Council resolved:

"That Council places the Draft Knox Park Masterplan on public exhibition for a 3 month period."

A draft masterplan for Knox Park was prepared and placed on public exhibition from October 2013 to January 2014. The following report is a summary of the public exhibition feedback and is reflected in the revised Knox Park Masterplan.

RECOMMENDATION:

That Council adopts the amended Knox Park Masterplan as included in this report.

REPORT:

BACKGROUND

In May 2013, Council was successful in attaining funding through the Regional Development Australia grant program for the design and construction of a youth precinct within Knox Park, Murwillumbah. The youth precinct consists of the development of a dedicated public youth space for unstructured recreational, social and leisure activities, which will incorporate a plaza-style skate, BMX and scooter area and adventure playground for young people and families.

For the youth precinct to be successful, it is critical that its location and design is considered in the context of a masterplan for the whole of the park.

In 2007, Council engaged consultant Architectus to develop a development control plan for the Murwillumbah Town Centre, and this process also include the development of a draft masterplan for Knox Park. The draft masterplan was not competed or adopted.

DRAFT MASTERPLAN

The draft masterplan was developed with reference to information from the comprehensive consultation process undertaken through the 2007 process, engagement with numerous stakeholder groups and the Community Safety Audit conducted by representatives from the local community, Council and Police.

Community Safety Audit

The Community Safety Audit identified a number of concerns and provided recommendations for consideration in the design of the masterplan as outlined below.

Skate Park - The skate park may best be moved to an area that has high natural/passive surveillance. A suggestion for its relocation could be outside the new community centre/youth Centre, where there are better sightlines and more passive surveillance.

Lighting - Lighting and lighting maintenance of Knox Park is paramount in the design phase. It is recommended special attention be paid to lighting along pedestrian pathways and movement predictors. The current lighting in Knox Park is inadequate and outdated, and needs to be upgraded to meet the needs of the Park and the people using it.

Peace Walk - Overgrown landscaping exists throughout Knox Park. This landscape can contribute to crime by providing concealment and entrapment opportunities. An example of this is the Peace Walk. It is densely planted, and very little natural light penetrates this area. This increases the perception of fear for people using the area. Poor visibility and sightlines throughout the Peace Walk provides an environment for other criminal activity.

At the time of the Safety Audit it was evident this area is being used for the consumption of alcohol. Members of the Audit Team reported that the young people using the area are often approached and offered drugs and secondary supply of alcohol.

Another issue identified by the Local Safety Audit Team is the number of assaults occurring. The Audit Team recommends this heavily wooded area be significantly thinned out to provide better sightlines and surveillance. Keeping the fig trees and creating a vista by

under trimming would be more appealing for this area. Regular maintenance of the area is also required. This would also prevent less excuse making for being in the area.

Children's Playground: The children's playground area is tired and uninviting for young families. The park would benefit from having different age appropriate play areas placed inside the park, and include interactive activity based equipment.

An excellent example of this type of Playground design is in New Farm Park in Queensland. New Farm Park incorporates lots of activities for children of all ages, and has blended with the natural environment of large fig trees, and grassed areas and the Brisbane River.

Relocating the children's park to the Peace Walk area could possibly resolve the issues currently being experienced in this area

Nullum House: Nullum House facility for the homeless is in a state of disrepair. Nullum House would need a considerable cash injection in excess of \$20,000 to refurbish. On a cost verses recovering basis it may be more cost effective to replace and relocate this building closer to the Brisbane Street end of Knox Park. This would be closer to other facilities (Red Cross and Public Transport).

This would also open up this corner of the park and provide better natural and passive surveillance.

Public Toilets: Both of the public toilet amenities in Knox Park are in a state of disrepair. The toilet amenities are dirty and aesthetically unappealing. The Safety Audit Team is of the opinion that these toilet blocks be decommissioned and a new Toilet Block be built more towards the centre of the park. The design and location would incorporate safer by design principals of a modern open design.

Seating and Shelters: Lack of adequate seating throughout the park area was noted. Seating is randomly placed and not suitable for families. The only sheltered areas in the park were both rotundas, which are unappealing and uninviting. Only one of the rotundas has a table and seating. It is unlikely that this rotunda, due to design could be utilised by a number of families for a picnic.

Local Audit members voiced concerns over the use of this rotunda, as it provides a protective and covered area and is often used for the consumption of alcohol, and as an area for the homeless to sleep of a night time.

Either as a direct or perceived result of antisocial behaviour, there is an increase in the perception of fear, resulting in this area of the park being under utilised by the general community. Careful consideration should be given to appropriate style public seating being placed around the park that would be uniform in design. Segregated bench seats make these resources unattractive for sleeping, but still inviting for the use of members of the public.

CCTV: During the Safety Audit process the issue of CCTV and sensor lighting was raised. There is evidence to suggest that many other responses and strategies may be equally as effective and in instances better, when considering the cost effectiveness of installing extensive CCTV networks. One of the strategies support by the New South Wales Police Force is the CPTED concepts.

The introduction of CCTV is certainly a strategy that could be considered, however, it should be remembered that CCTV only forms part of the crime prevention measures that are needed to make positive changes and improvements.

Draft Masterplan (October 2013):

The major concern presenting as a theme throughout the various levels of consultation was safety. People simply do not feel safe using the park. The draft masterplan utilised the principles of Crime Prevention Through Environmental Design (CPTED) aimed at making the park safer by increasing opportunities for casual surveillance and activating the park by encouraging greater use.

This is achieved primarily by opening vistas through the park, increasing accessibility, reducing opportunities for concealment and provision of new facilities. These elements form the basis for the structure of the park within the draft masterplan.

Entry Plaza with seating and shade on the Brisbane/Wollumbin street entry to the park. This will provide a clearly articulated entry to the park and provide a welcoming, functional space for residents and visitors. The design will utilise existing trees for shade and proposes the removal of the toilet block and rotunda. This area will present opportunities for public art and civic structures such as a clock tower and community notice board whilst encouraging social interaction. The plaza will also require the removal of a small number of car parks and the existing bus shelters and seating will also be upgraded to encourage the use of public transport.

Boulevard and avenue tree planting extending into the park from the entry plaza which will also accommodate weekend or night markets has also been incorporated into the design along with shaded seating along the length of the wide accessible pathway.

Relocation of existing playground to the heavily treed area in the centre of the park. Refer to Adventure Playground below.

Construction of a single centrally located toilet facility. The aged toilet facilities in Brisbane Street and Nullum Street will be demolished and replaced with a modern centrally located facility which will be fully compliant with current access requirements.

Educational wetland and botanical area, with signage surrounding the pond informing the public about the ecological design and the environmental benefits. The pond will be reconfigured to allow for access to the central island and across the pond along with decking and shelters along the edge.

Adventure Playground that utilises existing mature trees for shade and designed so as to engage children in imaginative play that interacts with the natural surroundings. The play elements will be designed to allow for a wide age group use from toddlers up to teenagers within different play areas.

Picnic shelters and BBQ facilities adjoining the adventure playground and opening onto an open grassed area for open play opportunities have been designed to encourage more family and group participation.

Youth precinct skate plaza to replace the old skate facility including an events stage and shelter with power and lighting.

Half basketball court adjacent to the skate plaza to provide an additional facility for youth along with informal seating for social interaction.

Large Centrally Open Space for big events such as the travelling circus or World Environment Day. The space also links to the permanent stage structure for music or showcase events.

Entry plaza on the Condong Street - Nullum Street corner connecting the park to the school and residential areas in this section of town. This will link to the central spine path and encourage access through the park and increase passive surveillance.

DRAFT MASTERPLAN CONSULTATION

For various reasons the Architectus draft masterplan was not finalised and adopted, but the process for developing the plan undertook a comprehensive consultation process including community and stakeholder workshops. Building on this consultation, Council officers from the Recreation Services Unit and the Community and Cultural Services Unit have engaged with numerous stakeholder groups and key service delivery organisations including the Police to discuss issues of concern and potential options to improve safety and functionality of the park through design.

Through the development of the draft youth strategy, youth representatives were engaged specifically to discuss their concerns and desires for Knox Park.

Council representatives were also at Local Government Week on 3 August to showcase the Masterplan and specifically the Youth Precinct as part of youth week. The plans in general received positive feedback.

In October 2013 Tweed Shire Council placed the Draft Knox Park Masterplan on exhibition for a three month period closing in January 2014. During the submission period, Council officers also attended community meetings to discuss the draft masterplan

Fifteen submissions were received from individuals and community organisations. In general the feedback was supportive of the proposed upgrade, many mentioning that it was long overdue and that the park had been neglected.

Areas of the draft masterplan that received particular comment are discussed below:

Pond: The draft masterplan proposed that the island within the pond be connected to the park via a boardwalk. This design was in response to feedback through previous consultation and complaints received over time about the smell and negative impact on the park of the Ibis.

Ten submissions were received expressing concern with this proposal and the potential impact on the birds.

Response: As there are a number of complex issues that require consideration in determining the most appropriate management of the pond including water quality, safety

fauna and flora education/interpretation and amenity, the revised masterplan has removed the proposed connecting boardwalk and the pond will be the subject of a separate future detailed assessment, planning and design process

Peace Walk: There was some concern with the thinning of the trees in the 'Peace Walk' area to accommodate the adventure playground. Comments requested the retention of large and significant trees.

Response: The community safety audit highlighted this area as a high risk area within the park recommending thinning out to provide better sightlines and surveillance. The audit also recommended the relocation of the playground to this area to increase activity and utilise the natural shade and environment offered by the trees. The plan retains the larger trees and raises the canopy (prune lower branches) to allow for increased visual surveillance through the area. Council ecologist have inspected the site and tagged any significant trees for retention.

Rotunda: Three submissions expressed disappointment at the proposed removal of the rotunda feeling it may have some heritage value. The rotunda was also the topic of discussion at the presentations to community groups, generally with divided opinion on its value.

Response: the rotunda has been the subject of regular complaints and issues related to anti social behaviour over many years. As expressed in the safety audit, the rotunda is not practical or inviting for family use and is largely used for the consumption of alcohol.

The intent of the masterplan at this location is to create a welcoming entry statement to the park, creating a landscaped open plaza style area inviting people into the park. The retention of the rotunda at this location would compromise the potential to achieve these outcomes, particularly if the current use patterns continue.

The draft masterplan proposes numerous shelters throughout the park which will provide opportunity for family gatherings and community use at more appropriate locations. The relocation of the rotunda into another section of the park is also not supported as it is likely the current misuse will continue and it would also compromise the design intent of other areas.

The rotunda has no identified heritage value. The masterplan proposes removal of the rotunda.

RDA YOUTH PRECINCT PROJECT FUNDING

In May 2013, Council was successful in its application for funding through the Regional Development Australia Fund (RDAF) grant program for the design and construction of a youth precinct within Knox Park, Murwillumbah. The youth precinct consists of a dedicated public youth space for unstructured recreational, social and leisure activities, which will incorporate a plaza-style skate, BMX and scooter area and an adventure playground

The Youth Facilities Plan, prepared in conjunction with the Youth Strategy, provided recommendations to Council about improving public spaces for young people. Recommendations for youth facilities are that they should:

- contribute to the public domain and a sense of place

- be located in highly visible places, near other community hubs and public transport
- be planned with input from young people
- be multipurpose, flexible spaces

The Knox Park Youth Precinct has been designed to meet the principles outlined in the Youth Facilities Plan.

Consultation on the design and desires of the youth for the youth precinct was undertaken in a workshop forum through the development of Youth Facilities Plan and also via youth day at Knox Park Community Centre as part of youth week 2013.

Council also set up a youth discussion group to advise Council on the best approach for a Youth Precinct. Council will continue to engage with this group throughout the first stage of the Knox Park upgrade.

Timelines

Consistent with all funding grants, Council has milestones and timelines to be met as part of the RDAF funding agreement. Meeting these milestones is critical to retaining the funding and ensuring Council remains eligible for future funding opportunities through this or other funding programs.

The program timeline is outlined below:

DATE	ACTIVITY
June 2013	Funding awarded
July 2013	Councillors Masterplan Workshop
Sept to Jan 2014	Council/Stakeholder/Community Engagement for masterplan and youth facility
April 2014	Begin detailed concept plans for Youth Precinct and General Landscape ready for Tender
June 2014	Amended Masterplan adopted
August 2014	Tenders and specification for Youth Precinct, playground and landscaping: Ø Skate Park – Design and Construct contract. Ø Playground and General Landscape contract. Ø Lighting design and construction contract . Ø Toilet Block design – Design and Construct.
February 2015	Construction Phase of Youth Precinct, playground and landscaping
October 2015	Completion Date of all Construction Works

Note: All funding to be spent by 1 December 2015 as a condition of RDA funding.

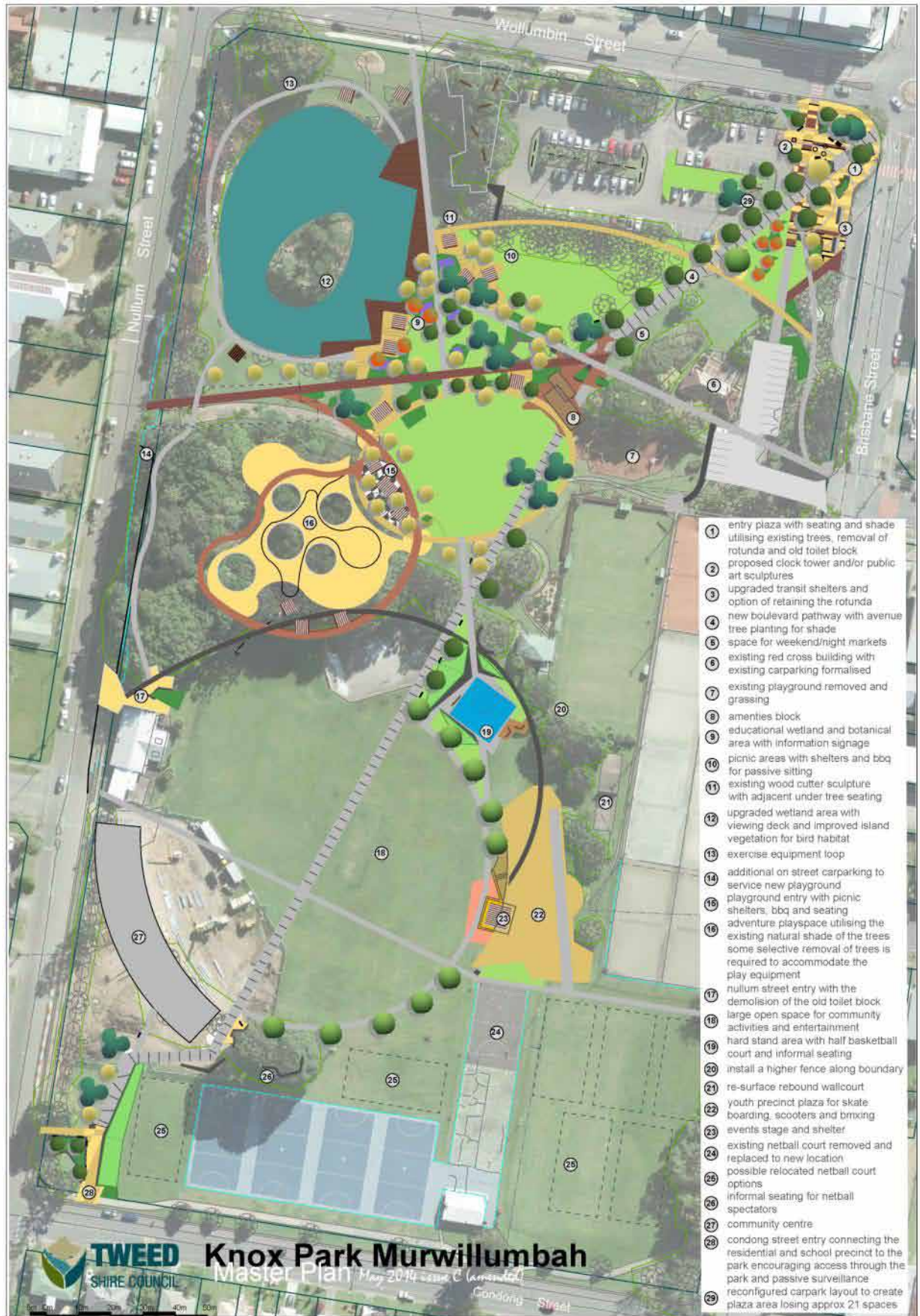


Figure 1: Amended Knox Park Masterplan



Knox Park Community Park Upgrade



Figure 2: Image Board for Knox Park



Youth Precinct



Ecological Design



Sculptures and Public Art

Knox Park Community Park Upgrade



Figure 3: Image Board for Knox Park

Summary of Submissions and Draft Knox Park Masterplan:

The following list is a summarised compilation of issues raised by the respondents from the advertising of the 'Knox Park Masterplan' which was placed on exhibition for three months from mid October 2013 to January 2014. There were 15 respondents. Details are listed below.

There were a number of issues that were repeatedly raised mainly to do with the pond, its current condition and the proposed boardwalk access and the future of the rotunda. The bracketed number at the end of each issue is the number of times this issue was raised.

1. Does not agree with the boardwalk pathway across the pond to the island. This will disturb the nesting birds. Pond serves the local community and tourist alike. Construction of a boardwalk will allow animals onto the island endangering native fauna. (10)
2. Pond needs cleaning up, replanting to the boundary, use of biocatalysts to break down waste and clean out the pond. (5)
3. Bins need to be emptied more often, as well as being bird proof. (4)
4. Concern over the tree thinning in the peace walk. The dominant trees (big figs) need to be retained, but aware of safety issues. Does not support the removal of any significant trees in the peace walk (except for exotic species) but is generally supportive of the adventure playground within this space. (4)
5. Concern about the adventure playground location and removal of any trees. (2)
6. Concern about the 'Peace Walk' alterations. (2)
7. Concerns about the homeless people, Nullum House and its ongoing future. (1)
8. Concerns related to the pond and surrounding area and their susceptibility to flooding. (1)
9. Need to ensure skate park caters to experienced skaters. (1)
10. (1)
11. The exercise loop is a good idea but be mindful of nesting birds above and possible shelters over the equipment. (2)
12. Keep park furniture clean. (1)
13. Concern about 'over filling' the park with stuff. (1)
14. New toilet block is long overdue. (1)
15. Concern about native fauna being neglected in the plan. (1)
16. Knox Park is in desperate need of a new playground. (2)
17. Concerns with anti-social behaviour and drug use going on in the park. (1)
18. Disappointed at the rotunda removal, as its part of local heritage. (3)
19. Loss of a potential 21 car parking spaces an issue. Consider other locations around the park for additional car parking. (1)
20. Possible conflict between basketball court and skate park location. (2)
21. The history of the park could be recorded somewhere or reflected in the park through art/sculptures. (1)
22. Bus shelters do need upgrading. (1)
23. Weekend/night market allowance a good idea. (1)
24. Possible art deco theme for the amenities block and shelter structures. (1)
25. Support the need for shelters, bbqs and lighting. (1)
26. Does not support the pathway that crosses through the main oval. (1)
27. Supports the main stage idea. (1)
28. Concerns regarding possible TSC's colour palette. (1)

Table 1: Summary of submissions to Draft Knox Park Masterplan

Knox Park Youth Precinct - Youth Engagement feedback

LOCAL GOVERNMENT WEEK 3 AUGUST 2013

YOUTH DAY @ KNOX PARK COMMUNITY FEEDBACK RE: KNOX PARK MASTERPLAN

- An inviting community which I would attend again
- It will be an inviting place once re-developed
- A wonderful inviting environment for family and building community!
- Can't wait!
- Good to see things being developed for youth and young-at-heart people.
- Anything you would like to ask, please do not hesitate regarding the last park.
- Live in Condong Street, 6 children, 20 years, very happy to see.
- Please make it good.
- Please make so skateboarders and scooter riders can use it, shade would be good, seats, plants around it and bubblers. The kids need it.
- Better barbeque facilities, play areas for all ages, snake and ladders giant size, bring chess back (giant size)
- Great concepts, make sure that crime-free procedures are put in place.
- "Excellent", need something positive for young people. Keep up the good work.
- Excellent plans for our youth - it will help create a positive feel within Knox Park.
- Skate area ideas - Half-pipe/full pipe
- Please do my design (Skate area)

Other Ideas written on coloured spots:

- Camel Humps
- Foam pit; 2 metre spine; fun box; good gaps
- BMX jumps
- Tree Top walk
- Bowl and skate park for little kids
- A shallow bowl
- Also scooter riders can use the park as well
- Spine transfer
- Key hole (dwarf door)
- Awesome bowl and sounded street section
- Board
- Small hubbas
- Big bowl (age 8)
- Re-create Miami Skate Park (Gold Coast)
- Bouncing pillow
- Foam pit
- Foam pit; half pipe; fun box; roll in
- Open air stage for community events/performance
- Nerang flat banks
- A big bowl; foam pit; grind; euro gap

Table 2: Summary of feedback from youth engagement for Knox Park precinct

OPTIONS:

1. That Council endorses the Masterplan as presented in this report.
2. That Council endorses the Masterplan with additional amendments.
3. That Council does not endorse the Draft Knox Park Masterplan

CONCLUSION:

Knox Park represents a wonderful asset for the community and visitors to Murwillumbah. However, due to the current structural configuration of the park and dated infrastructure, Knox Park lends itself to anti-social behaviour. Locally, it has a reputation for being unsafe which means it is underutilised by a large section of the community; for visitors to the area it looks unappealing.

Council has received funding to design and construct a youth precinct in Knox Park, but this must be designed in the context of a Masterplan for the whole park. Once implemented, it is anticipated that the draft Masterplan will aid in addressing the community safety concerns and increase visitation. Once a Masterplan for Knox Park is adopted, the plan can support applications for future funding and be implemented as funding opportunities are identified.

COUNCIL IMPLICATIONS:

a. Policy:

Crime Prevention Through Environmental Design (CPTED).

b. Budget/Long Term Financial Plan:

Youth Precinct:

\$500,000 Regional Development Australia Grant

\$300,000 Youth Precinct allocation 2013-2014 budget.

\$200,000 Park Asset Renewal

\$25,000 Netball Court Upgrade from State funding

\$100,000 tentative funding from Lions Club, Murwillumbah for the Multi Purpose Arena

c. Legal:

Not Applicable.

d. Communication/Engagement:

Involve/Collaborate-We will work with you on an ongoing basis to ensure your ideas, concerns and aspirations are considered. We will provide feedback on Council's decisions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

17 [CNR-CM] Tweed Riverbank Erosion Management Plan

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.1 Protect the environment and natural beauty of the Tweed
 - 4.1.2 Protect, regulate and maintain natural assets (the coastline, coastal and inland waterways, biodiversity, bushland and scenic landscapes) for current and future generations
-

SUMMARY OF REPORT:

Riverbank erosion affects a significant length of the Tweed estuary, particularly between Murwillumbah and Stott's Island. This management plan sets out Council priorities for bank erosion management, and identifies likely costs for individual projects.

The plan also describes a range of management principles that should be adopted by Council to guide its activities in addressing riverbank erosion. The aim of the management approach is to ensure that river ecology and aesthetic value is not severely compromised by the impact of large scale bank stabilisation works using rock.

The plan provides design advice for bank stabilisation works and clarifies the approval requirements for both Council and private works under the new Tweed LEP 2014.

The purpose of this report is to seek a Council resolution to place the Tweed Riverbank Erosion Management Plan 2014 on public exhibition.

RECOMMENDATION:

That:

1. Council places the Tweed Riverbank Erosion Management Plan 2014 on public exhibition for a period of sixty days.
2. A further report be prepared for Council's consideration at the close of the submission period.

REPORT:

The purpose of the Tweed River Estuary Bank Management Plan 2014 is to provide a schedule of works to stabilise riverbank erosion on public land (to be undertaken by Council), as well as updated design advice for works required on private land.

The plan has been developed based on the following principals:

- Environmental values of the riparian environment will be protected and enhanced.
- High value public infrastructure and public open space will be protected.
- The visual and recreational amenity of the river environment will be protected and enhanced.
- Where practical, vulnerable riverbanks will be managed to increase their resilience to erosion through pre-emptive erosion management.

The objectives of the plan are to:

- Provide an updated classification of bank erosion severity within the Tweed Estuary, from the Bray Park Weir to Fingal Head.
- Provide a prioritised schedule of riverbank erosion stabilisation works to be implemented by Tweed Shire Council on public land.
- Provide preferred design options for riverbank stabilisation works in the Tweed River, with a focus on revegetation and bio-engineered design that maximise ecological and amenity values.
- Provide updated advice on design and the statutory and environmental approvals process to private landowners who wish to undertake riverbank erosion stabilisation works.

Overall the scale of the erosion problem is large, however the severity of riverbank erosion varies considerably.

River reaches with the most severe and continuous bank erosion are located between Murwillumbah and Stott's Island, primarily adjacent to the Tweed Valley Way and Tumbulgum Road. Within this river reach, erosion is predominantly impacting on road reserve, as opposed to private land or public open space.

The range of bank stability conditions have been mapped to inform the preparation of this management plan.

Erosion risk	Severe/high risk	Vulnerable	Generally Stable
Length of bank: (Bray Park Weir to Stott's Island both banks combined = 35,855m)	9,207m	10,381m	16,267m

It is estimated that there is 5,754 metres of roadway within the priority reach that is at risk of being affected by bank slips within the next five to ten years. At an estimated cost of \$1,500 per lineal metre to stabilise riverbank erosion (based on the average cost per metre rate of erosion stabilisation work recently undertaken by Council), the total cost to stabilise severe erosion adjacent to roads could be as much as \$9,000,000 over ten years. Maintenance costs would add to this figure.

Bank lengths over which various approaches to riverbank erosion management and stabilisation could occur are as follows:

- Revegetation 15,863m
- Pre-emptive bioengineered stabilisation works 4,668m
- Structural protection - up to 5,754m.

Individual sites where revegetation and pre-emptive erosion stabilisation works could and should occur have been prioritised. These sites are all on public land, however site access and project design would in many cases require significant consultation with adjacent landowners.

Work to manage erosion at these sites is estimated to total approximately \$1,565,000.

Individual sites where structural protection works are required to address erosion immediately threatening the Tweed Valley Way and Tumbulgum Road have not been mapped in this management plan.

Council is faced with a major challenge in funding the stabilisation of riverbank erosion, and in dealing with erosion without seriously compromising the environmental and amenity values of the Tweed River. Funding models which allow Council to address problem areas **before** they present a critical risk to road stability and community safety must be found.

Any further work to stabilise bank erosion in the Tweed River must be designed to minimise environmental impacts and maximise potential for colonisation by riparian vegetation. Increasing the resilience of riverbanks through revegetation, and maximising existing habitat values will be an important part of offsetting the ongoing negative impacts of large structural erosion stabilisation projects.

The following tables (1-3) set out a prioritised schedule of sites that should be addressed by Council to manage riverbank erosion.

Revegetation

Table 1. Prioritised sites for riparian revegetation. Site locations are shown in Figure 1 following the table.

Location	Priority	Site length (m)	Area (m ²)	Description	Estimate cost* (planting and 1 year maintenance)
Tumbulgum Road, Tyngalah 1 (Site K)	High	1385	29,000	Bank is vulnerable to erosion along upstream site and stable, protected by mangrove and phragmites on downstream site. Revegetation. High Priority. Good width available, the most significant reach of mangroves upstream of Stott's Island. Existing vegetation (except mangroves) is very weedy.	\$87,000

Location	Priority	Site length (m)	Area (m ²)	Description	Estimate cost* (planting and 1 year maintenance)
Tumbulgum Road, Tygalgah 2 (Site L)	High	455	5,900	Active and recent erosion of the low bank, which is vulnerable, due to ongoing damage of mangrove root systems by waves and cattle. Revegetation and stock exclusion fencing required. Good width available, especially on the downstream reach. Good connectivity to mangroves at Rous River mouth. Camphor laurels are present along much of this reach, being undercut which may lead to eventual collapse.	\$17,700
Condong Boat Ramp - downstream of park (Site I)	High	600	10,000	Area downstream of boat ramp has high restoration potential. Planting will increase the riparian buffer width adjacent to mangroves. Potential conflict with adjacent agricultural land use.	\$30,000
Downstream Bray Park Weir (Site A)	High	750	50,000	High priority over the longer term given it is the largest floodplain in study area under Crown ownership. Very large area (5+ ha). Currently grazed by adjacent landowner. Potential for vegetation to increase flows to opposite vulnerable bank (Site B). Detailed restoration plan required.	\$150,000
Byangum Weir (Site B)	High	765	15,000	Vulnerable to severe erosion. Road Reserve (plus small area of Crown waterway). High priority over the longer term as this section will continue to erode without management intervention. Requires consultation with cane farmer. Vertical sections of bank require battering. Possible rock armouring along toe if bank continues to be	\$45,000

Location	Priority	Site length (m)	Area (m ²)	Description	Estimate cost* (planting and 1 year maintenance)
Upstream Murwillumbah (Site C)	High	1000	34,500	<p>undercut. Work should ideally begin before revegetation of Site A opposite bank which may increase scour potential due to deflected flows. Detailed restoration plan required. Erosion severe along most of site with some areas of mass failure (slumping). Crown Land (waterway) and small area of TSC Crown Land. High priority over the long term due to large area of Crown Land available. Narrow riparian zone (existing), mostly less than 7m to cane headland. Bank may require battering to stabilise. This is a large area of Crown waterway with extensive area of cane under cultivation by two adjacent landowners. Requires consultation prior to restoration planning.</p>	\$103,500
Dunbible (Site E)	High	600	14,000	<p>Generally stable, 70m section of severe erosion. (photo 27). Road Reserve. Negotiate with adjacent landowner for stock exclusion fencing. Investigate impact on views from Art Gallery. Battering could help stabilise eroding section of bank. Approximately 20m wide, revegetation could be undertaken in stages.</p>	\$42,000
Tweed Valley Way, Corner Windmill road reserve (Site N)	Medium-High	480	4800	<p>Downstream sections are vulnerable whilst much of the reach upstream is experiencing severe erosion. Very narrow riparian area along most of Tweed Valley Way. The sites mapped are the only areas with greater than 7m</p>	\$14,400

Location	Priority	Site length (m)	Area (m ²)	Description	Estimate cost* (planting and 1 year maintenance)
Tweed Valley Way Condong (Site J)	Med-Low	415	3700	<p>available for planting (accounting for a 3.5m clear zone from road shoulder). Old revetment is providing toe stability, however variable condition is leading to moderate slips. Undercuts are present.</p> <p>Slip and severe erosion near floodgate upstream of site N1.</p> <p>Wide tidal bench upstream of N2/Windmill Corner may permit trial of rock fillets.</p> <p>Bank is vulnerable to erosion along most of Site J, stable where mangroves and cottonwoods are along bank toe, area of severe erosion between flood gates. TSC Road Reserve. Moderate priority due to narrow extent between River and Tweed Valley Way and weedy condition of vegetation.</p> <p>Potential to increase cottonwoods along the lower bank.</p> <p>Good linkage to Condong Site I.</p> <p>Powerlines along Road side needs to be accounted for in site plans.</p>	\$11,000
North Tumbulgum (Site M)	Med-Low	100	1000	<p>Bank is fairly stable due to mangrove protection of toe, however recent erosion is occurring in the downstream edge of this area and further along the bank downstream to Tumbulgum Bridge. Very narrow riparian area between river and road on bank experiencing severe erosion downstream of this site.</p> <p>Camphor laurels are present along much of this reach, being undercut which may lead to eventual collapse. Requires consultation with</p>	\$3,000

Location	Priority	Site length (m)	Area (m ²)	Description	Estimate cost* (planting and 1 year maintenance)
				adjacent house owners. Battering may help stabilise area in photo 267. Broad tidal bench would allow rock fillets, bedrock exposed downstream of this site.	
Total					\$503,600

*Cost estimate calculation on basis of 25 trees per 100m² at \$12 per tree, (planted and maintained for one year).

Figure 1: Location of sites referred to in table 1 and 2



Pre-emptive erosion management

Table 2: Prioritised sites for pre-emptive (bio-engineered) erosion management. Site locations are shown in Figure 8.

Location	Priority	Length	Area	Description	Estimate cost
Murwillumbah Myall Creek (Site H)	High	1525	14,282	Generally stable upstream and areas of severe erosion downstream. Waterway & State Crown Land. Grazing occurs along this section of river with no riparian	Fence \$20,000 Reveg \$42,000 Earthworks and rock \$100,000 Total:\$162,000

Location	Priority	Length	Area	Description	Estimate cost
				<p>exclusion fencing. Rock toe revetment + fencing and revegetation. Investigate potential for rock fillets in conjunction with toe armouring to encourage Phragmites growth. Two landowners only between Myall Creek and Condong Bridge. High revegetation potential downstream to Condong Bridge on Freehold land.</p>	
Condong Boat Ramp (Site I)	High	230	2,300	<p>High risk / severe erosion adjacent to boat ramp. TSC Public Recreation Reserve and Waterway (Crown Land) Toe revetment and rock fillets required. Detailed design required which maximises opportunities to incorporate vegetation. Needs community consultation and to acknowledge existing uses of the site..</p>	\$100,000
Commercial Road Boat Ramp (Site D)	High	285	1335	<p>Vulnerable, recent slumping as bank continues to become undercut. Road Reserve. High priority for stabilisation as bank continues to erode. Rock toe revetment, battering and revegetation will be required. Investigate potential for fillets to encourage Phragmites.. Limited width for revegetation due to car parking/public recreation space Requires detailed design which maximises opportunities to incorporate vegetation. Investigate appropriateness of revegetation on the river side of levy wall downstream to Murwillumbah Bridge (not mapped as part of this study).</p>	\$40,000
Stott's (Site N)	Medium -High	480	4825	<p>Downstream sections are vulnerable whilst much of the reach upstream is experiencing severe erosion. Very narrow riparian area along most of Tweed</p>	\$80,000

Location	Priority	Length	Area	Description	Estimate cost
North Tumbulgum (Site M)	High	100	1013	<p>Valley Way. The sites mapped are the only areas with greater than 7m available for planting (accounting for a 3.5m clear zone from road shoulder).</p> <p>Old revetment is providing toe stability, however variable condition is leading to moderate slips. Undercuts are present. Slip and severe erosion near floodgate upstream of site N1. Wide tidal bench upstream of N2/Windmill Corner may permit trial of rock fillets.</p> <p>Bank is fairly stable due to mangrove protection of toe, however recent erosion is occurring in the downstream edge of this area and further along the bank downstream to Tumbulgum Bridge. Very narrow riparian area between river and road on bank experiencing severe erosion downstream of this site.</p> <p>Camphor laurels are present along much of this reach, being undercut which may lead to eventual collapse.</p> <p>Requires consultation with adjacent house owners.</p> <p>Battering may help stabilise area in photo 267. Broad tidal bench would allow rock fillets, bedrock exposed downstream of this site.</p>	\$50,000
Total					\$432,000

Prioritised sites for structural protection works.

Table 3: Prioritised sites for structural works, excluding erosion affecting roads Murwillumbah to Stott's Island.

Location	Priority	Length	Description	Estimate cost
Philp Parade, South Tweed	Medium-high	200m	Erosion of Terranora Creek bank adjacent to Philp Parade. Bank approx 1.5 m high. Existing revetment has failed. Bank approx 4m from road edge.	\$150,000
Oxley Cove Canal Estate, Banora Point	Medium	60m	Existing rock revetment has failed on the downstream side of entrance to Oxley Cove canal estate. This area has high tidal current and flood flow velocity as well as deep water. Work last undertaken in 2007. Erosion is severe but does not present a safety risk or threaten high value infrastructure or land. Rebuilding the wall will require placement of significant quantities of large rock.	\$50,000

Location	Priority	Length	Description	Estimate cost
Chinderah Public Foreshore at Hacienda Caravan Park	Medium	200-300m	Public foreshore in this location is protected by ad-hoc revetment comprised of concrete building waste and rock. Erosion looks bad, but is not severe in terms of the risk posed to public land. Existing revetment provides very poor visual and user amenity, including safety risks from exposed reinforcing steel.	\$200,000
Ray Pascoe Park, Kennedy Drive Tweed Heads.	Low-medium	40m	Erosion affecting public open space on Banks of Terranora Creek. No risk to infrastructure and erosion of relatively minor consequence to use of park.	\$30,000
Condong School, Condong	Low-medium	70m	Erosion of riverbank on crown land adjacent to school.	\$50,000
Crown land opposite Condong Boat Ramp	Low-medium	200m	Erosion on riverbank on crown land, adjacent to houses on Tumbulgum Road.	\$150,000
Total				\$630,000

OPTIONS:

1. That Council resolves to place this management plan on public exhibition.
2. That Council resolves not to place the management plan on public exhibition and seek further amendment or clarification of the plan.

CONCLUSION:

The purpose of this plan is to make a clear case for ongoing Council investment in managing the issue of riverbank erosion. Given the significance of the problem and the large amount of funding which will be required to be expended to manage erosion, it is appropriate to seek community feedback on the priorities identified for future work.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

It is proposed that these projects are anticipated to be funded from the Tweed Estuaries Project.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Draft Tweed Riverbank Erosion Management Plan
(ECM 3379164)

18 [CNR-CM] Amendments to Water Supply Catchment Stream Bank Protection Policy - River Health Grants Policy

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.1	Protect the environment and natural beauty of the Tweed
4.1.2	Protect, regulate and maintain natural assets (the coastline, coastal and inland waterways, biodiversity, bushland and scenic landscapes) for current and future generations

SUMMARY OF REPORT:

On 21 March 2013 Council resolved as follows:

"that:

- 1. The Water Supply Catchment Stream Bank Protection Policy be amended and renamed the River Health Grants policy.*
- 2. Council notes the proposed River Health Grants policy includes subsidisation of riparian rehabilitation works in all natural waterways of the Shire.*
- 3. The River Health Grants policy be placed on public exhibition for twenty-eight (28) days and public submissions sought for forty-two (42) days."*

The draft policy was advertised in the Tweed Link on 16 April 2013 and exhibited for a period of 28 days with public submissions being accepted for a period of 42 days. No comments or submissions were received during this period.

RECOMMENDATION:

That Council adopts the River Health Grants Policy V1.0.

REPORT:

On 21 March 2013 Council resolved as follows:

"that:

1. *The Water Supply Catchment Stream Bank Protection Policy be amended and renamed the River Health Grants policy.*
2. *Council notes the proposed River Health Grants policy includes subsidisation of riparian rehabilitation works in all natural waterways of the Shire.*
3. *The River Health Grants policy be placed on public exhibition for twenty-eight (28) days and public submissions sought for forty-two (42) days."*

The draft policy was advertised in the Tweed Link on 16 April 2013 and exhibited for a period of 28 days with public submissions being accepted for a period of 42 days. No comments or submissions were received during this period.

OPTIONS:

1. That Council adopts the River Health Grants Policy.
2. That Council does not adopt the River Health Grants Policy.

CONCLUSION:

No submissions were received during the period of public exhibition and the Policy now needs to be adopted by Council.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

Nil.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1: River Health Grants Policy Version 1.0 (ECM2986268)

19 [CNR-CM] Biodiversity Grants

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.2 Conserve native flora and fauna and their habitats
 - 4.2.2 Encourage and promote rehabilitation and management of native vegetation and wildlife habitat in Tweed Shire
-

SUMMARY OF REPORT:

On 27 January 2009 Council unanimously approved the implementation of a Biodiversity Grant Program to assist private landholders, community groups and researcher to undertake projects that contribute to maintaining and improving biodiversity values within Tweed Shire.

The purpose of this report is to seek Council's approval to fund private landholders, as listed in the report, in accordance with the provisions of the Biodiversity Grant Program

RECOMMENDATION:

That Council approves the proposed Biodiversity Grants to assist private landowners to undertake the projects listed in the table below:

Name	Area	Estimate (\$)	Description
Smith	Doon Doon	1,920	Six person days of ecological restoration
Edwards	Terragon	3,200	Eight person days of ecological restoration
Krieger	Clothiers Creek	2,560	Six person days of ecological restoration
	Total	\$7,680	

REPORT:

On 27 January 2009 Council approved the implementation of a Biodiversity Grant Program to assist private landowners, community groups and researchers to undertake projects that contribute to maintaining and improving biodiversity values within Tweed Shire. This initiative represents an important component of Council's Biodiversity Program.

The Biodiversity Grant Program supports projects that contribute to the following ecological priorities within Tweed Shire:

- Rehabilitation of degraded habitats
- Restoration of previously cleared areas
- Threatened species recovery
- Management of threatening processes
- Monitoring and research

Applications under the program can be made throughout the year and are assessed using the following criteria:

- Ecological benefits (eg. ecological status, multiple ecological priorities, contribution to State and regional biodiversity targets etc);
- Value for money (including in kind contributions, external funding);
- Technical capability and applicant track record;
- Site security (preference will be given secure sites eg. conservation covenants, Environmental Protection zones etc);
- Ongoing maintenance requirements;
- Spread of projects across ecological priorities and the Shire (including projects funded from other sources).

The purpose of this report is to seek Council's approval to fund the three private landowners recently visited and listed below in accordance with the provisions of the Biodiversity Grant Program.

The proposed grants involve the provision of services by professional bushland regenerators to assist landholders to more effectively manage environmental weeds, protect native vegetation and improve wildlife habitat.

Name	Area	Estimate (\$)	Description
Smith	Doon Doon	1,920	Six person days of ecological restoration
Edwards	Terragon	3,200	Eight person days of ecological restoration
Krieger	Clothiers Creek	2,560	Six person days of ecological restoration
	Total	\$7,680	

OPTIONS:

1. That Council approves the proposed Biodiversity Grants to assist private landholders to undertake the projects listed in the above table.
2. That Council does not approve the proposed Biodiversity Grants to assist private landowners to undertake the projects listed in the above table.

CONCLUSION:

This program is consistent with the adopted Tweed Vegetation Management Strategy 2004 and the Council resolution of 27 January 2009 which established the Biodiversity Grant Program.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

\$7,680 from existing Biodiversity Program budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

20 [CNR-CM] Biofund Koala Connections Project Implementation

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
- 4.2 Conserve native flora and fauna and their habitats
- 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire

SUMMARY OF REPORT:

Council resolved at the June 2012 Council meeting to accept a Department of Sustainability, Environment, Water, Population and Communities Biodiversity Fund grant of \$2,017,000 awarded to Tweed and Byron Shire Councils to implement the project *Linking Koala Habitat and Endangered Ecological Communities*. The project, known as Koala Connections is managed and administered by Tweed Shire Council. In accordance with the application, \$100,000 over four years will be contributed to the project from Council's Biodiversity Grant Program.

The purpose of this report is to seek Council's approval to fund works on six private properties as listed below, in accordance with the provisions of the grant.

RECOMMENDATION:

That Council approves the expenditure under the Biodiversity Fund Koala Connections project for works on six private properties as listed in the table below:

Name	Area	Details	Cost Estimate (\$ excl. GST)
Abbott	Farrants Hill	Plant 350 trees Bush regeneration (14 person days)	\$9,900
Engelbrecht	Farrants Hill	Plant 425 trees Bush regeneration (16 person days)	\$11,500
Kelly Flynn Riordan Hombroek	Farrants Hill (cluster of adjacent sites)	Plant 350 trees Bush regeneration (28 person days)	\$15,900
TOTAL			\$37,300

REPORT:

Council resolved at the June 2012 Council meeting to accept a Department of Sustainability, Environment, Water, Population and Communities Biodiversity Fund grant of \$2,017,000 awarded to Tweed and Byron Shire Councils to implement the project *Linking Koala Habitat and Endangered Ecological Communities*. The project, known as Koala Connections is managed and administered by Tweed Shire Council. In accordance with the application, a further \$100,000 over three years will be contributed to the project from Council's Biodiversity Grant Program.

The project will implement critical on-ground and educational actions arising from the Tweed Coast Koala Habitat Study (TCKHS) adopted by Council in February 2011 and the Tweed Coast Comprehensive Koala Plan of Management (TCKPOM), which is currently in preparation. Specific actions will include:

- Restoration of existing koala habitat.
- Connecting fragmented habitats through revegetation on private and public land.
- Installation of strategic fencing to restrict stock and prevent koala road strikes.
- Connecting landholders, community groups and individuals through educational media releases, training workshops and community tree planting working bees.

Together, these actions will help to provide a more secure future for koalas on the Tweed Coast and foster a sense of stewardship with landholders and the broader community.

The purpose of this report is to seek Council's approval to fund works on the properties of six private landowners, as listed below, in accordance with the provisions of the grant.

The proposed works involve the provision of services by professional bushland regenerators to undertake weed control, tree planting, monitoring and evaluation and to assist the landholders to more effectively manage environmental weeds and ensure survival of the trees.

Name	Area	Details	Cost Estimate (\$ excl. GST)
Abbott	Farrants Hill	Plant 350 trees Bush regeneration (14 person days)	\$9,900
Engelbrecht	Farrants Hill	Plant 425 trees Bush regeneration (16 person days)	\$11,500
Kelly Flynn Riordan Hombroek	Farrants Hill (cluster of adjacent sites)	Plant 350 trees Bush regeneration (28 person days)	\$15,900
TOTAL			\$37,300

OPTIONS:

1. That Council approves the expenditure under the Biodiversity Fund Koala Connections project for works on two private properties as listed in the table contained within the report.

2. That Council does not approve the expenditure under the Biodiversity Fund Koala Connections project for works on two private properties as listed in the table contained within the report.

CONCLUSION:

The proposed works will significantly enhance koala habitat, Endangered Ecological Communities and fauna corridors in the priority area of Farrants Hill and will contribute to implementation of recommendations in the Draft Comprehensive Tweed Coast Koala Plan of Management.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

\$2,017,000 from Department of Sustainability, Environment, Water, Population and Communities Biodiversity fund LSP-947456-1336, which is augmented with a further \$100,000 over four years from Council's Biodiversity Grant Program.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

21 [CNR-CM] Richmond Tweed Regional Library 2014/15 Budget Report

SUBMITTED BY: Community and Cultural Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
-

SUMMARY OF REPORT:

The Richmond Tweed Regional Library (RTRL) Committee met at an extraordinary meeting on 16 April 2014 to adopt the draft 2014/15 RTRL budget.

The Committee adopted the draft 2014/15 budget pending approval from member Councils and the approval from Tweed Council to employ an additional full time Library Assistant to be funded by an offsetting reduction in the Tweed Library Resources budget.

At its meeting held on 14 May 2014, the Executive Management Team considered the report and recommended as follows:

- "1. *Endorsed the recommendation to create one extra full time equivalent Library Assistant's position to be funded by Tweed Shire Council by an offsetting reduction in the Tweed Library Resources budget as identified in the Richmond Tweed Regional Library (RTRL) Extraordinary Business Paper 16 April 2014.*
2. *Forwards the draft 2014/15 RTRL Fees and Charges to Council for adoption at the June Council meeting with Council's other Integrated Planning and Reporting documents."*

RECOMMENDATION:

That Council:

- 1. Endorses the recommendation to create one extra full time equivalent Library Assistant's position to be funded by Tweed Shire Council by an offsetting reduction in the Tweed Library Resources budget as identified in the Richmond Tweed Regional Library Extraordinary business paper 16 April 2014.**
 - 2. Adopts the draft 2014/15 Richmond Tweed Regional Library Budget.**
 - 3. Adopts the draft 2014/15 Richmond Tweed Regional Library Fees and Charges.**
-

REPORT:

The Richmond Tweed Regional Library (RTRL) reports that in the last five years or more, RTRL has carried forward unexpended funds from the Tweed Resources (Books, DVD's CD's, etc.,) budget to the following year. From 2012/13 \$70,800 was carried forward into 2013/14.

The main reason these funds are unexpended is due to the current size of the three Tweed Shire libraries which could not house the collection size if all funds were spent. The global trend for public libraries is to downsize collections to create more flexible spaces for programs and events, and establishing well used quality collections rather than aiming for quantity. In recent years, Tweed Resources funds have been reallocated to eResources, which will continue to grow in the future as the RTRL suite of eResources is developed to respond to changing community needs.

According to Public Library Statistics 2011/12 for Public Library Services in NSW Tweed Shire libraries staff issued an average of 41,277 items per staff member. This is more than twice the state average of 19,257. Tweed Shire libraries are also providing more outreach programs such as Words on Wheels (WOW) for seniors visiting retirement homes, Library on the Move visiting preschool and childcare facilities, which requires staffing.

For the above reasons, the RTRL has recommended and the draft 2014/15 Budget has been prepared on one additional full time Library Assistant position being added to the Tweed Salaries and the Tweed Resources being reduced by a corresponding amount of \$52,000 (Salary + Employee Leave Entitlements + Workers Compensation Insurance). It should be noted that the offset reduction for salaries is not recurrent and pertains to the 2014/15 budget only.

The adopted 2014/15 Budget and Fees & Charges is attached to this report.

Subject to Tweed Shire Council approval, the Tweed Council's member contribution for 2014/15 is \$2,212,800 plus GST. The 2014/15 budget for Tweed's contribution to the RTRL is included in Council's total annual budget projections and voted for. The annual budget amount has been determined with reference to figures provided by RTRL.

At its meeting held on 14 May 2014, the Executive Management Team considered the report and recommended as follows:

- "1. Endorses the recommendation to create one extra full time equivalent Library Assistant's position to be funded by Tweed Shire Council by an offsetting reduction in the Tweed Library Resources budget as identified in the Richmond Tweed Regional Library (RTRL) Extraordinary Business Paper 16 April 2014.*
- 2. Forwards the draft 2014/15 RTRL Fees and Charges to Council for adoption at the June Council meeting with Council's other Integrated Planning and Reporting documents."*

OPTIONS:

1. Approves the creation of one extra full time Library Assistant position and adopts the budget and fees and charges for 2014- 2015.

2. Does not approve the creation of one extra full time Library Assistant position and requests that the budget is revised accordingly to retain the investment in resources.

CONCLUSION:

The Tweed Library Service is delivering services well above the level of the State average and has continued to be proactive in the development of outreach services and electronic information services. The Library requires additional staff and floor space in order to meet the standard of service provision required under state and regional agreements.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

As per the Report.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|---------------|---|
| Attachment 1. | Draft Minutes (ECM 3360531) |
| Attachment 2. | Draft 2014/15 Budget (ECM 3360537) |
| Attachment 3. | Meeting papers from Extraordinary Meeting (ECM 3360539) |
-

22 [CNR-CM] Deed of Variation relating to Commonwealth Grant Funding for Community Case Management

SUBMITTED BY: Community and Cultural Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
-

SUMMARY OF REPORT:

Council is in receipt of a Deed of Variation from the Australian Government Department of Social Services for Commonwealth HACC Program Services. Funding for service group 2 - Case Management is being extended from 1 July 2014 to 30 June 2015. This program, managed by Community Options, provides a comprehensive, coordinated and integrated range of basic maintenance, support and care services for eligible residents of Tweed Shire to support them to be more independent at home and in the community, thereby enhancing their quality of life and/or preventing or delaying their premature or inappropriate admission to long term residential care and provides flexible, timely services that respond to these eligible Tweed residents needs.

RECOMMENDATION:

That Council:

- 1. Accepts the variation and funds of \$345,066 from the Australian Government Department of social services and votes the expenditure.**
- 2. Affixes the Common Seal of Council as required to the variation documents.**

REPORT:

Council is currently funded by the Australian Government Department of Social Services for Commonwealth HACC Program Services. Funding for service group 2 - Case Management ceases on 1 July 2014. The current funding agreement (including indexation) for the period 1 July 2013 to 30 June 2015 is as per the table below:

Service Type/Output Description	Output Units (Hours/\$)	2013 Funding (\$)	2014 Funding (\$)	2015 Funding (\$)
Domestic Assistance Hours	277	\$10,389	\$10,566	\$10,566
Social Support Hours	1067	\$20,350	\$21,130	\$21,130
Personal Care Hours	450	\$18,700	\$19,018	\$19,018
Meals Services Meals	525	\$3,461	\$3,520	\$3,520
Respite Hours	387	\$17,314	\$17,608	\$17,608
Case Management Hours	5951	\$339,298	\$345,066	
Home Modifications Dollars	\$12,210	\$12,466	\$12,678	\$12,678
Transport Trips	511	\$6,924	\$7,042	\$7,042
Goods & Equipment Items	\$22,760	\$23,238	\$23,633	\$23,633
Allied health hours	258	\$17,802	\$18,105	\$18,105
<i>Total</i>		<i>\$469,942</i>	<i>\$478,366</i>	<i>\$133,300</i>

The variation includes an extension of the funding for service group 2 - Case Management from 1 July 2014 to 30 June 2015 for \$345,066. It also updates the wording in item L in regard to notices and contact details.

OPTIONS:

1. That Council accepts the funding and continue this service to the community.
2. That Council does not accept the funding and continue this service to the community.

CONCLUSION:

That Council continues to support the Community Options programs through the variation of funding through the Australian Government Department of Social Services.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Fully funded by Australian Government Department of Social Services.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Deed of Variation (ECM 3366920)

REPORTS FROM THE DIRECTOR ENGINEERING

23 [E-CM] Limpinwood - Road Closure Application

SUBMITTED BY: Design

FILE REFERENCE: GR3/12/2

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

Council has received a notice of application to close a section of Crown Road reserve north and northwest of Lot 730 in DP 863375 at Limpinwood from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of this section of Crown public road.

A desktop investigation has been conducted which notes no services or infrastructure are located within the road reserve. The majority of the road is heavily vegetated and provides potential access to the adjoining property owned by National Parks.

Council's Policy on Road Closure and private purchase provides under roads not eligible for closure:

"Roads capable of providing physical access to other roads, public and private properties, public and Crown reserves...."

It is therefore recommended pursuant to the provisions within Council's Road Closure and Private Purchase Policy that Council objects to the closure of the section of Crown Road north and northwest of Lot 730 in DP 866735 at Limpinwood.

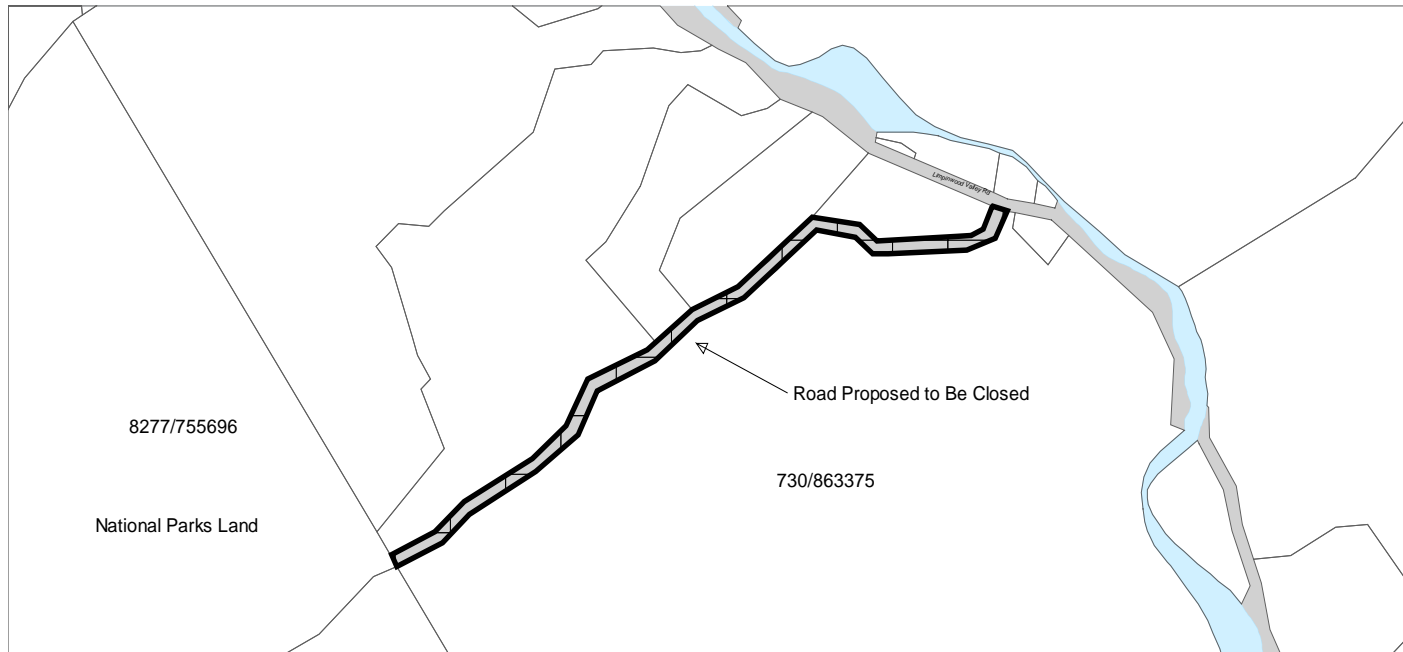
RECOMMENDATION:

That Council objects to the closure of the section of Crown Road north and northwest of Lot 730 in DP 866735 at Limpinwood.

REPORT:

Council has received a notice of application to close a section of Crown Road reserve north and northwest of Lot 730 in DP 863375 at Limpinwood from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of this section of Crown public road (See Figure 1).

Figure 1 Diagram showing the extent of the road proposed to be closed:



A desktop investigation has been conducted which notes no services or infrastructure are located within the road reserve. The majority of the road is heavily vegetated and provides potential access to the adjoining property owned by National Parks as shown in Figure 1.

Councils Policy on Road Closure and private purchase provides under roads not eligible for closure:

"Roads capable of providing physical access to other roads, public and private properties, public and Crown reserves...."

OPTIONS:

In accordance with Council's Road Closure and Purchase Policy Council is required to object to the closure of the Crown road reserve north and northwest of Lot 730 DP 863375 on the basis that it provides potential access to adjoining National Parks land.

CONCLUSION:

The closure of the section of Crown Road reserve north and northwest of Lot 730 DP 863375, does not fall within the exceptions of roads not eligible for closure under Council's Road Closure and Private Purchase Policy. As such it is recommended that Council objects to the closure and private purchase of same.

COUNCIL IMPLICATIONS:

a. Policy:

Road Closures and Private Purchase v1.2.

b. Budget/Long Term Financial Plan:

No Future Budget Implications.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

24 [E-CM] Urliup - Road Closure Application

SUBMITTED BY: Design

FILE REFERENCE: GR3/12/4

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

Council has received a notice of application to close a section of Crown Road reserve within and south of Lot 7 DP 810164 and within Lot 12 DP 810164 at Urliup from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of these sections of Crown Public Road.

A desktop investigation has been conducted which notes no services or infrastructure are located within the road reserve. There is no formation within the road reserve and it does not serve as a connection road to any other properties or road networks.

This application complies with Council's 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, which states that the road can be considered redundant in terms of access to all surrounding properties.

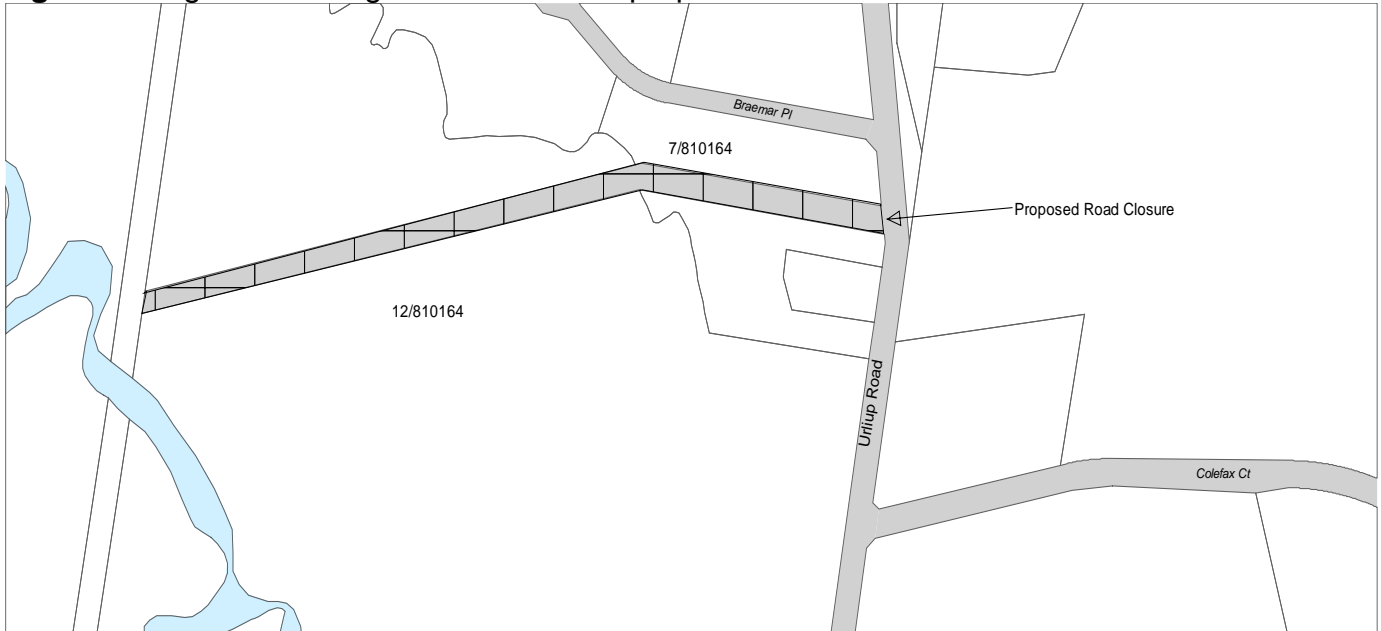
RECOMMENDATION:

That Council does not object to the closure and private purchase of the Crown Road Reserve within and south of Lot 7 DP 810164 and within Lot 12 DP 810164 at Urliup.

REPORT:

Council has received a notice of application to close a section of Crown Road reserve within and south of Lot 7 DP 810164 and within Lot 12 DP 810164 at Urliup from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of these sections of Crown Public Road (Refer to Figure 1).

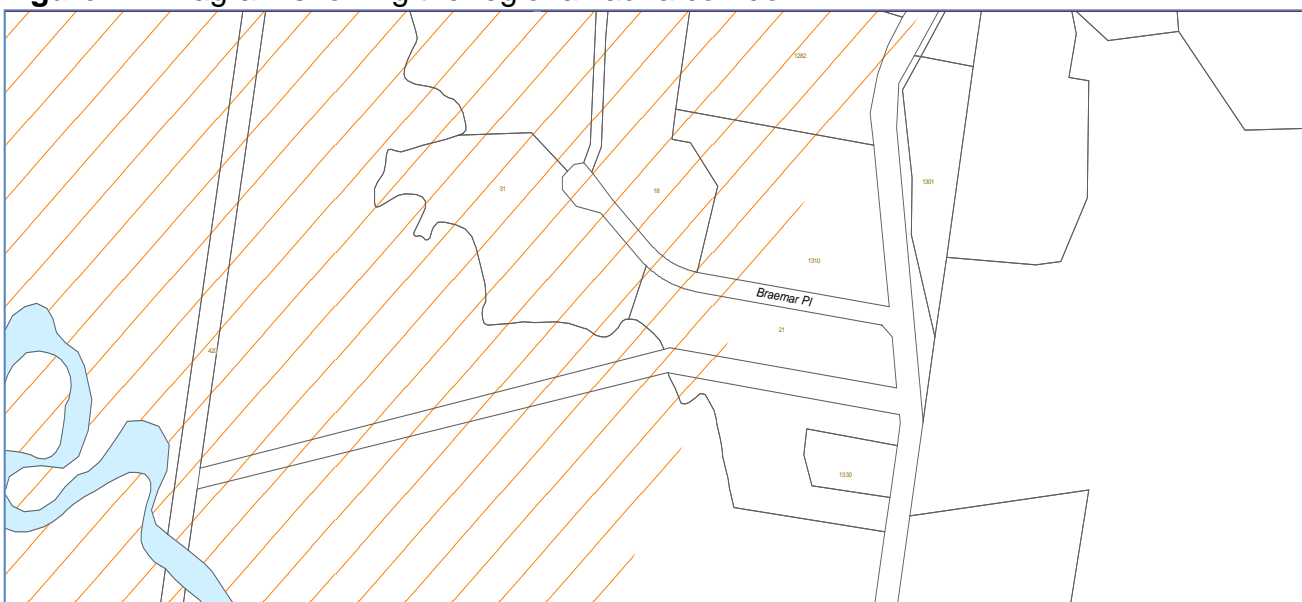
Figure 1 Diagram showing the extent of the proposed road closure:



A desktop investigation has been conducted which notes no services or infrastructure are located within the road reserve. There is no formation within the road reserve and it does not serve as a connection road to any other properties or road networks. Both properties gain access via either Braemar Place or Urliup Road.

There are minimal environmental constraints with the exception of part of the road being contained within a regional fauna corridor (See Figure 2).

Figure 2 Diagram showing the regional fauna corridor:



OPTIONS:

1. Council does not object to the closure and private purchase of the Crown Road Reserves within and south of Lot 7 DP 810164 and within Lot 12 DP 810164 at Urliup.
2. Council does object to the closure and private purchase of the Crown Road Reserves within and south of Lot 7 DP 810164 and within Lot 12 DP 810164 at Urliup.

CONCLUSION:

This application complies with Council's 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 which states that the road can be considered redundant in terms of access to all surrounding properties.

COUNCIL IMPLICATIONS:

a. Policy:

Road Closures and Private Purchase v1.2.

b. Budget/Long Term Financial Plan:

No future budget implications.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

25 [E-CM] Dedication of Land as Road - Reserve Creek Road, Kielvale

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

Council at its meeting of 4 September 1996 resolved to acquire Lots 1 to 13 in DP 860666 for road widening purposes and grant land to the relevant land owners to offset the acquisition for road.

The acquisition was completed and gazetted on 6 June 1997. Unfortunately the direction was not received by Land & Property Information requesting that the acquisition be formally noted in the Register of the Registrar General.

To enable Council to register the formal request with Land & Property Information Sydney, the documentation must be signed by both the General Manager and the Mayor under the Common Seal of Council. The report submitted to Council's meeting of 4 September 1996 omitted to include the recommendation that all necessary documentation be executed under the Common Seal of Council.

RECOMMENDATION:

That all necessary documentation relevant to the acquisition and dedication of road of Lots 1 to 13 in DP 860666 be executed under the Common Seal of Council.

REPORT:

Council at its meeting of 4 September 1996 resolved to acquire Lots 1 to 13 in DP 860666 for road widening purposes and grant land to the relevant land owners to offset the acquisition.

The acquisition was completed and Gazetted on 6 June 1997. Unfortunately the direction was never sent to Land & Property Information requesting that the acquisition be formally noted in the Register of the Registrar General.

OPTIONS:

As the acquisition has been completed Council is required, pursuant to The Land Acquisition (Just Terms Compensation) Act 1991 and the Real Property Act 1900 to note the acquisition on the Register and relevant Titles.

CONCLUSION:

The report submitted to Council's meeting of 4 September 1996 omitted to include the recommendation that all necessary documentation be executed under the Common Seal of Council. To enable Council to register the formal request with Land & Property Information Sydney, the documentation must be signed by both the General Manager and the Mayor under the Common Seal of Council.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

No future budgetary implications

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

26 [E-CM] Classification of Land for Drainage Reserve - Casuarina

SUBMITTED BY: Design

FILE REFERENCE: DA09/0661

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.3	Delivering the objectives of this plan
1.3.1	Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan

SUMMARY OF REPORT:

Proposed Lot 79 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina is to be transferred to Council as Operational Land for the purposes of a Drainage Reserve.

It is will be necessary to classify proposed Lot 79 as operational pursuant to the provisions of the Local Government Act, 1993.

RECOMMENDATION:

That Council:

- 1. Approves the transfer of proposed Lot 79 in the plan of subdivision of Lot 49 in DP1182599 at Casuarina; and**
- 2. Classifies proposed Lot 79 in the plan of subdivision of Lot 49 in DP1182599 at Casuarina as Operational Land; and**
- 3. All necessary documentation be executed under the Common Seal of Council.**

REPORT:

Proposed Lot 79 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina is to be transferred to Council as Operational Land for the purposes of a Drainage Reserve.

It is necessary to classify proposed Lot 79 as operational pursuant to the provisions of the Local Government Act, 1993.

A notice was published in the Tweed Link on 28 January 2014 allowing a period of 28 days for any member of the public to provide a written submission to the proposed classification of this land as operational. No submissions were received.

Figure 1 shows the location of the proposed Drainage Reserve - Lot 79:

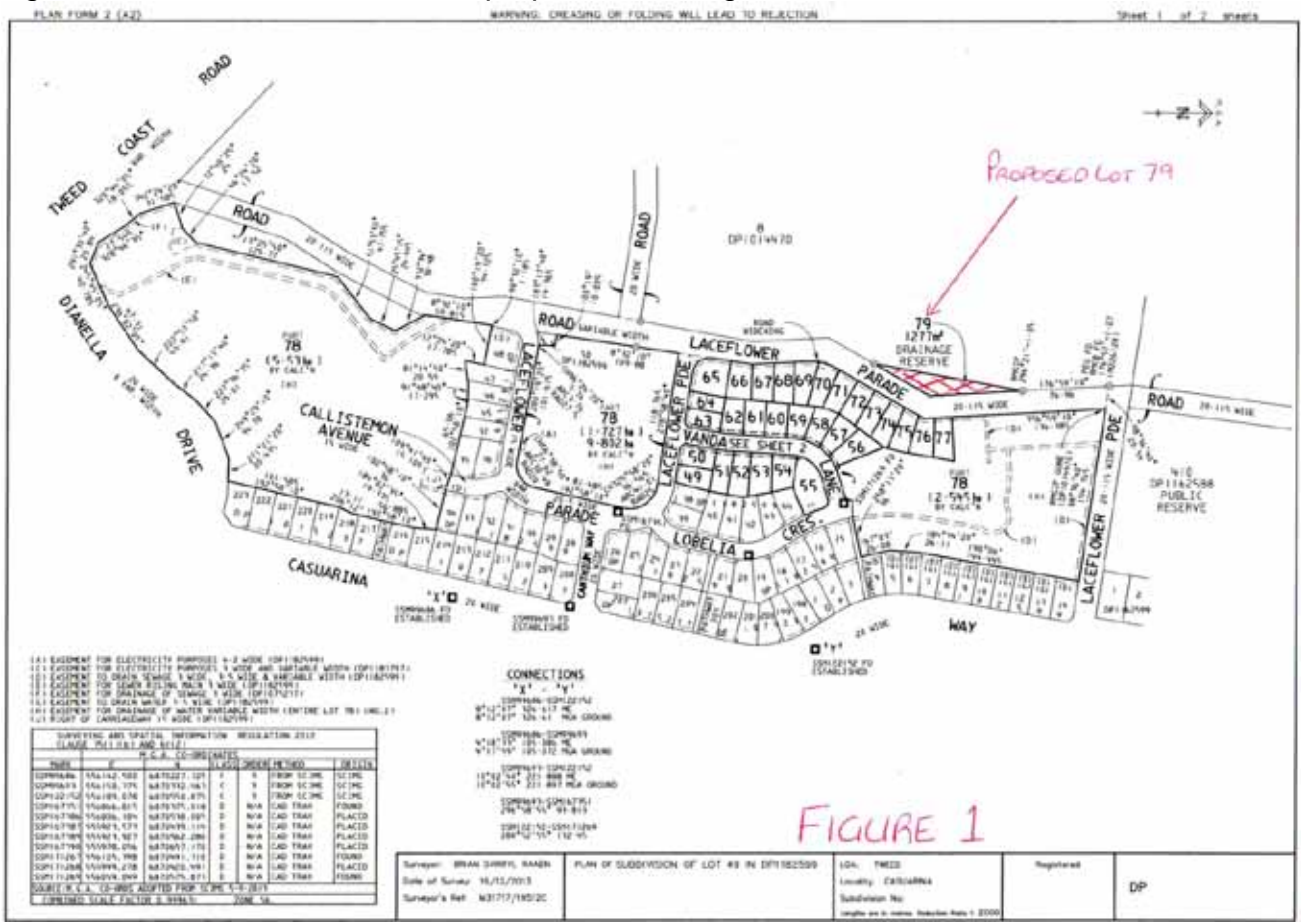


FIGURE 1

OPTIONS:

1. Council approves the transfer and classification as Operational land of proposed Lot 79 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina.
2. Council does not approve the transfer and classification as Operational land of proposed Lot 79 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina.

CONCLUSION:

In accordance with the provisions of the Local Government Act 1993 it is necessary to classify Lot 79 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina as Operational Land.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy not applicable.

b. Budget/Long Term Financial Plan:

To be included in the Works Department budgeted maintenance schedule and Asset Register.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

27 [E-CM] Crown Road Closure - Dungay, Kynnumboon and Nobbys Creek

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.4 Strengthen coordination among Commonwealth and State Governments, their agencies and other service providers and Statutory Authorities to avoid duplication, synchronise service delivery and seek economies of scale
 - 1.4.1 Council will perform its functions as required by law and form effective partnerships with State and Commonwealth governments and their agencies to advance the welfare of the Tweed community
-

SUMMARY OF REPORT:

Council has received a notice of application to close sections of Crown Road reserves at Dungay, Kynnumboon and Nobbys Creek within Lot 1 DP 202929, Lots 4 and 5 DP 1081491, Lot 3 DP 712699 and Lot 1 DP 1166995 west and within Lot 2 DP 128866, west of Lot 12 DP 549088 and Lot 3 DP 626514 and partly associated with properties at 109 and 478 Campbells Road Dungay and 224-343 Brooks Road, Kynnumboon from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of these sections of Crown Public Road.

A desktop investigation has been conducted which notes no services or infrastructure are located within the road reserve. Please refer to the body of the report which notes the environmental factors affecting the road reserve.

This application complies with Council's current policy on Road Closure and Purchase in so far as it does not fall within the categories listed for roads not eligible for closure. It does however fall within point 1 of the exceptions which states that the road can be considered redundant in terms of access to all surrounding properties.

RECOMMENDATION:

That Council does not object to the closure and private purchase of the Crown Road Reserve at Dungay, Kynnumboon and Nobbys Creek within Lot 1 DP 202929, Lots 4 and 5 DP 1081491, Lot 3 DP 712699 and Lot 1 DP 1166995: west and within Lot 2 DP 128866; west of Lot 12 DP 549088 and Lot 3 DP 626514 and partly associated with properties at 109 and 478 Campbells, Road Dungay and 224-343 Brooks Road, Kynnumboon.

Figure 2 Diagram showing Land Contours:

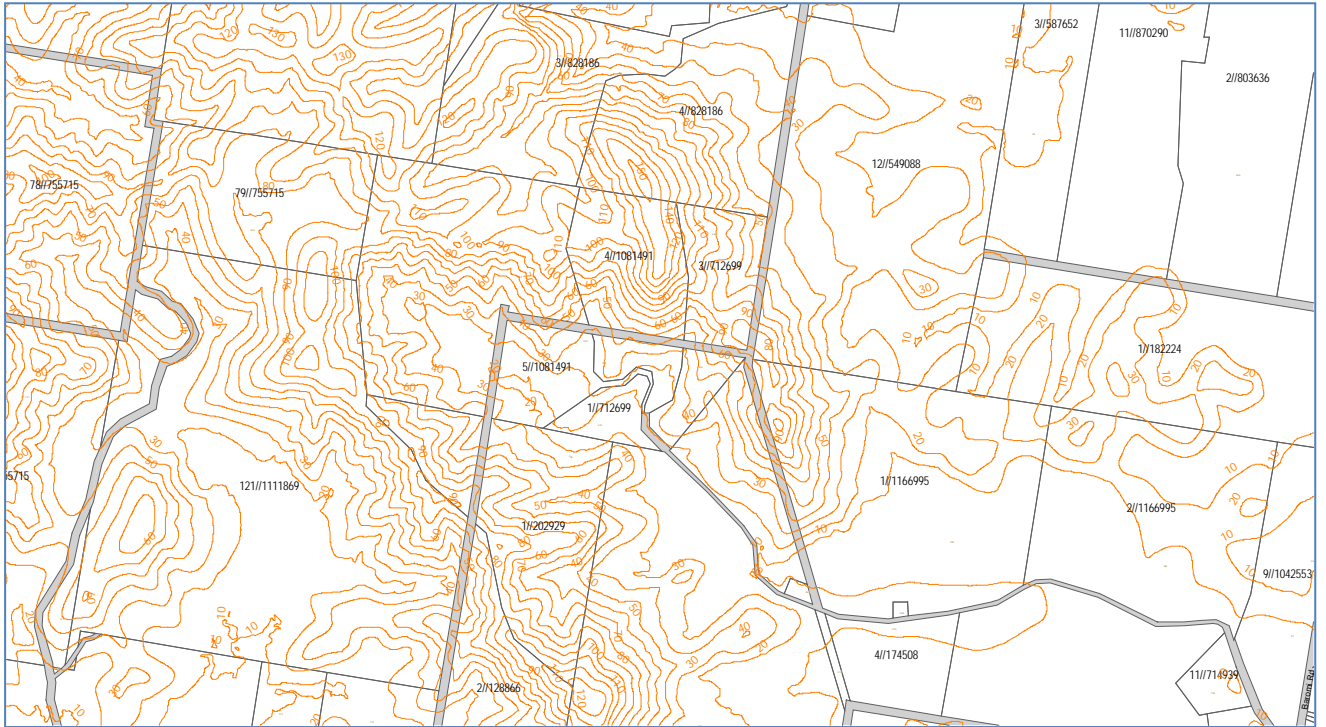
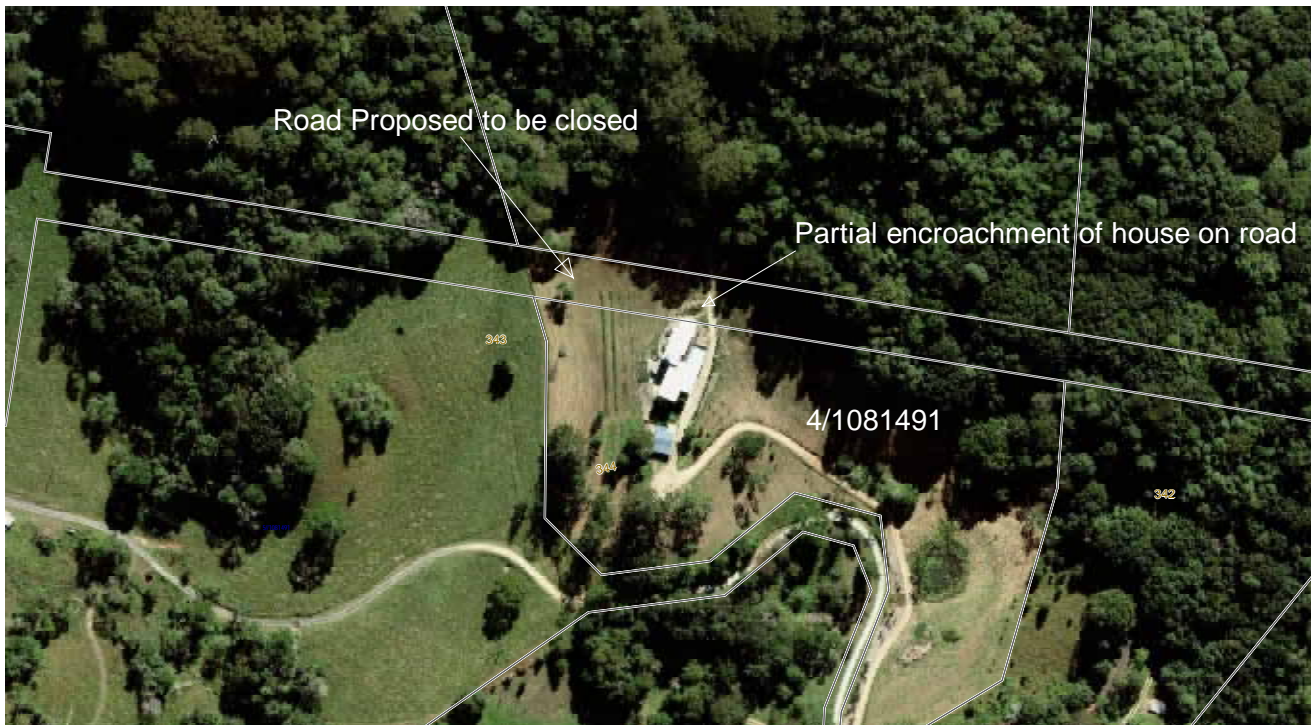


Figure 3 Diagram showing encroachment of dam on the road reserve within Lot 1 DP 202929:



Figure 4 Diagram showing partial encroachment of house onto the road reserve within Lot 4 DP 1081491:



OPTIONS:

1. Council does not object to the closure and private purchase of the Crown Road Reserves at Dungay, Kynnumboon and Nobbys Creek within Lot 1 DP 202929, Lots 4 and 5 DP 1081491, Lot 3 DP 712699 and Lot 1 DP 1166995: west and within Lot 2 DP 128866; west of Lot 12 DP 549088 and Lot 3 DP 626514 and partly associated with properties at 109 and 478 Campbells Road Dungay and 224-343 Brooks Road, Kynnumboon
2. Council does object to the closure and private purchase of the Crown Road Reserves at Dungay, Kynnumboon and Nobbys Creek within Lot 1 DP 202929, Lots 4 & 5 DP 1081491, Lot 3 DP 712699 and Lot 1 DP 1166995: west and within Lot 2 DP 128866; west of Lot 12 DP 549088 and Lot 3 DP 626514 and partly associated with properties at 109 and 478 Campbells Road Dungay and 224-343 Brooks Road, Kynnumboon.

CONCLUSION:

This application complies with Council's 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, which states that the road can be considered redundant in terms of access to all surrounding properties.

COUNCIL IMPLICATIONS:

a. Policy:

Road Closures and Private Purchase v1.2.

b. Budget/Long Term Financial Plan:

No future budgetary implications.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

28 [E-CM] Urban Addressing - Kirkwood Road, Tweed Heads South

SUBMITTED BY: Design

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.4 An integrated transport system that services local and regional needs
 - 2.4.3 Ensure local streets, footpaths and cycleways are provided, interconnected and maintained
-

SUMMARY OF REPORT:

Council was recently contacted by a resident of Kirkwood Road, Tweed Heads South regarding concerns over the ability for Australia Post, Emergency Services, deliveries and visitors to locate their address. This was due to the separation of the formed western section of Kirkwood Road and the eastern section of Kirkwood Road (formed and unformed).

The residents of Kirkwood Road (West) were sent correspondence, including plans showing the next stage of construction for the southern section of Kirkwood Road, with a proposal to rename and number their section of road and requesting submissions in that regard. It was hoped that this would alleviate the problem of misdirection and possibly provide a long term solution to the existing problem.

The feedback received from the residents of Kirkwood Road (West) was overwhelmingly against a change of name for the road.

Advice was then sought from Geographical Names Board (GNB) with a proposal to officially name the road Kirkwood Road "West" as it has been signposted and known locally for many years to avoid causing undue stress to a large amount of residents and owners whilst allowing the street to be locatable. The GNB objected to the proposal, however Council was advised that it could appeal to the Board to have the objection overturned.

Council is obliged to provide residents with an easily identifiable and locatable address. Due to the large number of residents that a road name change would affect along this road, and with regard to the overwhelming response against any proposal to do so, it is recommended to retain the name of Kirkwood Road. with the addition of "West", at a later date.

RECOMMENDATION:

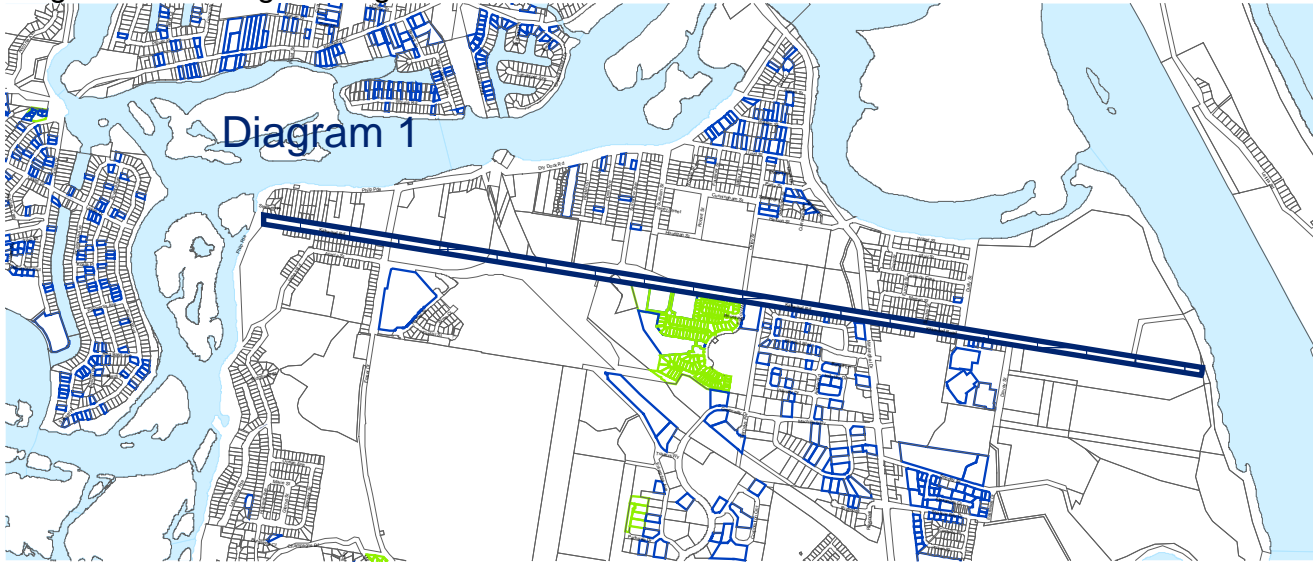
That Council resolves to not rename the section of Kirkwood Road west of Fraser Drive at this time.

REPORT:

Council was recently contacted by a resident of Kirkwood Road, Tweed Heads South regarding concerns over the ability for Australia Post, Emergency Services, deliveries and visitors to locate the address. This was due to the separation of the formed western section of Kirkwood Road and the eastern section of Kirkwood Road (formed and unformed).

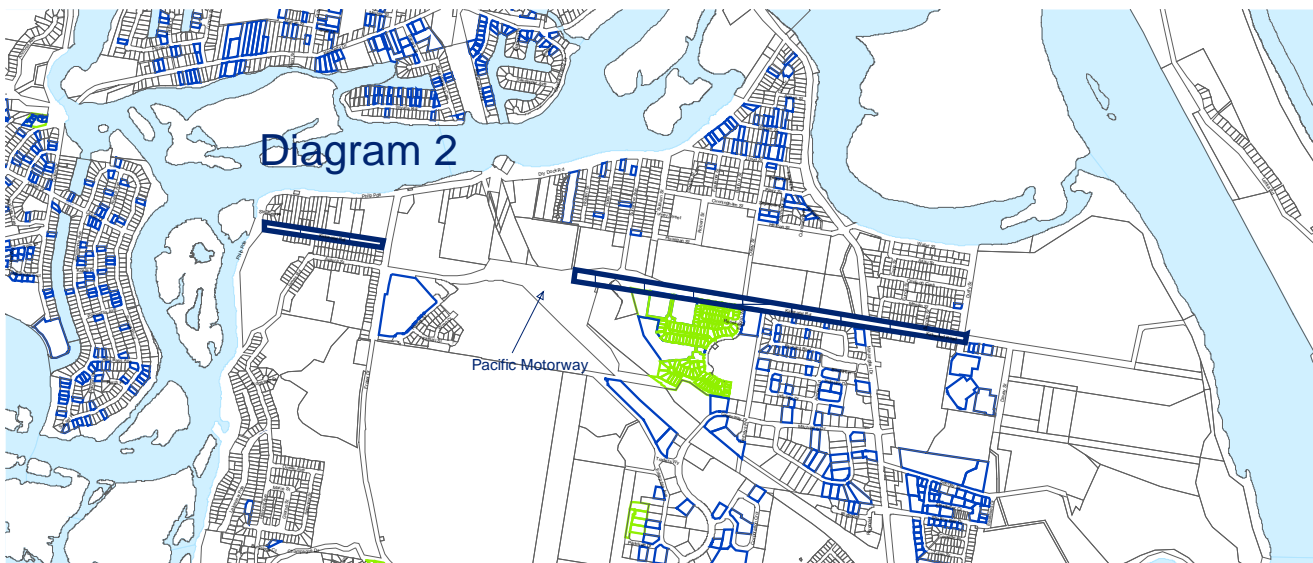
Kirkwood Road originally extended (on paper) east to west from the Tweed Heads Bowling Club and Tweed River through to Philp Parade at Tweed Heads South (Refer to Diagram 1).

Diagram 1 showing the original extent of Kirkwood Road:



At present the road is formed from the corner of Duffy Street through to the Pacific Motorway and then in a separate section from Fraser Drive to Philp Parade (Refer to Diagram 2). The latter section has become commonly known as Kirkwood Road West and has been signposted as such for an extensive period, incorrectly.

Diagram 2 highlighting the formed sections of Kirkwood Road:



The next stage of construction of Kirkwood Road was to form the road from the Pacific Motorway via an overpass through to the intersection of Fraser Drive adjacent to the formed section of Kirkwood Road (West). Due to topographical restraints the road has been realigned and will now finish at Fraser Drive adjacent to Acacia Street - approximately 100m south of the original location thus leaving the western section of Kirkwood Road permanently separated from the remainder of Kirkwood Road to the south (Refer to Diagram 3).

Diagram 3. The concept plan of Stage 3 of the Kirkwood Road Interchange to Fraser Drive:



In accordance with the New South Wales Road Naming Policy as adopted by the Geographical Names Board *"the extent of a named road shall be defined by the formed road and shall include only one section navigable by vehicles or foot. Unconnected navigable sections....shall be assigned separate names. Further, when a road extent is broken into separate sections by redevelopment or redesign, the name shall only be retained on one section and the other section(s) renamed as part of the development process."*

With the NSW Road Naming Policy in mind the residents of Kirkwood Road (West) were sent correspondence, including plans showing the next stage of construction for the southern section of Kirkwood Road, with a proposal to rename and number their section of road and requesting submissions in that regard. It was hoped that this would alleviate the problem of misdirection and possibly provide a long term solution to the existing problem.

The feedback received from the residents of Kirkwood Road (West) was overwhelmingly against a change of name for the road.

One objection came from a resident of the Broadwater Village, an over 55's complex containing over 200 residential homes. Two more objections were received containing petitions, one from an individual land owner writing on behalf of a substantial number of individual residents within Kirkwood Road, this petition is to be tabled at this Council meeting, and the other from the Broadwater Village residents which was tabled at the meeting of 15 May 2014. All objections noted that the process of changing addresses would cause significant and unnecessary duress to many elderly residents living within the street.

Advice was then sought from Geographical Names Board with a proposal to officially name the road Kirkwood Road "West", as it has been signposted and known locally for many years, to avoid causing undue stress to a large amount of residents and owners whilst allowing the street to be locatable via the GURAS national database system which supplies information to Australia Post, Emergency Services, GPS providers and the like.

The NSW Road Naming Policy states that *"a road name shall not include qualifying terminology, a cardinal indicator or similar prefix (e.g Upper, Lower, Old, New, East, West)..."* As such the proposal was objected to by GNB however Council was advised that under the circumstances it may appeal to the Board to have the objection overturned.

OPTIONS:

1. No changes are made to the name Kirkwood Road for the section of road running from Fraser Drive to Philp Parade; or
2. Council continues with the proposal to rename the section of Kirkwood Road running from Fraser Drive to Philp Parade as "Kirkwood Road West" and if public response supports this option then Council will lodge an appeal to the Geographical Names board to officially adopt and name the road "Kirkwood Road West"

CONCLUSION:

Council is obliged to provide residents with an easily identifiable and locatable address. Due to the large number of residents that a road name change would affect along this road, and with regard to the overwhelming response against any proposal to do so it would be

preferable to retain the name of Kirkwood Road with the addition of "West". It appears that the majority of residents already have "Kirkwood Road West" shown as their address and to adopt this name officially would allow it to be easily located by navigational systems as used by emergency services, delivery companies and visitors. The addition of West to the name would also allow Australia Post to better sort mail and deliveries through their internal mail sorting system which is connected to the GURAS database and currently does not recognise the address shown by the residents of Kirkwood Road (West).

It is recommended that at the completion of the Kirkwood Road works (which are not programmed in the next 5 years) that Council advertises its intention to formalise the name of the road to "Kirkwood Road West" to gauge the public's view and if this name is supported, then Council lodge an appeal to the Geographical Names Board to officially adopt the name of the road "Kirkwood Road West".

COUNCIL IMPLICATIONS:

a. Policy:

Addressing - Rural and Urban v1.0

b. Budget/Long Term Financial Plan:

There are no future budget implications

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

29 [E-CM] Classification of Land for Future Requirements - Casuarina

SUBMITTED BY: Design

FILE REFERENCE: DA09/0661

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.5 Ensure adequate stormwater drainage, flood management and evacuation systems are in place to protect people and property from flooding
-

SUMMARY OF REPORT:

Proposed Lot 55 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina is to be transferred to Council as Operational Land for the purposes of future requirements.

It is will be necessary to classify proposed Lot 55 as operational pursuant to the provisions of the Local Government Act, 1993.

A notice was published in the Tweed Link on 28 January 2014 allowing a period of 28 days for any member of the public to provide a written submission to the proposed classification of this land as operational. No submissions were received.

RECOMMENDATION:

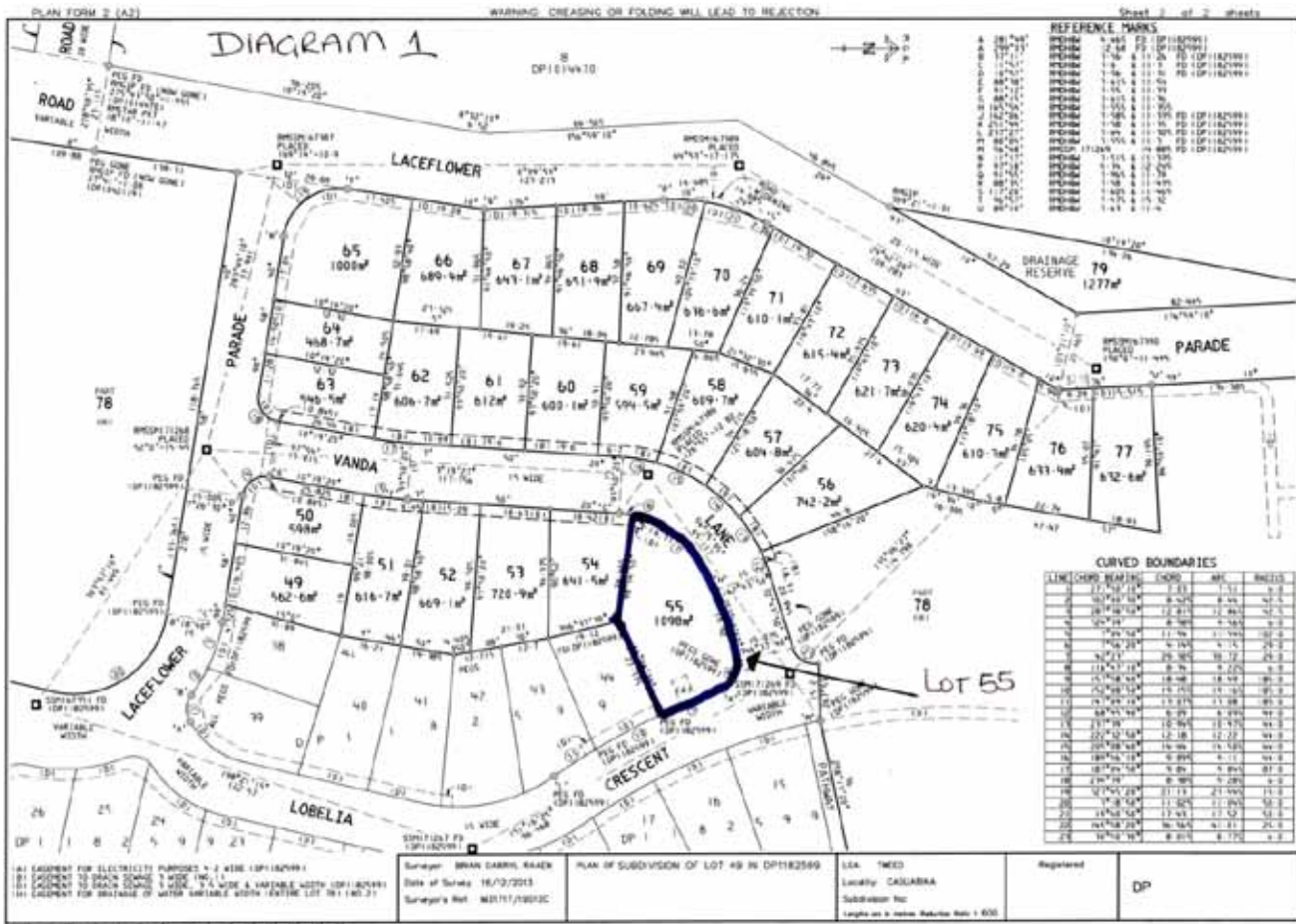
That Council:

- 1. Approves the transfer of proposed Lot 55 in the plan of subdivision of Lot 49 in DP1182599 at Casuarina; and**
- 2. Classifies proposed Lot 55 in the plan of subdivision of Lot 49 in DP1182599 at Casuarina as Operational Land; and**
- 3. All necessary documentation be executed under the Common Seal of Council**

REPORT:

Proposed Lot 55 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina is to be transferred to Council as Operational Land for the purposes of future requirements (refer to Diagram 1).

Diagram 1 - showing the location of Lot 55:



The transfer of this parcel of land was a condition of consent of DA09/0661 and stated "Proposed Lot 55 is not approved as Park but shall be dedicated to Council as Operational Land with the issue of the subdivision certificate for Stage 3".

As the parcel is not to be regarded as Park and does not serve as a Drainage Reserve or the like, the only option available to allow it to be classified as Operational Land was to provide it with the purpose of "Future Requirement".

It is necessary to classify proposed Lot 55 as operational pursuant to the provisions of the Local Government Act, 1993.

A notice was published in the Tweed Link on 28 January 2014 allowing a period of 28 days for any member of the public to provide a written submission to the proposed classification of this land as operational. No submissions were received.

OPTIONS:

1. Council approves the transfer and classification as Operational land of proposed Lot 55 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina
2. Council does not approve the transfer and classification as Operational land of proposed Lot 55 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina.

CONCLUSION:

In accordance with the provisions of the Local Government Act 1993 it is necessary to classify Lot 55 in the plan of subdivision of Lot 49 in DP 1182599 at Casuarina as Operational Land.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy not applicable.

b. Budget/Long Term Financial Plan:

To be included in the Works Department budgeted maintenance schedule.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

30 [E-CM] Piggabeen - Road Closure Application

SUBMITTED BY: Design

FILE REFERENCE: GR3/12/7

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

Council has received a notice of application to close a section of Crown Road reserve east of Lots 1 and 2 DP 621810 and Lot 10 DP 800128 at Piggabeen from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of this section of Crown Public Road.

A desktop investigation of the Crown Road reserve has been conducted. The road proposed to be closed has no formation and is completely isolated from all other road networks and inaccessible to the public.

This application complies with Council's 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, which states that the road can be considered redundant in terms of access to all surrounding properties.

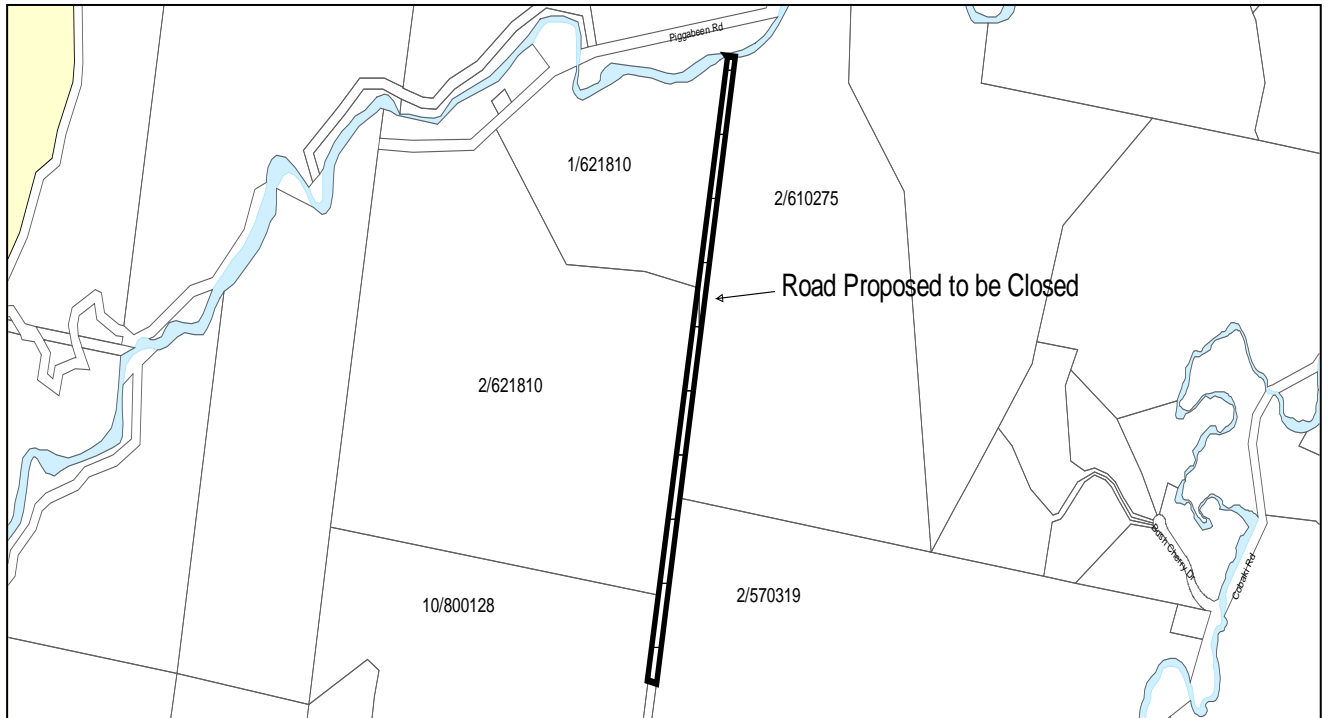
RECOMMENDATION:

That Council does not object to the closure and purchase of the Crown Road reserve east of Lots 1 and 2 DP 621810 and Lot 10 DP 800128 at Piggabeen.

REPORT:

Council has received a notice of application to close a section of Crown Road reserve east of Lots 1 and 2 DP 621810 and Lot 10 DP 800128 at Piggabeen from Crown Lands. Council has been requested to provide its concurrence or objection to the closure of this section of Crown Public Road (See Figure 1).

Figure 1 Diagram showing the extent of the road proposed to be closed:



A desktop investigation of the Crown Road reserve has been conducted. The road proposed to be closed has no formation and is completely isolated from all other road networks and inaccessible to the public.

There appears to be limited environmental constraints to the majority of the road reserve with the exception of the southern section within Lot 2 DP 570319 and Lot 10 DP 800128 shows the following

- Steep or highly erodible land
- Contains young forest
- High ecological status

With these environmental constraints in mind it is highly improbable that any formation would be acceptable over this section of road reserve.

OPTIONS:

1. Council does not object to the closure and purchase of the Crown road reserve east of Lots 1 and 2 DP 621810 and Lot 10 DP 800128 at Piggabeen, or
2. Council objects to the closure and purchase of the Crown road reserve east of Lots 1 and 2 DP 621810 and Lot 10 DP 800128 at Piggabeen.

CONCLUSION:

This application complies with Council's 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, which states that the road can be considered redundant in terms of access to all surrounding properties.

COUNCIL IMPLICATIONS:

a. Policy:

Road Closures and Private Purchase v1.2.

b. Budget/Long Term Financial Plan:

No future budget implications.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

31 [E-CM] Restriction on the Use of Land - Mahers Lane, Terranora

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

Council has provided Development Consent under DA13/0234 for the construction of a granny flat and carport at Lot 2 in DP 706332 - 77 Mahers Lane Terranora.

Consent condition 47 required that *"Prior to the issue of a final occupation certificate, a restriction as to user on the Land Title shall be created in accordance with the Conveyancing Act 1919 for the purpose of prohibiting subdivision of the development."*

The applicant has provided the Restriction as to User documentation which has been approved by Council Officers. As the prescribed authority, Council is required to execute the document under Common Seal to allow registration at Land & Property Information Sydney.

RECOMMENDATION:

That all documents creating the Restriction on the Use of Land within Lot 2 DP 706332 for the purpose of prohibiting subdivision of the development, be signed under the Common Seal of Council.

REPORT:

Council has provided Development Consent for the construction of a granny flat and carport at Lot 2 in DP 706332 - 77 Mahers Lane Terranora.

Consent condition 47 requested that *"Prior to the issue of a final occupation certificate, a restriction as to user on the land Title shall be created in accordance with the Conveyancing Act 1919 for the purpose of prohibiting subdivision of the development."*

OPTIONS:

The registration of the Restriction as to User of Land over Lot 2 DP 706332 is a condition of consent by Council arising from DA13/0234 and therefore as the documentation has been approved, the only option is to resolve to execute the documents under the Common Seal of Council.

CONCLUSION:

The applicant has provided the Restriction as to user which has been approved by Council officers. As the prescribed authority Council is required to execute the document under Common Seal to allow registration at Land & Property Information Sydney.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

There are no future financial implications

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

32 [E-CM] EQ2012-032 (B) Level of Discount to be Applied for the Supply of Materials to Council as a Preferred Supplier

SUBMITTED BY: Contracts

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.3 Delivering the objectives of this plan
- 1.3.2 Council will seek the best value in delivering services

SUMMARY OF REPORT:

Council at its meeting of 26 June 2012 resolved to endorse a number of local suppliers as Preferred Suppliers for the supply of hardware, electrical and plumbing materials.

The Preferred Supplier arrangement was for a twelve month period from 1 June 2012 to 30 June 2013 with the provision of a further two by twelve month extension options.

The first twelve month extension expires on 30 June 2014.

Contact was made with the nominated suppliers to determine the willingness to continue with the supply arrangement for a further and final twelve month period from the 1 July 2014 until 30 June 2015.

RECOMMENDATION:

That in relation to EQ2012-032 (B) Level of Discount to be Applied for the Supply of Materials to Council as a Preferred Supplier Council accepts the continued involvement of nominated Suppliers for the period 1 July 2014 until 30 June 2015 as follows.

SUPPLIER	MATERIAL	LOCATION
Budds Mitre 10	Hardware/ Plumbing	Murwillumbah
L&H Group	Electrical	Tweed Heads South
Southern Cross Fasteners	Hardware	Tweed Heads South
Twd Hds Plumbing	Plumbing	Tweed Heads South
Ideal Electrical Supplies	Hardware / Electrical	Murwillumbah
Aussie Fasteners	Hardware	Murwillumbah
Cetnaj	Electrical	Tweed Heads South
Tweed Bolt Supplies	Hardware	Tweed Heads South
Haymans Electrical	Electrical	Tweed Heads South

REPORT:

Tender Background

Council at its meeting of 26 June 2012 resolved to endorse a number of local suppliers as Preferred Suppliers for the supply of hardware, electrical and plumbing materials.

The Preferred Supplier arrangement was for a twelve month period from 1 June 2012 to 30 June 2013 with the provision of a further two by twelve month extension options.

The first twelve month extension expires on 30 June 2014.

Contact was made with the nominated suppliers to determine their willingness to continue with the supply arrangement and the discount provisions that would apply for a further and final twelve month period from 1 July 2014 until 30 June 2015.

The nominated Preferred Suppliers are as follows:

Supplier	Material	Location
Budds Mitre 10	Hardware/ Plumbing	Murwillumbah
L&H Group	Electrical	Twid Hds South
Southern Cross Fasteners	Hardware	Twid Hds South
Twid Hds Plumbing	Plumbing	Twid Hds South
Ideal Electrical Supplies	Hardware / Electrical	Murwillumbah
Aussie Fasteners	Hardware	Murwillumbah
Cetnaj	Electrical	Twid Hds South
Tweed Bolt Supplies	Hardware	Twid Hds South
Haymans Electrical	Electrical	Twid Hds South

Responses were received from the following suppliers indicating their willingness to continue the Preferred Supplier arrangement with existing discount provisions to apply.

Supplier	Material	Location
Budds Mitre 10	Hardware/ Plumbing	Murwillumbah
L&H Group	Electrical	Twid Hds South
Southern Cross Fasteners	Hardware	Twid Hds South
Twid Hds Plumbing	Plumbing	Twid Hds South
Ideal Electrical Supplies	Hardware / Electrical	Murwillumbah
Aussie Fasteners	Hardware	Murwillumbah
Cetnaj	Electrical	Twid Hds South
Tweed Bolt Supplies	Hardware	Twid Hds South
Haymans Electrical	Electrical	Twid Hds South

OPTIONS:

1. That Council accepts the submissions as lodged for the continuation of the Preferred Supplier arrangement.
2. That Council takes no action on the continuation of the Preferred Supplier arrangement.

CONCLUSION:

That Council accepts the submissions as lodged for the continuation of the Preferred Supplier arrangement.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.3.

b. Budget/Long Term Financial Plan:

No direct budget implications. Day to day purchases for operational needs to carry out budgeted maintenance functions.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

33 [E-CM] EC2014-040 Supply and Delivery of Water Treatment Chemicals and Industrial Gases

SUBMITTED BY: Contracts

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.2 Provision of a secure, high quality and reliable drinking water supply services which meets health and environmental requirements and projected demand
-

SUMMARY OF REPORT:

Tender EC2014-040 Supply of Water Treatment Chemicals and Industrial Gases was called for the supply of a range of Water Treatment Chemicals and Industrial Gases for use in the operation of Council's Water / Wastewater Treatment Plants and Aquatic Facilities.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

RECOMMENDATION:

That:

1. **Council awards the contract EC2014-040 Supply of Water Treatment Chemicals and Industrial Gases to the following suppliers for the period 1 July 2014 until 30 June 2016 with provision for a further two (2) year extension option:**

SUPPLIER	SCHEDULE	CHEMICAL / GAS
Omega Chemicals	A	Aluminium Chlorohydrate
	B	Aluminium Sulphate
	E	Citric Acid Solution
	J	Sodium Metabisulphite Powder
Air Liquide	C	Carbon Dioxide Gas
Orica	D	Chlorine Gas
	F	Citric Acid Powder
	K	Magnesium Hydroxide Liquid (MHL)
	N	Sodium Hydroxide
	O	Sodium Hypochlorite
Redox	G	Hydrated Lime

SUPPLIER	SCHEDULE	CHEMICAL / GAS
	M	Potassium Permanganate
Quantum Chemicals	H	Hydrofluosilicic Acid
	I	Sodium Bisulphate Solution
Chemiplas Australia	L	Polymer

2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.
3. **ATTACHMENT 1 is CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (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:

Tender Background

Tender EC2014-040 Supply of Water Treatment Chemicals and Industrial Gases was called to source suppliers to provide a range of Water Treatment Chemicals and Industrial Gases for use in the operation of Council's Water / Wastewater Treatment Plants and Aquatic Facilities.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for EC2014-040 Supply of Water Treatment Chemicals and Industrial Gases on 18 March 2014 in the Sydney Morning Herald The tender was also advertised in the Tweed Link and uploaded to Council's web page Tender section.

Tender Addendums

There were no (Notice to Tenderers) issued before close of tender.

Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Nine (9) submissions were recorded at the Tender Box opening and their details are as follows:

Tenderer	Tenderer
Nalco	Chemiplas Australia
Environmental Surface Solutions	Omega Chemicals
Orica	Quatum Chemicals
Air Liquide	Price Chemicals
Redox	

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering. The details of the price and non price evaluation are shown on the Tender Evaluation Spreadsheet.

Criterion	Weighting (%)
Tender Price / Unit Rates	50
Suitability of Materials Offered	10
Quality Assurance	10
Delivery lead times	10
Demonstrated capability to perform service	10
Local Preference	10
	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of the Water Unit's Treatment Plant and Process Engineer, Operations Engineer and Engineering Admin Supervisor – Contracts.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 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 tenderer in relation to the tender price and the evaluation of the products offered by the 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.

OPTIONS:

1. That Council accepts the submission from the recommended suppliers and enters into a supply arrangement for the supply of Water Treatment Chemicals and Industrial Gases.
2. That Council does not accept the submissions as recommended to establish a supply arrangement to provide Water Treatment Chemicals and Industrial Gases.

CONCLUSION:

That Council accepts the submissions from the recommended suppliers as detailed in the attached Schedules for the supply of Water Treatment Chemicals and Industrial Gases for the period 1 July 2014 until 30 June 2016 with the provision for a further two (2) year extension option.0

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.5.

b. Budget/Long Term Financial Plan:

Provision made in 2014/2015 Water and Sewer Treatment Plant and Aquatic Facilities operation budgets.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Tender Evaluation Report (ECM 3377418).

34 [E-CM] EC2014-039 Sprayed Bituminous Surfacing at Various Locations

SUBMITTED BY: Contracts

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.4 An integrated transport system that services local and regional needs
 - 2.4.3 Ensure local streets, footpaths and cycleways are provided, interconnected and maintained
-

SUMMARY OF REPORT:

Tender EC2014-039 Sprayed Bituminous Surfacing at Various Locations was called to source a suitably qualified and experienced bitumen sealing Service Provider.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

RECOMMENDATION:

That:

1. **Council awards the contract EC2014-039 Sprayed Bituminous Surfacing at Various Locations to RPQ Spray Seal Pty Ltd for the period 1 July 2014 until 30 June 2016.**
2. **The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.**
3. **ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (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:

Tender Background

Tender EC2014-039 Sprayed Bituminous Surfacing at Various Locations was called to source a suitably qualified and experienced bitumen sealing Service Provider.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for EC2014-039 Sprayed Bituminous Surfacing at Various Locations on 18 March 2014 in the Sydney Morning Herald. The tender was also advertised in Tweed Link and displayed on Council web page Tenders Section.

Tender Addendums

There were no (Notice to Tenderers) issued before close of tender.

Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. 4 submissions were recorded at the Tender Box opening and their details are as follows:

Tenderer	ABN
Boral Asphalt	53 000 102 376
RPQ Spray Seal Pty Ltd	30 113 612 098
Fulton Hogan Industries Pty Ltd	54 000 538 689
SRS Roads Pty Ltd	16 064 662 148

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering. The details of the price and non price evaluation are shown on the attached Tender Evaluation Spreadsheet.

Criterion	Weighting (%)
Tendered rates	55
Level of appropriate resources	5
Contractors Team and Experience	5
Capability to perform service	20
Relevant experience with contracts of a similar nature	5
Local Preference	10
	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

Refer to confidential ATTACHMENT 1 and 2 for the detailed Tender Report.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of Maintenance Engineer, Engineering Assistant – Works Unit and Engineering Admin Supervisor- Contracts.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 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 tenderer in relation to the tender price and the evaluation of the products offered by the 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.

OPTIONS:

1. That Council accepts the tender from RPQ Spray Seal Pty Ltd for the provision of a Bituminous Spraying service.
2. That Council does not accept the tender from RPQ Spray Seal Pty Ltd to provide a Bituminous Spraying service.

CONCLUSION:

That Council accepts the submission from RPQ Spray Seal Pty Ltd for the provision of a Bituminous Spraying service for the period 1 July 2014 until the 30 June 2016.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.3.

b. Budget/Long Term Financial Plan:

Provision made in 2014/2015 Maintenance Budgets for Bituminous Resurfacing Works.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. EC2014-039 - Provision of Linemarking Services - Supplementary Report (ECM3377375).

(Confidential) Attachment 2. EC2014-039 - Provision of Linemarking Services - Excel Spreadsheet - Evaluation Report (ECM3370228).

35 [E-CM] EC2014-038 Provision of Linemarking Service

SUBMITTED BY: Contracts

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.4 An integrated transport system that services local and regional needs
 - 2.4.1.4 Provide traffic facilities infrastructure, including signage and line marking
-

SUMMARY OF REPORT:

Tender EC2014-038 Provision of Linemarking Service was called to source a qualified contractor to provide a Linemarking service across the Shire's road network.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

RECOMMENDATION:

That:

1. **Council awards the contract EC2014-038 Provision of Linemarking Service to Allstate Linemarking Service Pty Ltd for a two (2) year period commencing 1 July 2014 until 30 June 2016.**
2. **The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.**
3. **ATTACHMENT 1, 2 and 3 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (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:

Tender Background

Tender EC2014-038 Provision of Linemarking Service was called to source a qualified contractor to provide a Linemarking service across the Shire's road network.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for Tender EC2014-038 Provision of Linemarking Service on 18 March 2014 in Sydney Morning Herald. The tender was also advertised in the Tweed Link and uploaded to Council web page Tender section.

Tender Addendums

There were no (Notice to Tenderers) issued before close of tender.

Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. 2 submissions were recorded at the Tender Box opening and their details are as follows:

Tenderer	ABN
Allstate Linemarking Service Pty Ltd	98 109 627 652
Avante Linemarking Services	54 009 062 266

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering. The details of the price and non price evaluation are shown on the attached Tender Evaluation Spreadsheet.

Criterion	Weighting (%)
Tendered rates	55
Level of appropriate resources	5
Contractors team & experience	5
Capability to perform service	20
Relevant experience with contracts of a similar nature	5
Local Preference	10
Total	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of Manager of Works, Signs and Markings Ganger and Engineering Admin Supervisor – Contracts.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 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 tenderer in relation to the tender price and the evaluation of the products offered by the 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.

OPTIONS:

1. That Council accepts a submission from submitting service providers and enters into a service arrangement for the provision of Linemarking Services.
2. That Council takes no action to establish a service arrangement to provide a Linemarking Service.

CONCLUSION:

That Council accepts the submission from Allstate Linemarking Service for the provision of a Linemarking Service.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.5.

b. Budget/Long Term Financial Plan:

Provision made in 2014 / 2015 Traffic Facilities budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. EC2014-039 - Sprayed Bituminous Surfacing at Various Locations - Supplementary Attachment (ECM3377375).

(Confidential) Attachment 2. EC2014-039 - Sprayed Bituminous Surfacing at Various Locations - Excel Spreadsheet - Evaluation Report (ECM3370228).

36 [E-CM] EC2014-041 Annual Supply and Delivery of Pressure Pipe and Various Water Service Fittings

SUBMITTED BY: Contracts

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.3 Delivering the objectives of this plan
- 1.3.2 Council will seek the best value in delivering services

SUMMARY OF REPORT:

Tender EC2014-041 Annual Supply and Delivery of Pressure Pipe and Various Water Service Fittings was called to source suppliers to obtain various pressure pipe and water service fittings to be held as stock items in Council's Depot Store and issued for the use in the maintenance of the Shire's Water and Wastewater systems.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

RECOMMENDATION:

That:

1. Council awards the Contract EC2014-041 Annual Supply of Pressure Pipe and Various Water Service Fittings to the following suppliers for the period 1 July 2014 until 30 June 2015 with provision for a further two (2) by twelve (12) month extension options:

SCHEDULE	DESCRIPTION	SUPPLIER
A	Water Service Fittings	Elster Metering, Tweed Heads Plumbing Supplies
B	Water Meters, Back Flow Devices	Elster Metering, Pentair
C	Water Mains Pipe	Pentair
D	DWV RRJ Sewer Pipe	Iplex Pipelines
E	DWV Solvent Joint Sewer Pipe	Iplex Pipelines
F	Sewer Rising Main Pipe	Pentair
G	RRJ Sewer Fittings	Iplex Pipelines
H	Polyethylene Pipe	Tweed Heads Plumbing Supplies
I	Copper Pipe	J H Williams
J	Misc items	Iplex Pipelines , Cadia
K	Hydrant & Valve Blocks, Meter	Pentair, Cadia Group

SCHEDULE	DESCRIPTION	SUPPLIER
	Boxes	
L	Water Main Valves	Pentair Ventomat
M	Water Main Ductile Iron Fittings	Pentair, Aussie Fasteners

2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.

3. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (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:

Tender Background

Tender EC2014-041 Annual Supply and Delivery of Pressure Pipe and Various Water Service Fittings was called to source suppliers to obtain various pressure pipe and water service fittings to be held as stock items in Council's Depot Store and issued for use in the maintenance of the Shire's Water and Wastewater systems.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for EC2014-041 Annual Supply and Delivery of Pressure Pipe and Various Water Service Fittings on 18 March 2014 in the Sydney Morning Herald. The tender was also advertised in the Tweed Link and uploaded to Council's web page Tenders Section.

Tender Addendums

There were no (Notice to Tenderers) issued before close of tender.

Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 9 April 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. 10 submissions were recorded at the Tender Box opening and their details are as follows:

Tenderer
Tweed Heads Plumbing Supplies Pty Ltd
Ventomat Australia Pty Ltd
Iplex Pipelines
Clover Pipelines Pty Ltd
Williams Group Australia Pty Ltd
Aussie Fasteners
Cadia Group
Pentair Water Solutions
Total Eden
Elster Metering Pty Ltd

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering. The details of the price and non price evaluation are shown on the attached Tender Evaluation Spreadsheet.

Criterion	Weighting (%)
Comparison of tendered rates	55
Suitability of materials offered	15
Quality Assurance	10
Relevant experience with contracts of a similar nature	10
Local Preference	10
	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

Refer to confidential ATTACHMENT 1 for the detailed Tender Evaluation Report.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of the Water Unit's Senior Trade Waste / Connections Officer, Water and Waste Water Operations Coordinator and Engineering Admin Supervisor – Contracts.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 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 tenderer in relation to the tender price and the evaluation of the products offered by the 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.

OPTIONS:

1. That Council accepts the recommended submissions as nominated from submitting suppliers and enters into supply arrangements for the provision of the required pressure pipe and water service fittings.
2. That Council does not accept the recommended supply arrangements to source the required pressure pipe and water service fittings.

CONCLUSION:

That Council accepts the recommendation as tabled.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.5.

b. Budget/Long Term Financial Plan:

Provision made in 2014/2015 Water and Wastewater Maintenance Budgets.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Tender Evaluation Report (ECM 3376730).)

37 [E-CM] EC2012-273 Extensions to Tweed Regional Museum Murwillumbah

SUBMITTED BY: Contracts

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.6 Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities
-

SUMMARY OF REPORT:

On 14 February 2013 Council resolved to award contract EC2012-273 to Ware Building Pty Ltd to perform construction activities for the proposed extensions to the Tweed Regional Museum Murwillumbah for the amount of \$1,586,830.00 exclusive of GST.

Based on the net approved variations to date totalling an additional \$163,870.27 the revised contract sum for EC2012-273 is \$1,750,700.27 exclusive of GST.

RECOMMENDATION:

That:

1. **The net approved variations to date amounting to \$163,870.27 (exclusive of GST) and the potential variation for exhibition lighting for Contract EC2012-273 Extensions to Tweed Regional Museum Murwillumbah be received and noted.**
2. **The General Manager is given delegated authority to approve additional variations up to \$150,000 above the revised contract sum and those variations reported to Council following completion of the works.**
3. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) 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:

Tender Background

On 14 February 2013 Council resolved to award contract EC2012-273 to Ware Building Pty Ltd to perform construction activities for the proposed extensions to the Tweed Regional Museum Murwillumbah for the amount of \$1,586,830.00 exclusive of GST.

Since that report to Council further net approved variations have incurred during the construction process totalling a further \$163,870.27 due to changes in design, omissions in details and additional works being carried out in the existing building which was considered to be prudent to be carried out by the Contractor at the construction stage.

These additional works have increased the contract sum to \$1,750,700.27 exclusive of GST.

A summary of variations approved to date is provided in **Confidential Attachment 1**.

Since the completion of the building works tenders have been let for the exhibition design services and for the manufacture and delivery for exhibition display units.

The exhibition design services have identified that the old existing building lighting is inadequate for the display units that are to be installed. A design has been undertaken to provide tracked exhibition lighting to service the new display requirements. Ware Building has been requested to price these works which are expected to be in the vicinity of \$50,000.00.

The total budget available to complete this project is \$3,170,703.00 inclusive of construction, building internal exhibition display units, lighting and office equipment.

The projected contract sum for EC2012-273 of \$1,800,700.27 is within the budget

OPTIONS:

Not Applicable.

CONCLUSION:

The net approved variations to date amounting to \$163,870.27 (exclusive of GST) and the potential variation for exhibition lighting for Contract EC2012-273 Extensions to Tweed Regional Museum Murwillumbah be received and noted.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.5.

b. Budget/Long Term Financial Plan:

The total budget available to complete this project is \$3,170,703.00 inclusive of construction, building internal exhibition display units and office equipment.

The current revised contract sum for EC2012-273 of \$1,750,700.27 is within the budget

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Summary of Variations (ECM 3373851).

38 [E-CM] EC2014-052 Provision of a Panel of Providers for Soil Testing and Geotechnical Services

SUBMITTED BY: Contracts

FILE REFERENCE: EC2014-052

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.3 Delivering the objectives of this plan
- 1.3.2 Council will seek the best value in delivering services

SUMMARY OF REPORT:

The Tender EC2014-052 Request for Panel of Providers for the Provision of Soil Testing and Geotechnical Investigation Services was called to engage suitably qualified and experienced Geotechnical companies to a panel of providers for a wide range of soil testing and investigation services to be carried out for Council to service its operational requirements over the nominated period.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender Submissions closed at 4:00pm (local time) on 4 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

It is recommended that Council accepts the list of providers for the tender EC2014-052 Request for Panel of Providers for the Provision of Soil Testing and Geotechnical Investigation Services is included as a confidential attachment to this report.

RECOMMENDATION:

That:

- 1. Council accepts the list of providers below at their Tendered Rates for the contract EC 2014-052 Request for Panel of Providers for the Provision of Soil Testing and Geotechnical Investigation Services for a two (2) year period:**

TENDERER
Butler Partners Pty Ltd
Cardno Bowler
Douglas Partners Pty Ltd
GHD Pty Ltd

TENDERER
Golder Associates
Maiden Geotechnics
SMEC Australia Pty Ltd
Soil Surveys Pty Ltd

2. **ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (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:

Tender Background

The Tender EC2014-052 Request for Panel of Providers for the Provision of Soil Testing and Geotechnical Investigation Services was called to engage suitably qualified and experienced Geotechnical companies to a panel of providers for a wide range of soil testing and investigation services to be carried out for Council to service its operational requirements over the nominated period.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender Submissions closed at 4:00pm (local time) on 4 April 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Council is seeking to engage the services of one or more qualified and certified field and laboratory testing organisations under a Preferred Supplier Arrangement to provide and conduct a variety of engineering soil testing and investigation services based on a suitability, availability and economical advantage to Council needs for a period of two (2) years.

Tenderers were advised that submissions would be assessed by the Tender Schedules submitted by the Tenderer which would provide Council with a preferred suppliers list offering the best competency and economical advantage, for various aspects of works as required.

Council officers will, as the need arises, request various aspects of work from the most suitable Contractor assessed from the submitted priced schedule for that aspect of work in the first instance based on availability, capability and economical advantage to Council. If by reason of unavailability or inability to meet Council's time frame, test or investigation requirements, Council will then approach the next suitably assessed Contractor and so on until all requirements are achieved.

Site Specific Geotechnical and Acid Sulphate Soil Investigations not covered in the submitted priced schedule may be requested from time to time under this contract. In these instances, Council officers will use Council's adopted procurement procedure and approach three most suitable Contractors on the preferred supplier list to provide a quotation of cost and availability for the work.

If individual project works are estimated to exceed \$150,000 in value then tenders for these works will be called as per the Council's adopted procurement procedure in accordance with Section 55 of the Local Government Act 1993 and Part 7 (Tendering) of the Local Government (General) Regulation 2005.

Council gives no Guarantee to any amount of works under this Contract engagement.

Work will be requested on a needs basis by the various Council Divisions.

Rates submitted are not subject to escalation and will remain fixed for the two (2) year term of the agreement.

Prospective providers and provided rates for the nominated services are listed in **CONFIDENTIAL ATTACHMENT 1.**

Tenders Received

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 4 April 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

A total of eight responses were recorded for EC2014-052 at the Tender Box opening on 4 April 2014. They were as follows:

Tenderer
Butler Partners Pty Ltd
Cardno Bowler
Douglas Partners Pty Ltd
GHD Pty Ltd
Golder Associates
Maiden Geotechnics
SMEC Australia Pty Ltd
Soil Surveys Pty Ltd

Tender Evaluation

The Tender Evaluation was conducted by Council's Engineering Contract Unit staff to examine the submissions as to meeting the requirements for the performance and capabilities required under this contract.

A copy of the Tender Evaluation Report Attachment 1 is attached.

ATTACHMENT 1 which is **CONFIDENTIAL** in accordance with Section 10A(2) 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.

OPTIONS:

Not Applicable.

CONCLUSION:

In accordance with the rates submitted for each required service it is recommended that Council accepts the list of providers for the tender EC2014-052 Request for Panel of Providers for the Provision of Soil Testing and Geotechnical Investigation Services for a two (2) year period as included as a confidential attachment to this report.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.5.

b. Budget/Long Term Financial Plan:

As required for each individual project.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Tender Evaluation Report (ECM 3373330).

(Confidential) Attachment 2. Tender Evaluation Spreadsheets (ECM 3373361).

39 [E-CM] EQ2014-019 Supply of Selected Materials

SUBMITTED BY: Contracts

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.2 Council will seek the best value in delivering services
-

SUMMARY OF REPORT:

Tender EQ2014-019 Supply and Delivery of Selected Materials was called to engage the services of suppliers to supply and deliver a range of materials into Council's Buchanan Street Depot Store.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 21 May 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah, NSW, 2484.

RECOMMENDATION:

That:

1. Council awards the contract EQ2014-019 Supply and Delivery of Selected Materials for the Period 1 July 2014 until 30 June 2015 to the following suppliers;

ITEM	SUPPLIER
Herbicides	Williams Group Australia Pty Ltd
Premix Cement	Williams Group Australia Pty Ltd
Bagged Cement	Williams Group Australia Pty Ltd
Reinforcing Mesh	Williams Group Australia Pty Ltd
Ag Pipe	Williams Group Australia Pty Ltd
900mm Dia. PVC SW Pipe	Williams Group Australia Pty Ltd
Geotextile Materials	Geofabrics Australasia
Electrode 12P	Williams Group Australia Pty Ltd
Form Ply 2.4 x 1.2	Williams Group Australia Pty Ltd
Woven Silt Film	Geofabrics Australasia
Star Pickets	Williams Group Australia Pty Ltd

2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.
-

3. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (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:

Tender Background

Tender EQ2014-019 Supply and Delivery of Selected Materials was called to engage the services of suppliers to supply and deliver a range of materials into Council's Buchanan Street Depot Store.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 21 May 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for EQ2014-019 Supply and Delivery of Selected Materials on 2 May 2014 in the Tweed Link and uploaded to Council's tender site.

Tender Addendums

There were no (Notice to Tenderers) issued before close of tender.

Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 21 May 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Seven (7) submissions were recorded at the Tender Box opening and their details are as follows:

Tenderer	ABN
Geofabrics Australasia Pty Ltd	23 005 479 961
Global Synthetics Pty Ltd	71 120 519 520
Landmark Operations Ltd	73 008 743 217
Reinforced Concrete Pipes Australia (QLD) Pty Ltd	71 099 076 061
Simplot Partners Turf & Horticulture Pty Ltd	56 089 309 008
Williams Group Australia Pty Ltd	28 128 744 990
Wychitella Holdings Pty Ltd	23 066 860 973

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering. The details of the price and non price evaluation are shown on the attached Tender Evaluation Spreadsheet.

Criterion	Weighting (%)
Value for Money (Normalised Tender Price)	70%
Level of appropriate resources	10%
General performance history	5%
Experience with contracts of similar nature	5%
Local preference	10%
Total	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

Refer to confidential ATTACHMENT 1 for the detailed Tender Evaluation Report.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of Engineering Admin Supervisor - Contracts and Contracts Admin Assistant.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 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 tenderer in relation to the tender price and the evaluation of the products offered by the 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.

OPTIONS:

1. That Council accepts submissions as nominated from submitting suppliers and enters into supply arrangements for the recommended items.
2. That Council takes no action to establish supply arrangements to source the required selected materials.

CONCLUSION:

That Council accepts the recommendation as tabled.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Version 1.5.

b. Budget/Long Term Financial Plan:

Provisions made in annual supply budgets.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Tender Evaluation Report (ECM 3379537).

40 [E-CM] EQ2014-061 - Panel for Real Estate Agency Services

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

At its meeting held on 12 December 2013 Council resolved to seek expressions of interest from real estate agents within the Tweed Local Government Area to form a panel of agents to assist in the sale of Council land for a term of 5 years.

Expressions of interest were sought by the publication of an advertisement in the Tweed Link on 18 February 2014, eleven (11) responses were received. To ensure that Council abided by the Procurement Policy, an advertisement for tender was advertised in the Link on 6 May 2014, which closed on 21 May 2014.

There were ten (10) tenders received and three agencies have been selected from the tenderers to form a Panel for the Provision of Real Estate Agency Services for a term of 5 years to commence on 1 July 2014.

RECOMMENDATION:

That:

1. Council in accordance with Tender EQ2014-061 Provision of Real Estate Agency Services for the Disposal of Council Land, for a term of five (5) years appoints a panel in accordance with the Tender Evaluation Report as follows:

**OneAgency Brett Swales
Professionals Coolangatta Tweed
Ray White Gold Coast South**

2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

REPORT:

At its meeting held on 12 December 2013 Council resolved to seek expressions of interest from real estate agents within the Tweed Local Government Area to form a panel of agents to assist in the sale of Council land for a term of 5 years.

Expressions of interest were sought by an advertisement in the Tweed Link on 18 February 2014, eleven (11) responses were received. To ensure that the tender was in accord with Council's Procurement Policy, an advertisement for tender was advertised in the Link on 6 May 2014, which closed on 21 May 2014.

There were ten (10) tenders received and three agencies have been selected from the tenderers to form a Panel for the Provision of Real Estate Agency Services for a term of 5 years to commence on 1 July 2014.

As the tender is a tender for the provision of services, the assessment criteria was largely based on the tenderers' capacity to provide a high standard of service due to experience and knowledge of the Tweed and planning legislation.

The tenders required responses to the following:

- An overview of the service provider's experience in the sale of rural and residential properties in the Tweed local government area;
- A description of the service provider's experience in the sale of properties that are not mainstream rural or residential, eg quarries, industrial land;
- A description of the service provider's knowledge of the planning legislation that applies to land in the Tweed local government area
- The structure of the service provider agency;
- The capacity of the service provider to fulfil the requirements of the contract;
- The name/s of the registered real estate agent/s (and their qualifications and experience) who will be responsible for overseeing and managing Council's agency work;
- The names of support staff who would be assisting the registered real estate agent/s;
- Details of fees and charges for the following areas:
 - Commission per sale;
 - Estimated cost of disbursements such as advertising, photocopying, telephone, postage and facsimile fees;
 - Description of advertising schedules and media;
 - The period of time for which the commission fees and charges will be valid
- Local content requirements - each selected tenderer stated that their principal place of business was located in the Tweed Shire and employed more than 5 employees who resided in the Tweed.

A Tender Evaluation Report has been prepared, and is a confidential attachment to this report.

OPTIONS:

1. That Council approves the real estate agents selected as per the Evaluation Report to a panel for a term of five years; or
2. That Council does not approve the real estate agents selected as per the Evaluation Report and makes any appropriate additions or deletions.

CONCLUSION:

The procurement process for the tender has been conducted in accordance with Council's Procurement Policy and Procedure. The assessment of the tenders received has resulted in the acceptance of tenders from experience agents in a broad range of property dealings. It is recommended that Council approves the agents selected in accordance with Evaluation Report.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.5.

b. Budget/Long Term Financial Plan:

Nil in relation to the selection of the panel members.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Tender Evaluation Report dated 29 May 2014 (ECM 3377122).

41 [E-CM] Annual Indexation of Infrastructure Contribution Rates - Section 94 Plans (Developer Contributions)

SUBMITTED BY: Planning and Infrastructure

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

This report is for the information of Councillors and summarises the effects of indexation on Section 94 Plan developer contribution rates for the new financial year. The majority of contribution rates increase by varying amounts, depending on adopted Plan and Program dates. After indexation, the adjusted median increase per lot per contribution is \$12.00.

The indexed contribution rates will come into effect on 1 July 2014.

RECOMMENDATION:

That Council notes the indexation of Section 94 Plan contribution rates as detailed in this report and in accordance with the:-

- 1. Provisions of Regulation 32 of the Environmental Planning and Assessment Regulation 2000,**
- 2. ABS Implicit Price Deflator (IPD) index as adopted in each Section 94 Plan,**
- 3. Tweed Shire Council Land Cost index for March 2014 as published in the 2014/2015 Revenue Policy and Statement and adopted in each Section 94 Plan and**
- 4. Clause entitled "Adjustment of Contribution Rates" as adopted in each Section 94 Plan.**

REPORT:

Background:

Council reviewed all of its Section 94 (S94) contribution plans between July and December 2009 in accordance with a Direction from the NSW Minister for Planning. This was a major undertaking, and to streamline the process the opportunity was taken to standardise Council's disparate S94 plans in line with the then current Department of Planning 'template for a S94 Plan'. The template included a section with reference to indexation of the plan's works program. The Environmental Planning and Assessment (EP&A) Act had always allowed for such indexation however the review process revealed that Council had never previously utilised this mechanism to update developer contribution rates, in most cases because the S94 plan did not allow for it, or in one case, because a process had not been implemented to apply the update. Therefore a benefit of the Direction was that this oversight was rectified during the review process.

All of the plans which were reviewed were exhibited for comment and adopted by Council in accordance with the usual requirements of the EP&A Act. The majority of the amended plans were adopted by Council in December 2009.

Annual indexation in accordance with the clause entitled "Adjustment of Contribution Rates" adopted in each S94 Plan and referred to in this report has been applied to contribution rates each financial where appropriate since July 2011, and this process is now being repeated for July 2014.

What is a S94 Plan for?

S94 of the Environmental Planning and Assessment Act enables Council to collect money from developers for the provision of additional infrastructure required as a result of that development. It is an attempt to implement a 'user pays' approach and the intention is to ensure that sufficient arterial road capacity, additional open space, community facilities and other community infrastructure continues to be provided by Council, without placing the burden to pay for that infrastructure onto existing residents and ratepayers.

To collect contributions from developers, Council must have a S94 Plan in place which has been adopted in accordance with the EP&A Act and Regulations. The plan must spell out the infrastructure required, how much it will cost, and clearly demonstrate a direct link (nexus) between the required work and the demand generated by the new population as a result of development.

Council currently has 23 active contribution plans, approximately half of these apply to the whole shire, the rest are area-specific plans. The majority of plans levy contributions on residential and tourist development, while others, like the Road Contribution Plan (No 4) and Council Admin Facilities Plan (No 18), also levy contributions for commercial development.

It should be noted that in 2013, two plans were not updated to utilise the Department of Planning's 'Template for a S94 Plan' during the plan review. One of these plans has now been added to the annual indexation cycle, however one plan is yet to be amended to include the clauses which enable indexation:

- S94 Plan No 27 - Tweed Heads Master Plan - this plan was being updated separately in conjunction with the Department of Planning and was excluded from the general 2009 review, however the Department's review has concluded and this plan is yet to be amended to apply the new template which will enable future indexation.
- S94 Plan No 28 - Seaside City - this plan is an unusual case as it collects money on behalf of a developer in accordance with a ruling from the Land and Environment Court and was excluded from the 2009 review, however negotiations with the developer in August last year has resulted in this plan being added to the annual indexation cycle, therefore increases as a result of CPI indexation applied to this plan are included in this report for the first time.

Indices:

The Department of Planning's 'template for a S94 Plan' includes clauses for indexation of the works program broken down in terms of land and non-land components, including a localised 'Land Cost Index'. It is open to Council to use any viable index, provided that it is 'readily accessible'.

Regulation 32 of the Environmental Planning and Assessment Regulation 2000 states as follows:

- "(3) A council may make the following kinds of amendments to a contributions plan without the need to prepare a new contributions plan:*
- (a) minor typographical corrections,*
 - (b) changes to the rates of section 94 monetary contributions set out in the plan to reflect quarterly or annual variations to:*
 - (i) readily accessible index figures adopted by the plan (such as a Consumer Price Index), or*
 - (ii) index figures prepared by or on behalf of the council from time to time that are specifically adopted by the plan,*
 - (c) the omission of details concerning works that have been completed."*

Consequently the following indices were selected and are defined in each of the Plans:

Non land component - IPD (Implicit Price Deflator):

This index is published by the Australian Bureau of Statistics and refers to the value of work done (implicit price deflator). It is referred to as Chain Volume Measures; Engineering Construction; ABS Reference A405071T, ABS Product Number 8782.0.65.001

This index is applied to components of a S94 Plan works program for non-land items such as open space embellishment and the construction of buildings, roads and carparks.

The currently available IPD figures are for December 2013, released by the ABS in April 2014. As a matter of interest, the IPD has increased 1.10% since December 2012.

Land Component - TSC Land Cost Index:

Tweed Shire Council's Land Cost Index is a simple index calculated with reference to the movement in annual median property sale values and is published annually under the heading **Land Cost Indexation** in Council's Revenue Policy.

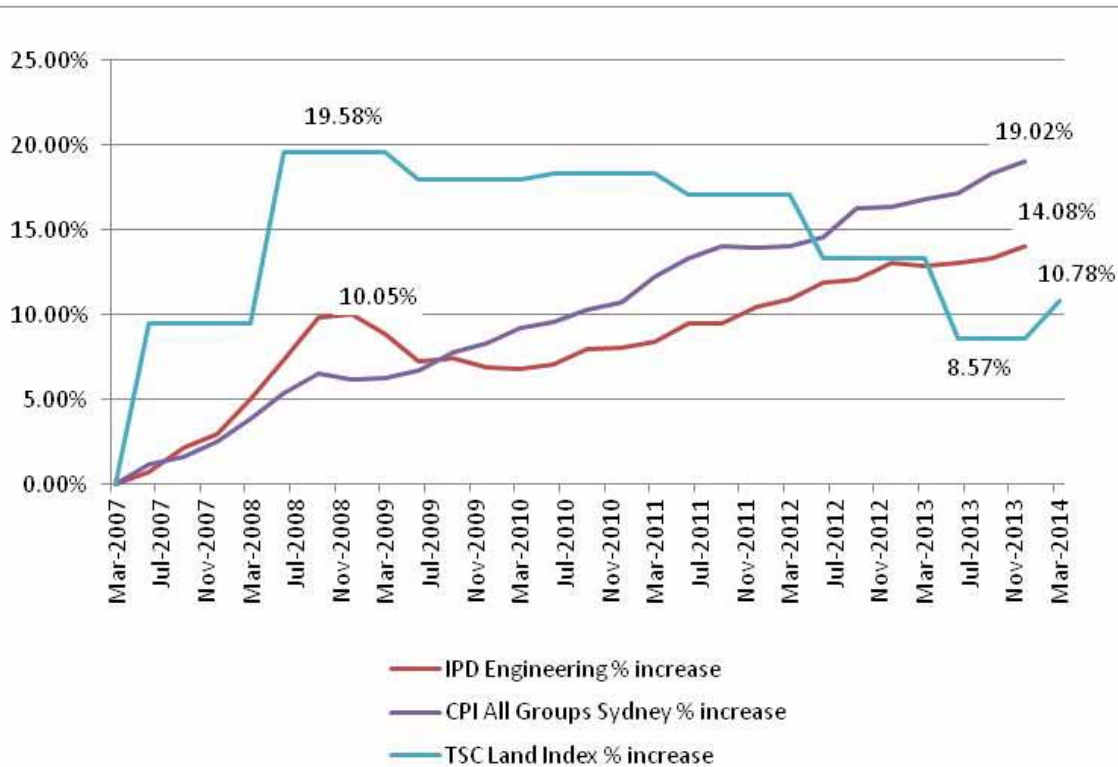
In 2009, escalating property values in Tweed Shire were of serious concern and price movements were noted well in excess of any non-land related index. It was felt that it was essential that an index that could closely reflect the actual cost to Council of the acquisition of land would be the most appropriate index to use, therefore the TSC Land Index was calculated and is now published annually.

At the time of preparation of this report, the currently available Land Cost Index figures are for March 2014, to be published in Council's Draft Revenue Policy 2014/2015. As a matter of interest, the land index has increased 2.21% since March 2013.

CPI All Groups (Sydney):

Section 94 Plan No 28 - Seaside City is to be indexed in the annual cycle for the first time this year, in accordance with clauses in the plan which enable indexation in line with the ABS CPI index for All Groups (Sydney), ABS Reference 6401.0 Consumer Price Index. As a matter of interest, the CPI has increased 2.62% since December 2012.

Cumulative movement of indices since 2007 is shown in the chart below. It should be noted that indexation in each plan is recalculated each year from the specific works program item base year in the originally adopted plan. Specific details of the calculation relevant to each plan are included as an appendix in the plan.



Effect of negative movements in indices:

The template for a S94 Plan, and therefore each updated Tweed Shire Council S94 plan, contains the following statements in the clause entitled 'Adjustment of Contribution Rates':

Note: In the event that the Current IPD is less than the previous IPD, the Current IPD shall be taken as not less than the previous IPD.

Note: In the event that the Current LV Index is less than the previous LV Index, the Current LV Index shall be taken as not less than the previous LV Index.

Effect of indexation on contribution rates:

Plan	Component	Current \$	per unit	Rate at 1 July 2014	Increase per unit	increase per lot	
1	Banora Point Open Space	Structured Open Space	\$1,083	person	\$1,092	\$9	\$22
		Casual Open Space with dedication	\$225	person	\$234	\$3	\$7
		Casual Open Space no dedication	\$691	person	\$718	\$8	\$19
2	Banora Point West Drainage Scheme	Drainage	\$13,884	HA	\$14,037	\$153	\$15.30
4	Tweed Road Contribution Plan	Tweed Heads	\$844	Trip	853	\$9	\$59
		Tweed Heads South	\$1,365	Trip	\$1,380	\$15	\$98
		Cobaki	\$1,426	Trip	\$1,442	\$16	\$104
		Bilambil Heights	\$2,937	Trip	\$2,969	\$32	\$208
		Terranora	\$2,059	Trip	\$2,081	\$22	\$143
		Kingscliff	\$1,176	Trip	\$1,189	\$13	\$85
		Duranbah/Cabarita	\$1,186	Trip	\$1,199	\$13	\$85
		LAC4: Casuarina	\$1,360	Trip	\$1,375	\$15	\$98
		Pottsville	\$1,330	Trip	\$1,344	\$14	\$91
		LAC3: Koala Beach/Seabreeze	\$1,400	Trip	\$1,415	\$15	\$98
		Murwillumbah	\$1,364	Trip	\$1,379	\$15	\$98
		Rural - Inner East	\$1,871	Trip	\$1,892	\$21	\$137
		Burringbar	\$1,296	Trip	\$1,311	\$15	\$98
		Rural - Inner North	\$3,032	Trip	\$3,065	\$33	\$215
		Rural - Inner West	\$2,318	Trip	\$2,344	\$26	\$169
Rural - Other	\$2,624	Trip	\$2,653	\$29	\$189		
5	Local Open Space	Structured Open Space	\$259.12	person	\$261.99	\$2.87	\$6.89
		Casual Open Space	\$226.39	person	\$228.90	\$2.51	\$6.02

Plan		Component	Current \$	per unit	Rate at 1 July 2014	Increase per unit	increase per lot
7	West Kingscliff	Structured Open Space	\$1,239	person	\$1,239	Nil	Nil
		Drainage	\$56,641	HA	\$56,717	\$76	\$7.60
10	Cobaki Lakes	Community facilities	\$494	person	\$499	\$5	\$11.76
11	Libraries		\$349	person	\$353	\$4	\$9
12	Bus Shelters	bus shelters	\$26.46	person	\$26.75	\$0.29	\$0.70
13	Eviron Cemetery	Cemetery	\$51.28	person	\$51.56	\$0.28	\$0.67
15	Community Facilities	Community facilities	\$ 578.66	person	\$585.03	\$6.37	\$15.29
18	Council Admin/Tech Support	Admin	\$ 775.13	person	\$783.49	\$8.36	\$20.06
19	Casuarina Beach/Kings Forest	Community Facilities	\$943	person	\$953	\$10	\$24
		Structured Open Space	\$524	person	\$526	\$2	\$6
21	Terranora Village	Structured Open Space	\$520.92	person	\$526.69	\$5.77	\$13.85
		Community facilities	\$177.30	person	\$179.26	\$1.96	\$4.70
22	Cycleways	Cycleway	\$196.95	person	\$199.12	\$2.17	\$5.21
23	Offsite Parking	Tweed Heads	25,789	space	26,019	\$230	NA
		Murwillumbah	\$16,373	space	\$16,603	\$230	NA
		Kingscliff	28,466	space	28,866	\$400	NA
		Bogangar/Cab. Bch	\$28,466	space	\$28,866	\$400	NA
		Pottsville	21,301	space	21,343	\$42	NA
		Fingal Head	\$2,983	space	\$3,025	\$42	NA
25	SALT Open Space & Associated Carparking	Structured Open Space	\$966	person	\$971	\$5	\$12.00
26	Regional Open Space	Structured Open Space	\$1595.85	person	\$1613.42	\$17.57	\$42.17
		Casual Open Space	\$454.66	person	\$459.67	\$5.01	\$12.02
27	Tweed Heads Master Plan	Open space and streetscaping	\$616	person	\$616	Nil	Nil
28	Seaside City	For existing and new subdivisions, excludes structured open space (to developer)	\$20,061	person	\$20,439	\$378	\$982
		For new subdivisions only, structured open space (to Council)	\$1,611	person	\$1,642	\$30	\$79

OPTIONS:

- Note the indexation of contribution rates as recommended and as required by each S94 Plan.

CONCLUSION:

Given that Council is authorised to regularly index contribution rates under the provisions of Regulation 32 of the Environmental Planning and Assessment Regulation 2000, and by the clause entitled "Adjustment of Contribution Rates" as adopted in each S94 Plan, indexation has been applied to contribution rates as detailed in this report. Contribution plans have been updated to specify the contribution and Council's financial systems have been updated accordingly. The updated contribution rates become effective on 1 July 2014. This report is tabled for the information of Councillors.

COUNCIL IMPLICATIONS:

a. Policy:

Council's adopted S94 Plans.

NSW Environmental Planning and Assessment Act and Regulations.

b. Budget/Long Term Financial Plan:

Because the Environmental Planning and Assessment Regulations and Council's adopted S94 contributions plans allow for indexation of contribution rates, Council is able to annually adjust contribution rates in accordance with specific adopted indices, thereby enabling Council to require that developers fairly contribute towards the current actual cost of providing the facilities required as a result of that development, as identified in the contribution plans.

c. Legal:

Council is authorised to regularly index contribution rates under the provisions of Regulation 32 of the Environmental Planning and Assessment Regulation 2000, and by the clause entitled "Adjustment of Contribution Rates" as adopted in each S94 Plan.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

42 [E-CM] Adoption of Tweed Valley Floodplain Risk Management Study and Plan

SUBMITTED BY: Planning and Infrastructure

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.5	Ensure adequate stormwater drainage, flood management and evacuation systems are in place to protect people and property from flooding

SUMMARY OF REPORT:

At the December 2013 meeting, Council resolved to re-exhibit the draft Tweed Valley Floodplain Risk Management Study and Plan (TVFRMS&P). The draft documents were exhibited in February and March 2014, with 10 submissions received. The draft documents have been amended by the consultants and were considered by the Floodplain Management Committee (FMC) in May 2014. The FMC recommended adoption of the TVFRMS&P subject to five (5) resolutions, which include four (4) proposed amendments, which are detailed in the report. Two of the Committee resolutions are not supported by officers.

The draft documents as tabled to the FMC are reported to Council for consideration in light of the Committee recommendation.

RECOMMENDATION:

That Council adopts the Tweed Valley Floodplain Risk Management Study and Plan subject to:

- 1. Additional information being added to Appendix A "Frequently Asked Questions", regarding the rejection of Byrill Creek Dam as a flood mitigation option.**
- 2. Inclusion of a recommendation to review the definition of high hazard areas, including an extreme hazard definition, and the development controls that apply, in a future review of Development Control Plan Section A3 - Development of Flood Liable Land.**

REPORT:

At the 12 December 2013 meeting, Council resolved to re-exhibit the draft Tweed Valley Floodplain Risk Management Study and Plan (TVFRMS&P). The draft documents were exhibited for four (4) weeks from 12 February to 12 March 2014. Ten (10) submissions were received from the following stakeholders:

- Banora Point and District Residents Association
- Oxley Cove Community Group
- Tweed Chamber of Commerce
- Club Banora
- Gales Holdings
- Individual submissions (x 5)

Council officers undertook additional meetings in March and April 2014 with representatives of the Banora Point and District Residents Association, Oxley Cove Community Group, Tweed Chamber of Commerce, Chinderah Districts Residents Association, Insurance Council of Australia, and the State Member for Tweed, to discuss a wide range of issues raised in the submissions.

In consideration of these submissions the draft TVFRMS&P were revised by the consultants, BMT WBM. These amendments were minor clarifications, and additions to the Frequently Asked Questions (FAQ) provided in Appendix A of the Study.

The amended draft TVFRMS&P were considered by the Floodplain Management Committee (FMC) on 7 May 2014 (minutes of the meeting attached separately). The matters raised in submissions were discussed in detail, as were the responses recommended by the consultants and Council officers.

The FMC recommended adoption of the TVFRMS&P subject to five (5) resolutions, which include four (4) proposed amendments, which are as follows:

RESOLUTION 1 - Proposed Amendment

RESOLVED that additional information be added to the draft Tweed Valley Floodplain Risk Management Study Appendix A "Frequently Asked Questions", regarding the rejection of Byrill Creek Dam as a flood mitigation option.

Discussion

The potential use of a future dam at Byrill Creek for flood mitigation purposes was requested in a number of submissions throughout the TVFRMS&P process. The consultants reviewed a number of previous studies (Lipping 1956, Department of Public Works 1976, Soros-Longworth and McKenzie 1980) which all concluded that flood storage dams are of limited value for the Tweed Valley, and for this reason, this option was not revisited in detail in the draft TVFRMS&P.

While this is detailed in the study, and mentioned in the FAQ, the Committee felt that the rejection of Byrill Creek dam as a flood mitigation option needed to be emphasised.

This amendment is supported, and makes no material difference to the TVFRMS&P.

RESOLUTION 2 - Proposed Amendment

RESOLVED that the draft Tweed Valley Floodplain Risk Management Study and Plan be modified to limit the permissible site coverage for fill and other obstructions to flow in existing and proposed industrial areas of West Kingscliff to 50% coverage above RL 2.2m AHD.

Discussion

This resolution refers to the investigation of cumulative impacts of development in Sections 8.4.2 and 8.4.5 of the TVFRMS. Cumulative impact assessment is necessary due to the fact that individually developments may have a small (or even no) impact on flood behaviour, but collectively many developments may have significant impacts, due to loss of flood storage and blockage of flood conveyance areas. The TVFRMS&P aims to identify an acceptable cumulative development scenario. Acceptability is based on the following criteria, as nominated by the consultants:

Impact on 1% AEP / 100 year ARI flood levels in urban areas = 35mm or less
Impact on 1% AEP / 100 year ARI flood levels in rural areas = 100mm or less

Those developments that are accommodated by the preferred cumulative development scenario may proceed in the future without detailed flood assessment. Those developments outside of the preferred scenario are not ruled out, but will have to undertake detailed flood impact assessment, including cumulative impact assessment as part of their development application.

Section 8.4.2 of the TVFRMS deals with development in West Kingscliff and Chinderah. The TVFRMS explores the acceptable limits of redevelopment of existing urban areas, expansion of the urban footprint into land that may already be zoned or could be considered for rezoning in the future, and the impacts of changing existing development controls such as fill limits. Assessment of potential development areas is based on Council's applicable DCPs and discussions with major landholders. The scope of these considerations is limited to flooding, and not other town planning, social, economic or environmental constraints.

Scenario 1 examines the potential impacts of filling of zoned urban land in the catchment under existing controls. This includes broad-scale filling of West Kingscliff residential areas, limited filling in the Chinderah industrial area (filling to RL 2.2m AHD, with 50% site coverage above RL 2.2m AHD) and no filling in Chinderah Village (between the motorway and the river). Modelling confirms that the impacts of this scenario are within acceptable limits.

Scenario 2 examines the potential to redevelop Chinderah Village, by allowing filling of residential zoned land to the 1% AEP / 100 year ARI level. This has long been an aspiration of the Chinderah Districts Residents Association, but has not been supported by Council policy for some time. The TVFRMS&P remodelled various iterations for filling of the village, but found that when added to Scenario 1, there were unacceptable impacts on existing urban land. Filling of Chinderah Village was therefore ruled out and removed from the cumulative development scenario.

Scenario 3 examines the impact of expansion of urban zoned areas in West Kingscliff along Tweed Coast Road, and the filling of industrial land with increased site coverage. Initially this explored 100% site coverage of fill to the 1% AEP / 100 year ARI flood level. Modelling confirmed that when added to Scenario 1, there were unacceptable impacts on existing urban land. In response to subsequent submissions from Gales Holdings, who control a large percentage of developable land in the subject area, further iterations of the industrial fill coverage were run. At 75% coverage, the impacts were still unacceptable. However at 65% coverage, the modelling run confirmed acceptable impacts around West Kingscliff when combined with Scenario 1.

As such, the preferred cumulative development scenario for West Kingscliff consists of Scenario 1 + Scenario 3 (65% industrial coverage).

Section 8.4.5 of the TVFRMS expands the scope of the cumulative development scenario to include potential rural land development. Two previously identified urban expansion areas in Kielvale and north of Wardrop Valley Road near Industry Central were included. The consultants also added the assumed filling of 1% of all "low flow" floodplain land in the rural area. This is considered quite conservative, with the intent being that rural landholders could lodge applications for relatively minor earthworks, fill pads, sheds, dwellings etc with footprints up to the 1% size threshold without having to undertake expensive flood modelling.

The "Rural Scenario" was then added to the "West Kingscliff Scenario" and modelled. Impacts were within the acceptable criteria, except for a minor exceedance in Tumbulgum village of 38mm at the peak of the 1% AEP / 100 year ARI flood (that is, 3mm greater than the 35mm limit).

It is the consultant's recommendation, which is supported by Council officers, that this exceedance is minor, and well within the margins of error for the modelling. An increase of 38mm does not present any contemporary development with significantly increased flood risk exposure, given 500mm freeboards are applied to minimum habitable floor levels. Older, substandard dwellings that already have flood damage risk remain at a similar level of risk.

The FMC did not support the consultant's preferred cumulative development scenario, instead recommending that it be reduced to limit filling in the West Kingscliff industrial area to 50% site coverage above RL 2.2m AHD. This reduces the cumulative impact to 34mm at Tumbulgum. While this does satisfy the acceptability criteria nominated in the study (<35mm), the 4mm difference in the flood peak would be imperceptible and make no material difference to flood risk in Tumbulgum or elsewhere in the floodplain. As such, this change is not considered necessary by Council officers.

The recommendation for this report does not include this amendment, proposed by the FMC.

RESOLUTION 3 - No Amendment

RESOLVED that the current controls for 100% filled site coverage for residential land in West Kingscliff be supported in accordance with the draft Tweed Valley Floodplain Risk Management Study.

Discussion

As detailed in the discussion of cumulative development scenarios above, filling of residential land in West Kingscliff has been demonstrated to have acceptable impacts on flooding behaviour. The approach to filling residential land to 1% AEP / 100 year ARI level has been included in Council's flooding DCP, and locality based West Kingscliff DCP for many years. This approach to development ensures that it maximises the protection of property up to the design flood event, as well as greatly assisting in evacuation planning, as access roads are also required to be filled.

The majority of the FMC supported this approach and resolved accordingly. This resolution supports the findings of the TVFRMS&P.

RESOLUTION 4 - Proposed Amendment

RESOLVED that due to the perceived risk to life, limited availability of essential services to at risk communities, and the availability of adequate existing residential zoned land for development:

- a) further rezoning for habitable purposes based on shelter in place provisions should not be supported, and***
- b) the existing policy of Council should remain, prohibiting rezoning for increased habitable purposes unless land is serviced by a permanent high level evacuation route, and***
- c) the draft Tweed Valley Floodplain Risk Management Study and Plan should be amended accordingly.***

Discussion

One of the key objectives of the TVFRMS&P was to review the policy position of Council with respect to shelter in place provisions for development, particularly broadscale redevelopment based upon amendments to the LEP. This was in light of the previous deferral of key redevelopment areas, namely Tweed Heads South and Prospero Street South Murwillumbah from the Tweed City Centre LEP and DCP, and the Murwillumbah Town Centre DCP, respectively, due to flooding constraints. Additional town planning and flood risk experts were engaged by the lead consultants to assist in this part of the study.

Shelter in place, is a principle whereby developments are designed with structurally sound areas above the worst flood extent (that is, the probable maximum flood / PMF) in which occupants who have not evacuated, and then lose that opportunity through inundation of evacuation routes, will move to the elevated refuge and wait out the event.

The NSW State Emergency Service is generally opposed to shelter in place as an emergency response measure. Their adopted policy of evacuation removes occupants from the flood risk. The SES considers occupants of refuges to be entrapped and cut off from usual lifelines, and thereby at increased risk of secondary emergencies, or more likely to enter flood waters should they change their minds. The only remaining response to these issues is rescue, which the SES does not consider a valid approach, or one that can be adequately resourced when required.

Council currently permits shelter in place for urban redevelopment and isolated rural dwellings. These controls recognise that planning laws allow these developments to occur and that by providing PMF refuges, existing flood risks can be reduced if appropriately designed and serviced.

However this does not currently extend to proposals that require LEP amendments, such as rezoning, that allow for increased habitable land use. The Flood Risk Management Policy prohibits consideration of applications for LEP amendments unless that land is serviced by a permanent high level evacuation route (above the 100 year ARI flood level and connecting to land above PMF). This policy has severely constrained past strategic planning work that has aimed to revitalise Tweed Heads South and South Murwillumbah by the introduction of mixed use residential and commercial development, as this evacuation access is not feasible.

The TVFRMS&P drew a number of conclusions in respect to shelter in place:

- Existing controls for shelter in place for redevelopment are generally supported.
- Evacuation remains the preferred emergency response measure.
- Shelter in place is not equivalent to evacuation in terms of flood risk.
- In Tweed Heads South, where floods have relatively low velocity and there is a large existing population with limited evacuation capability, alterations to the permissible building form to provide critical mass in developments by achieving elevated, interconnecting buildings could provide a greater ability to provide safety to occupants, and could be reconsidered in a flood risk management context.
- In South Murwillumbah shelter in place is not supported due to the low flood immunity, very high hydraulic hazard, and unacceptable risks to occupants and emergency services personnel.

The TVFRMS&P advocates a review of the Flood Risk Management Policy to allow consideration of areas that have flooding constraints but are otherwise strategically important from a town planning and infrastructure perspective, on the basis of shelter in place provisions for people who do not evacuate in time. This conclusion is supported by Council officers. Further discussion on shelter in place is provided in Sections 8.4.1 and 8.4.3, and Appendix B of the study.

The FMC did not support this recommendation for the reasons cited in the resolution.

The recommendation for this report does not include this amendment, proposed by the FMC.

RESOLUTION 5 - Proposed Amendment

RESOLVED that the draft Tweed Valley Floodplain Risk Management Study be amended to recommend a review of the definition of high hazard areas, including an extreme hazard definition, and the development controls that apply, in a future review of Development Control Plan Section A3 - Development of Flood Liable Land.

Discussion

The TVFRMS classifies the floodplain into five hazard categories, based on the flood velocity and depth characteristics of the land, as well as consideration of risk to personal

safety and evacuation. Most of the rural floodplain is classified as "High Depth Hazard" in a 1% AEP / 100 year ARI flood event, as it exceeds the safe depth for pedestrians and vehicles (refer Section 3.3).

Consideration of floodplain development controls relating to the hazard categories is beyond the scope of the TVFRMS, and will be investigated in detail as part of a forthcoming review of Development Control Plan Section A3 - Development of Flood Liable Land. This will involve consultation with the FMC, as well as public exhibition.

The proposed amendment to the TVFRMS&P would involve an additional recommendation to explore hazard categorisation as part of the DCP review. This approach, and therefore this amendment, is supported by Council officers.

OPTIONS:

1. Adoption of the TVFRMS&P as exhibited
2. Adoption of the TVFRMS&P with all Floodplain Management Committee amendments
3. Adoption of the TVFRMS&P with some of the Floodplain Management Committee amendments
4. Adoption of the TVFRMS&P with alternate amendments
5. Reject the TVFRM&P

Option 3 is the Council officer's recommendation, as detailed in the report.

CONCLUSION:

The Floodplain Management Committee recommended to Council:

"That subject to the four Committee amendments (above), the draft Tweed Valley Floodplain Risk Management Study and Plan be adopted."

As discussed above, three of the five resolutions result in no material change to the TVFRMS&P and are supported by Council officers. The other two resolutions require significant changes to the intent of the TVFRMS&P and require consideration by the council. The recommendation of this report has not included these two Committee resolutions.

COUNCIL IMPLICATIONS:

a. Policy:

Flood Risk Management v1.0.

Development Control Plan Section A3 - Development of Flood Liable Land.

b. Budget/Long Term Financial Plan:

The adopted Long Term Financial Plan has made allowance for significant future funding to implement the various recommendations of the Study and Plan, assuming 2:1 grant funding

from the State Government's Floodplain Program and/or the Natural Disaster Resilience Program.

c. Legal:

The Floodplain Risk Management Study and Plan has been prepared in accordance with the process and principles contained in the NSW Floodplain Development Manual. By adhering to the Manual, Council's decisions in relation to floodplain management maintain indemnity under Section 733 of the Local Government Act.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1: Draft Tweed Valley Floodplain Risk Management Study (ECM 3377955).

Attachment 2: Draft Tweed Valley Floodplain Risk Management Plan (ECM 3377952).

43 [E-CM] Altitude Aspire Planning Agreement Public Notification

SUBMITTED BY: Planning and Infrastructure

FILE REFERENCE: DA09/0701

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
- 2.3 Provide well serviced neighbourhoods

SUMMARY OF REPORT:

In accordance with Development Control Plan Section B24 - Area E Urban Release Development Code, a draft planning agreement has been negotiated with the developer of "Altitude Aspire", in order to provide a framework for the developer to make additional development contributions for public infrastructure over and above normal Section 94 and Section 64 charges.

The draft planning agreement attached to the report is recommended as the basis of public notification, which is required by the Environmental Planning and Assessment Regulation 2000.

It should be noted that the project approval for the Altitude Aspire development was issued from the Planning Assessment Commission on 30 May 2014.

RECOMMENDATION:

That the draft Altitude Aspire Planning Agreement be publicly notified for a period of no less than 28 days in accordance with Regulation 25D of the Environmental Planning and Assessment Regulation 2000.

REPORT:

In May 2013 Council considered a confidential report on the progress of negotiations with the developer (Metricon Qld) of the Part 3A subdivision known as "Altitude Aspire" in the eastern portion of the Area E Urban Release Area, regarding the preparation of a planning agreement.

The requirement for the planning agreement stems from Council's resolutions from December 2011 in consideration of the draft Development Control Plan B24 - Area E Urban Release Development Code, and the draft Section 94 Contributions Plan No.31 - Terranora Area E, which read:

"15 [PR-CM] Area E Urban Release Development Code

RESOLVED that Council:

1. *Receives and notes the amendments to the publicly exhibited Draft Development Control Plan Section B24 – Area E Urban Release Development Code, arising from the review of public consultation submissions;*
2. *Endorses the Development Control Plan Section B24 – Area E Urban Release Development Code, as amended, and provided as an attachment to this report,*
3. *Endorses that when an appropriate framework of Developer Contributions is achieved and in place, give public notice of the Code's adoption in accordance with Clause 21(2) of the Environmental Planning and Assessment Regulation 2000, satisfying the provision of Clauses 53D(2)(a) and 53D(3)(a) of the Tweed Local Environmental Plan 2000 – Specific Provisions for Terranora Urban Release Area E; and*
4. *Requests the General Manager forwards a copy of Development Control Plan Section B24 – Area E Urban Release Development Code to the Director-General of the NSW Department of Planning and Infrastructure in accordance with Clause 25AB of the Environmental Planning and Assessment Regulation 2000.*

*The Motion was **Carried**"*

"22 [EO-CM] Draft Section 94 Contributions Plan No 31 - Terranora Area E

RESOLVED that:

1. *In accordance with Clause 31 of the Environmental Planning and Assessment Regulation 2000*
 - (a) *Council not proceeds with S94 Plan No.31 – Terranora Area E Version 1.0.*
 - (b) *The reason for not proceeding with the plan is that there are legislative obstacles to approving the plan.*
 - (c) *Notice be given within 28 days of Council's decision in the Tweed Link.*

2. *The works program and estimates in Draft S94 Plan No.31 – Terranora Area E be used as the basis of negotiations with the proponents of "Altitude Aspire" Part 3A Application and other Area E landowners for the purpose of reaching agreement on a Voluntary Planning Agreement to fund necessary infrastructure for Area E.*

*The Motion was **Carried**"*

In accordance with these resolutions, and with regard to the Major Project Application MP09_0166 for the "Altitude Aspire" subdivision, Council officers and Metricon Qld commenced preparation of the planning agreement in order to create the necessary framework by which the developer would provide monetary contributions toward public infrastructure and the dedication of land necessary to service Area E, including the subject land.

At considerable time and cost, the draft planning agreement attached to this report has been prepared. It has been reviewed and endorsed by both parties, including legal representatives.

The objective of the planning agreement is to provide a mechanism by which monetary contributions may be made by the developer towards the cost of public amenities, services and infrastructure, including:

- the construction of Broadwater Parkway and Mahers Lane;
- flood mitigation works;
- protection and restoration of environmental land;
- the provision of structured public open space;
- the dedication of land for the future route of the Broadwater Parkway;
- the dedication of land for a public reserve buffering environmental land.

Schedule 1 of the draft planning agreement sets out the monetary contributions payable. These are in addition to normal Section 94 and Section 64 charges.

In order to proceed with the planning agreement, Regulation 25D of the Environmental Planning and Assessment Regulation 2000 requires that public notice be given. Section 93G of the Environmental Planning and Assessment Act 1979 requires a copy of the proposed agreement to be made publicly available for a period of not less than 28 days.

Public submissions will be reviewed, and may require further legal advice and negotiation with the developer. A subsequent report will be provided to Council following the notification period.

OPTIONS:

1. Adopt the draft planning agreement as the basis for public notification
2. Require amendments to the draft planning agreement prior to public notification
3. Reject the draft planning agreement

Option 1 is the recommendation of this report.

CONCLUSION:

The draft planning agreement attached to this report has been produced as a result of prolonged and detailed negotiations between Council representatives and the developer of "Altitude Aspire". Should Council wish to proceed with the draft, it is required to be publicly notified for a period of not less than 28 days. Following review of public submissions, the planning agreement will be reviewed and reported back to Council.

COUNCIL IMPLICATIONS:

a. Policy:

The provision of a planning agreement is consistent with Development Control Plan Section B24 - Area E Urban Release Development Code, as it provides the necessary framework for developer contributions for public infrastructure.

b. Budget/Long Term Financial Plan:

The draft planning agreement sets out the framework for Council to collect infrastructure contributions in addition to normal Section 94 and Section 64 charges, in order to finance the additional public infrastructure required to develop Area E. The expenditure of collected funds on infrastructure projects depends on the timing and pattern of development within the release area, and associated infrastructure demand. It is not proposed to forward fund any infrastructure works for Area E by loans.

c. Legal:

Legal advice has been received and has been incorporated into the preparation of the draft planning agreement.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1: Altitude Aspire Planning Agreement, Tweed Shire Council and Metricon Qld Pty Limited (ECM 3382588).

44 [E-CM] Draft Pedestrian Access Mobility Plan - Public Exhibition

SUBMITTED BY: Planning and Infrastructure

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.4 An integrated transport system that services local and regional needs
 - 2.4.3 Ensure local streets, footpaths and cycleways are provided, interconnected and maintained
-

SUMMARY OF REPORT:

Tweed Shire Council has recently received the draft report - Pedestrian Access Mobility Plan (PAMP) from Council's consultant. It is proposed that the draft PAMP document be put on public exhibition so that feedback from the community can be incorporated prior to the document being adopted by Council.

RECOMMENDATION:

That Council:

- 1. Places on public exhibition the Draft Pedestrian Access Mobility Plan for a period of 28 days and seeks submissions for a period of 42 days.**
- 2. A further report be brought back to Council following the conclusion of the exhibition period.**

REPORT:

Tweed Shire Council is preparing a Pedestrian Access Mobility Plan (PAMP) to meet the present and future needs of its residents by enhancing pedestrian safety, mobility and access with infrastructure catering to the needs of older persons, people who have mobility or vision impairment, school children, tourists, cyclists and recreational pedestrians.

The PAMP is led by a Steering Committee that is made up of Council representatives from Engineering, Community and Natural Resources and Communication and Customer Service units.

At the 12 December 2013 Council meeting it was resolved that the PAMP contract be awarded to consultants GHD.

The PAMP study area comprises five Tweed Shire town centres identified as high priority and high pedestrian activity areas. These are:

- Tweed Heads
- Tweed Heads South
- Kingscliff
- Banora Point
- Murwillumbah

In consultation with GHD, the Steering Committee guided Stage 1 of the process auditing existing pedestrian infrastructure and consultation with the wider community.

Activities included:

- A focus group with senior citizens
- A workshop with key pedestrian user group representatives, including disability sector, school community, cyclists and seniors
- A community survey available on line and in hard copy from Council offices
- A media release announcing the PAMP consultation and providing a link to the survey
- A Council website copy
- An advertisement and fact sheet (placed in Tweed Link)
- An email to stakeholders with information and survey link

Stage 1 is now complete and the draft PAMP has identified pedestrian networks within each of these areas as well as linkages between town centres, detailed pedestrian concentration, centres of activity, identifiable accident clusters, walking patterns and links between land use, pedestrian facilities (existing and proposed), pedestrian accessibility and mobility issues within a radius of 1.5 km to 2 km from the above key areas.

Stage 2 will seek wider community feedback through the exhibition of the draft PAMP and via the on line community survey which will remain open until the end of the exhibition period. For further information on community engagement see page 4 of the Community Engagement Report of the draft PAMP. Further information on the draft PAMP is contained in appendices which are attached to this report.

OPTIONS:

1. That the draft Pedestrian Access Mobility Plan be placed on public exhibition; or
2. That the draft Pedestrian Access Mobility Plan is not placed on public exhibition.

CONCLUSION:

The draft Pedestrian Access Mobility Plan should be placed on public exhibition.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Funding for the preparation of the PAMP is contained within the Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Involve/Collaborate-We will work with you on an ongoing basis to ensure your ideas, concerns and aspirations are considered. We will provide feedback on Council's decisions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Draft Pedestrian Access Mobility Plan (ECM 3376804).

45 [E-CM] Car Parking - Margaret Olley Art Centre, Mistral Road, South Murwillumbah

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.3	Delivering the objectives of this plan
1.3.1	Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan

SUMMARY OF REPORT:

The recently opened Margaret Olley Art Centre (MOAC) has been extremely successful generating high volumes of visitors. An impact of the popularity is the shortfall of associated car parking. It should be noted that whilst the correct number of car parking spaces required by Council's DCP have been provided, it is evident that additional spaces are desirable.

Council officers have recently met with landowners at Mistral Road who are concerned with the demand for parking at the Tweed River Regional Art Gallery, which generates instances of illegal parking and road safety concerns on Mistral Road in front of their homes. The problem is exacerbated by major exhibitions or openings and the landowners are seeking some resolution from Council. Options to increase parking have been developed and are discussed in this report.

It is recommended that Council immediately install traffic signage to alleviate the illegal parking in Mistral Road and endorses Option 2 for the creation of a further 7 on-site parking spaces at the Gallery and, and retains Option 1 as a future stage if required. Prior to any option proceeding additional funds will need to be identified and secured.

RECOMMENDATION:

That Council:

- 1. Restricts on-street parking in Mistral Road between the Tweed Regional Art Gallery - Margaret Olley Art Centre and Scott Street by relocation of the double centre lines, subject to Local Traffic Committee endorsement.**
 - 2. Endorses the development of Option 2 in the report being the 7 on-site car parking spaces on the Southern side of at the Margaret Olley Art Centre subject to funding being identified and secured for the project.**
-

3. **Endorses the development of Option 1 in the report being the 28 off site car parking spaces in Eric Whittle Park subject to further consultation with the adjoining community and funding being identified and secured for the project.**
4. **Notes the other actions relating to traffic and signage within the report which will be undertaken by Officers.**

REPORT:

The recently opened Margaret Olley Art Centre has been extremely successful generating high volumes of visitors. An impact of the popularity is the shortfall of associated car parking. It should be noted that whilst the correct number of car parking spaces required by Council's DCP have been provided, it is evident that additional spaces are desirable.

Council officers have recently met with landowners at Mistral Road who are concerned with the parking availability at the Tweed River Regional Art Gallery for its visitors. The parking spillage leads to reported instances of illegal parking and road safety concerns on Mistral Road in front of their homes. The problem is further exacerbated by major exhibitions or openings and the landowners are seeking some resolution from Council.

The specific issues raised by the landowners include:

1. Older patrons of the gallery are parking on Mistral Road including Scott Street and walking to the gallery on the road, as there are no footpaths. The landowners have been assisting the patrons to ensure their safe passage to the gallery.
2. Regular instances of illegal parking on Mistral Road, including driveways being obstructed. This also reduces Mistral Road to one lane. Parking can extend down Mistral Road for some distance.
3. When the MOAC opened, and when major exhibitions are shown, for example the Archibald Prize, the problem of illegal parking and impact on resident amenity worsens.
4. There is no signage indicating that there is parking under the gallery, nor any signage indicating that there is a drop off zone at the gallery. This is further exacerbated by the "No Entry" sign on the exit driveway.
5. Patrons driving caravans fill in available parking spaces on the roadside near the gallery.
6. The café appears to be generating a strong patronage in its own right in addition to the gallery traffic.
7. The DA condition requiring the Art Gallery Director to manage traffic on Mistral Road cannot be enacted as no authority exists to do such.
8. The parking on the street is impacting other users of Mistral Road, as it is an access road to Dunbible and Stokers Siding.
9. Fees should be levied on gallery attendees and those fees used to construct parking facilities on site.

Discussion:

The issues raised are significant and need to be addressed in light of the success of the gallery and it is presumed ongoing popular exhibitions will continue to generate pressure on street parking, which will continue to impact on nearby residents. The residents advised that they had accompanied older patrons from cars parked in Scott Street to the gallery and in conversations with them, had noted that the parking was a disappointing aspect of visiting

the gallery. Based on the above, options for increased car parking have been developed and other minor works to improve traffic flow and are detailed as follows:

Option 1

New Car Park on Mistral Road:

Prior to meeting with the residents, a design for a discrete car park was proposed within Eric Whittle Park, on the western side of Mistral Road approaching the gallery. Not all residents would be visually affected, but one property will be opposite the proposed car park and the residents raised issues regarding visual amenity, overnight use of the car park and security. An interesting issue raised by the residents was that the area was filled with sawdust from a local mill, so a soil test would be required. The plan below, Figure 1, shows the proposed car park:

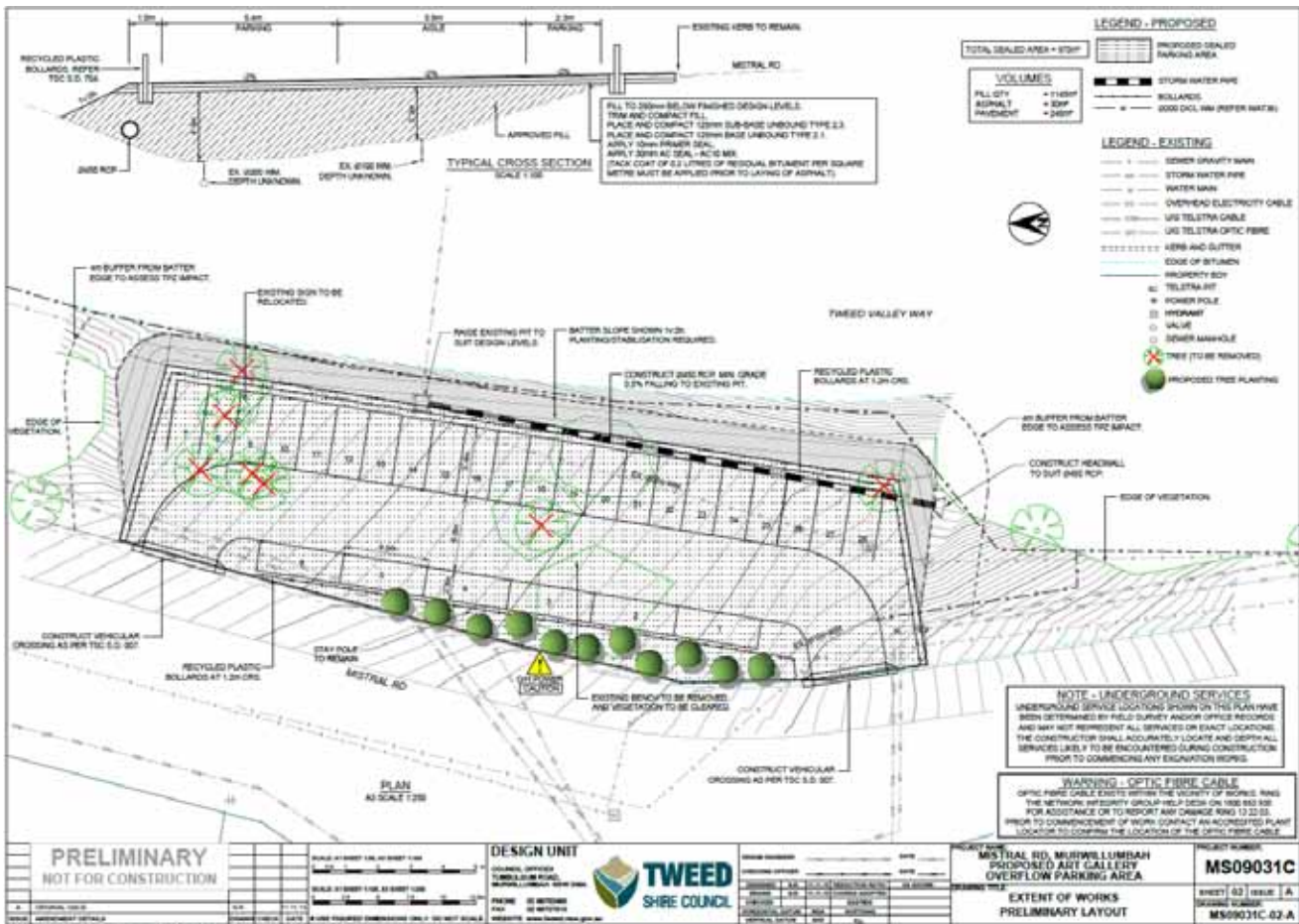


Figure 1 - Proposed car park design within Eric Whittle Park

This design would create 28 off street car parking spaces. The works (excluding relocation of a water main) is estimated to cost \$102,000. This cost could be reduced by utilising fill material generated from other nearby projects. If this was the case it would result in an unfunded cost of \$78,000.

The cost of replacing the old water main is approximately \$100,000 but it is work that is required within the next 5 years and would be brought forward if necessary to facilitate this option.

Option 2

On-site parking at the gallery:

The residents also suggested that on-site parking should be expanded to alleviate the pressure on the street parking. On site parking is closer to the gallery and safer to use. This has been explored and there is an area to the south of the current road formation and building which has the potential to add 7 more spaces (see Figure 2). The estimated cost is \$33,000.

The plan below, Figure 2, shows the area referred to as hatched:

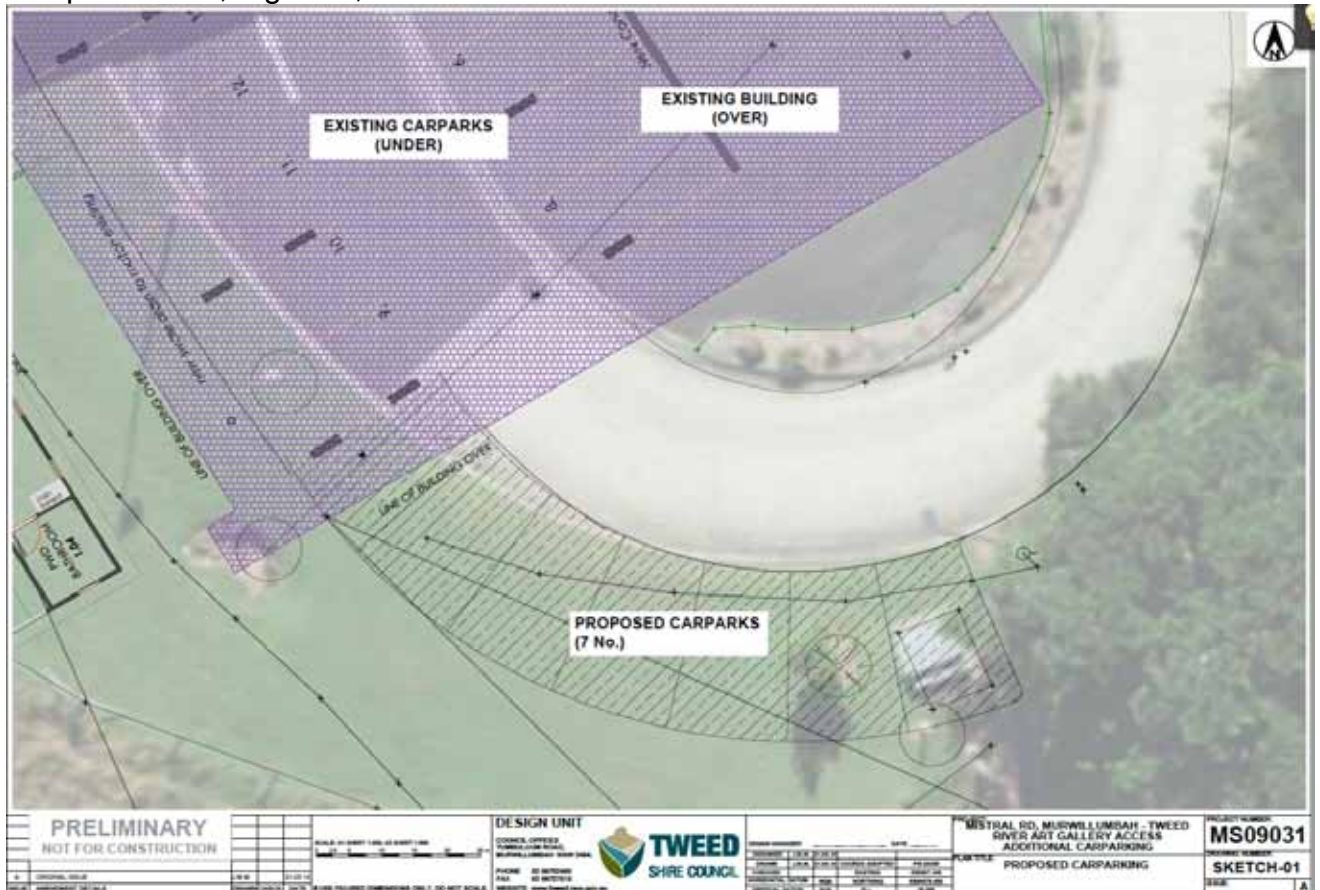


Figure 2 - Proposed southern location of additional on site car parking.

Option 3

Further potential for 7 more on site car parking spaces has been identified adjacent to the exit driveway, north of the gallery, in an area of garden which was recently impacted by the construction of the pavilion for the café, as shown below in Figure 3. This option has the potential to detract from the appearance of the Gallery from Mistral Road and impact the view from the Gallery Café veranda. Consideration of this issue would need to be fully investigated prior to endorsement of this option.

The estimated cost is \$36,000.

Option 4

Options 2 and 3 could be constructed in two stages or combined. If they were to be constructed as one project a saving of about 10 - 15% could be expected as items such as site establishment and supervision are only incurred once.

The combined cost of Option 4 is estimated at \$62,000.



Figure 3 - Northern location of additional on site car parking

It is also desirable to include the installation of a separated pedestrian footpath from Mistral Road to the lower level of the car park, however this is considered a separate issue.

Other Actions

Relocation of the Road centre line in Mistral Road:

Another option raised was to relocate the centre double barrier linemarking on Mistral Road, adjacent to the residences. The lines would be located closer to the residents to remove any ambiguity as to whether vehicles can be legally parked on the residential side of the road. Given the width of the road pavement, this will effectively allow parking opposite the residences and improve the ability to safely enter and leave their properties. As the changes to the linemarking and signage are regulatory devices, the proposal should be considered by the Local Traffic Committee. The changes will provide rangers with clearer directives in relation to unacceptable parking and the issuing of infringements for illegal parking if deemed necessary. The adjacent owners are supportive of this action.

Signage:

Installing additional signage would alleviate some of the issues. Signage at the MOAC entry could be installed indicating that there is parking under the gallery; that there is a drop off zone at the front door - see Figure 4. Signage can be installed in a relatively short time and would demonstrate acknowledgement of the residents' concerns. The effect of the signage

can be monitored as well as requesting rangers to patrol the street parking to ensure signage is being obeyed.

Figure 4 below identifies proposed signage and linemarking improvements at the entrance to the gallery, which will be provided:



Figure 4 - suggested signage and linemarking changes

The non regulatory signposting and linemarking has been arranged for installation. Regulatory signage requires the support of the Local Traffic Committee before being considered by Council.

The parking issues generate negative impressions on visitors to the gallery and such impressions should be acknowledged and addressed where possible to support the gallery to retain its national reputation as a world class gallery.

Summary of Traffic Related Actions:

1. Signage regarding parking under the gallery building, drop off zone be installed as soon as possible and the impact monitored over a 3 month period.
2. That signage regarding parking under the gallery building, drop off zone be installed as soon as possible and the impact monitored over a 3 month period.
3. Restricted on street parking and centreline relocation on Mistral Road be referred to the Local Traffic Committee.

OPTIONS:

1. Endorse the Mistral Road Car Park creating 28 additional car parks in Eric Whittle Park as the preferred option to provide additional parking for the Tweed Regional Gallery with the funding shortfall of \$78,000 to be sourced from potential external organisations and internal budgets.
2. Endorse the 7 on site car parks as shown in Option 2 and shown on Figure 2 as the preferred option to provide additional parking for the Tweed Regional Gallery with the funding shortfall of \$33,000 to be sourced from potential external organisations and internal budgets.
3. Endorse the 7 on site car parks as shown in Option 3 and shown on Figure 3 as the preferred option to provide additional parking for the Tweed Regional Gallery with the funding shortfall of \$36,000 to be sourced from potential external organisations and internal budgets.
4. Endorse the 14 on site car parks as shown in Option 2 and 3 and shown on Figure 2 and 3 as the preferred option to provide additional parking for the Tweed Regional Gallery with the funding shortfall of \$62,000 to be sourced from potential external organisations and internal budgets.

CONCLUSION:

There are immediate actions which can be taken to alleviate the pressure on the on street parking at Mistral Road, and reduce the impact on the nearby residents and these actions are being implemented. Further it is recommended that Council endorse Option 2 for the creation of a further 7 on-site parking spaces at the gallery, subject to funding being identified and secured. Additionally Option 1 is proposed as a longer term solution, if necessary, however this will require securing a suitable funding source and further consultation with the adjoining community to ensure any issues and concerns are suitably addressed.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

None of the additional parking options are funded. Potential sources of funds for this project include the Tweed Regional Gallery Foundation, the Friends of the Gallery and possible future savings Council Budgets. The current project budget for the Margaret Olley Art Centre is fully committed.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consultation with affected residents has occurred.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

46 [E-CM] Water Demand Management - Residential Water Saving Program for 2014-2015

SUBMITTED BY: Water

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.2	Provision of a secure, high quality and reliable drinking water supply services which meets health and environmental requirements and projected demand

SUMMARY OF REPORT:

The residential water saving program is a key component of Council's Demand Management Strategy.

The cost and effectiveness of rebates and other supporting activities are monitored and assessed on an ongoing basis. This information has been considered in the program proposed for 2014-2015.

For 2014-2015, the following key activities are proposed:

- continue the existing residential rebate for showers and tapware
- continue ongoing links with Council's 'Target 170' campaign
- introduce a web-based register for residential rainwater tanks
- improve water consumption bills further to cater for quarterly billing and prorating of charges
- explore the cost and feasibility of a residential rainwater tank rebate
- continue to build community awareness and reward/encourage positive behaviour change
- continue to monitor and evaluate the cost and effectiveness of the program

RECOMMENDATION:

That Council endorses the key Demand Management Strategy actions proposed in this report to be implemented in 2014-2015, subject to the adoption of the Budget.

REPORT:

Background

The residential water saving program commenced in July 2011 with the introduction of Council's residential rebate for water efficient showers, aerators and spouts/mixers.

In 2012-2013 the program was expanded with the inclusion of:

- residential rebate for flow controllers/regulators
- residential rebate for dual flush toilets
- the 'Meet your Meter' competition and website resources to encourage residential households to monitor their own water use and make water savings
- ongoing links with Council's 'Target 180' campaign
- improved water consumption bills
- better information on Council's website

For 2013-2014, the following key activities were proposed:

- continue rebate for showers and tapware (aerators, spouts, mixers and flow controllers/regulators)
- continue links with Council's 'Target 180' campaign
- make further improvements to water consumption bills to cater for quarterly billing and pro-rating of charges
- explore the cost and feasibility of rainwater tank rebates
- continue to build community awareness and reward/encourage positive behaviour change
- continue to monitor and evaluate the cost and effectiveness of programs
- introduce a web-based register for residential rainwater tanks

These elements were successfully implemented in 2013-2014 with the exception of:

- introduce a web-based register for residential rainwater tanks
- explore the cost and feasibility of rainwater tank rebates

Implementation of these elements has been delayed due to resource constraints and waiting for completion of Council's Integrated Water Cycle Management (IWCM) Strategy. Development of the web-based register for residential rainwater tanks has been postponed until quarterly water consumption billing has been established. Investigating the feasibility of rainwater tank rebates has been identified in Council's draft IWCM Strategy and the study is now likely to be conducted in 2014-2015

Residential Shower/Tap Ware Rebate

The original rebate for water saving shower heads, aerators and spouts/mixers has been running since 1 July 2011. In 2012-2013 the rebate was expanded to include flow controllers/regulators, the maximum rebate amount was increased to \$100 and installation of eligible products by a licensed plumber was made mandatory.

Currently, the rebate is 50% of the combined cost of eligible products and associated installation costs up to a maximum of \$100. Any combination of products is eligible for the rebate but there is a limit of one rebate per household and two of any individual product.

Showerheads must be at least 3-star WELS rated (7.5 - 9L/min) and aerators, spouts, mixers and flow controllers/regulators must be at least 4-star WELS rated (6.0 – 7.5L/min).

Participation and Estimated Water Savings

As at 2 June 2014, 680 households had taken up the residential rebate since 1 July 2011. A total of 351 showers, 300 spouts/mixers, 668 aerators and 26 flow controllers/regulators had been installed. The total rebate contribution by Council thus far is \$40,882.72 with the average rebate being \$60.12.

Based on the performance of similar rebate programs, water savings of about 15kL/annum have been assumed per household. This applies whether one or two shower heads are replaced. As at 2 June 2014, 280 households have installed either one or two shower heads so the estimated water saving is 4.2ML/annum.

For households where only the aerators, spouts/mixers or flow controllers have been replaced or installed, the water saving is assumed to be about 5kL/annum. As at 2 June 2014, 400 households had installed these products so the resulting water saving is about 2.0ML/annum.

The total estimated water saving from the shower/tapware rebate is therefore 6.2ML/annum.

Council's expenditure to achieve this water saving has been \$40,882.72 over a three year period, that is, about \$13,630/annum. Assuming a conservative ten-year replacement life for shower heads and other products covered by the rebate, the annualised cost of the rebate is therefore about \$0.22/kL making it very cost effective when compared with the current cost of water which is \$2.25/kL.

Residential Dual Flush Toilet Rebate

The residential rebate for dual flush toilets ran from 15 October 2012 to 7 December 2012.

As a condition of the rebate, customers were required to provide a declaration from the plumber who installed the toilet/s. The task of following up with customers to ensure that all of the declarations were returned was completed in 2013-2014.

An extensive audit of plumber declarations revealed some retailer invoicing anomalies which were followed up and corrected in 2013-2014.

There is no proposal to repeat the residential toilet rebate in 2014-2015. A toilet rebate for commercial and other non-residential water customers is being considered instead and will be the subject of a separate report to Council when more details are available.

Participation and Estimated Water Savings

A total of 1624 households took up the rebate and 2553 toilet suites were installed. Council's contribution was \$508,196.65 with an average rebate amount of \$313.12.

Based on trends elsewhere, water savings of 30kL/annum per household were assumed, whether one or two toilets were replaced. Tweed's total water saving was therefore about 48.72ML/annum.

Assuming a conservative ten-year replacement life for toilets covered by the rebate, Council's expenditure to achieve this water saving was about \$50,819.67/annum. The annualised cost of the toilet rebate was therefore about \$1.04/kL making it very cost-effective when compared with the current cost of water which is \$2.25/kL.

Community Survey

A survey seeking input from members of the community and other stakeholders was run during May 2012 to provide input to the residential water saving program. A full report of the survey was previously presented to Council in June 2012 and is available on request (ECM DS2811882).

OPTIONS:

1. Council's endorsement of the program proposed for 2014-2015 as detailed in the Conclusions section below.
2. Council endorsement of an alternative program.

CONCLUSION:

Proposed Residential Water Saving Program for 2014-2015

The following key activities are proposed:

Continue the existing residential rebate for showers and tapware

The existing residential rebate for showers, aerators, spouts/mixers and flow controllers is still attracting participants even though the uptake rate has declined significantly. The rebate is very cost effective and consistent with rebates offered by other Northern Rivers Water Group (NRWG) members. The proposal is to continue the rebate in 2014-2015 with no changes.

Continue ongoing links with Council's 'Target 170' campaign

Council achieved its residential water consumption target of 180 litres per person per day in December 2013. The 'Target 180/170/160' campaign is running over a number of years up to the end of 2020 with the intention of continuing to reduce residential water use. A lower target of 170L/person/day has now been adopted by the end of 2016.

The campaign aims to further raise customer awareness of the importance of being water wise.

Information about the 'Target 170' campaign will continue to be provided on all water consumption bills and the distinctive logo will continue to be included on all relevant publications and advertising.

Introduce a web-based register for residential rainwater tanks

Rainwater tanks under 10,000 litres generally do not require Council approval so there are no records of these installations. Council has no regulated way of collecting information

about the types, volumes and uses of tanks being installed on existing homes and businesses.

To assist with the gathering of relevant data and to monitor compliance with Council's Rainwater Tanks in Urban Areas Policy, a voluntary online register of rainwater tanks is proposed.

Improve water consumption bills further to cater for quarterly billing and prorating of charges

New-look water consumption bills were introduced in June 2012 for all water customers.

The next step in providing customers with better information about their water consumption will occur by mid-2014 when Council plans to introduce quarterly water meter reading and consumption billing. The progression to three-monthly water consumption bills will provide more frequent feedback to customers about their water use and means that problems such as leaks may be identified and rectified more quickly.

Along with quarterly meter reading, prorating of charges will be introduced. This means that water consumption, sewer usage and liquid trade waste usage will be charged at the unit rate (\$/kL) that applies for the full year when the consumption or usage actually occurs. This means a more equitable charging regime for everyone.

Explore the cost and feasibility of a residential rainwater tank rebate

Currently there is no financial assistance for the installation of rainwater tanks and the community survey conducted in May 2012 clearly indicated that a Council rebate for tanks would be well received and supported.

The feasibility, costs and benefits of a residential tank rebate need to be carefully considered in light of emerging trends in this space. A review of these issues will be carried out.

Note that Council previously resolved that any investigation of rainwater tank rebates should also consider commercial/non-residential tank installations.

Continue to build community awareness and reward/encourage positive behaviour change

Staff will continue to promote water conservation/efficiency and rebates by attending community events such as the Tweed River Festival, Seniors Expo, World Environment Day and Local Government Information Day.

Articles and advertisements are regularly published in the Tweed Link and media releases are used to announce new programs, important milestones and achievements. Direct mail to plumbers, plumbing retailers and real estate agents based in the Tweed will continue to be used to keep them informed and able to assist in reaching water customers.

The Water Unit produces a newsletter called 'Water Matters' which is mailed with all water consumption bills. The newsletter is used as an opportunity to showcase Council's water saving initiatives and achievements.

Information provided on Council's website is continually being updated and expanded to support specific programs and address customer questions and needs.

Additional promotional opportunities will continue to be investigated with a view to targeting new and harder-to-reach audiences.

Opportunities to share information and education resources through the Savewater Alliance will continue to be identified.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

The identified Residential Water Saving Program, including all residential rebates and associated activities are funded from the annual Demand Management budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

47 [E-CM] Submission of Integrated Water Cycle Management (IWCM) Strategy, Six Year Review.

SUBMITTED BY: Water

Valid



Supporting Community Life



Caring for the Environment

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.2	Provision of a secure, high quality and reliable drinking water supply services which meets health and environmental requirements and projected demand
4	Caring for the Environment
4.3	Maintain and enhance Tweed's waterways and its catchments
4.3.1	Manage water resources sustainably and minimise impact on the environment by achieving more integration of water supply, wastewater and stormwater services

SUMMARY OF REPORT:

Integrated Water Cycle Management (IWCM) is the integrated management of the water supply, sewerage and stormwater services within a whole of catchment strategic framework and provides a long term focus on their integrated delivery.

At its meeting of 12 December 2013, Council resolved to publicly exhibit the Draft IWCM Strategy for an extended period from 6 January 2014 to 21 March 2014 (11 weeks). This report details, via a separate report, (see Attachment 2) the submissions received, the responses to the submissions, and the resulting amendments to the IWCM Strategy.

RECOMMENDATION:

That Council:

- 1. Notes the relevant content of submissions received on the draft Integrated Water Cycle Management Strategy, Version 3.0, following from the exhibition period from 6 January 2014 to 21 March 2014, as contained in the Submissions Report prepared by Hydrosphere; and**
- 2. Adopts the Integrated Water Cycle Management Strategy, Version 4.0, which incorporates all of the corrections and changes arising from feedback received during the exhibition period.**
- 3. Submits the adopted Integrated Water Cycle Management Strategy to the NSW Office of Water for their concurrence.**

4. **Considers unfunded actions in Level 2 and Level 3 of the Integrated Water Cycle Management as part of the broader Environmental Sustainability Strategy (ESS).**

REPORT:

Background

The background of the IWCM Strategy, up until December 2013, is detailed in the IWCM Council Business Paper Report for the 12 December 2013 Council Meeting (see Attachment 3).

The Strategy was finalised in early 2014 following the subsequent actions below:

- January 2014 – preparation of IWCM Summary Report (Tweed Shire Council and Hydrosphere Consulting, 2014), for public exhibition;
- 6 January – 21 March 2014 – public exhibition of Final Draft IWCM Strategy (Hydrosphere Consulting, 2013);
- February 2014 – three Community Information Sessions were held in at Tweed Heads, Murwillumbah, and Pottsville; and
- March - April 2014 - receipt of public submissions and preparation of the Submissions Report.

Key Strategy Findings

One of the key findings incorporated into the updated IWCM Strategy was that Community and Council expressed a desire for an IWCM approach which is broader than the Government's urban water focus. It was highlighted that there is a need for greater integration of the water cycle in Council's administrative arrangements. This includes the development of a total catchment management strategy to better integrate urban water supply, wastewater, stormwater, land-use planning and catchment management activities.

The updated Strategy process also highlighted that Council's demand management programs contributed to reduced household and commercial water use, despite population growth since the early 1990s. Demand management initiatives should continue to ensure ongoing efficient use of our water resources and achieve future targets for water use.

Submissions Received

Written submissions were received from the following during the exhibition period:

1. Chris Cherry, President Pottsville Community Association;
2. Roger Graf, Fingal Head;
3. Samuel K Dawson, Coordinator Caldera Environment Centre (CEC);
4. Chris Hennessy, Principal Urban Water Manager, NSW Office of Water, Wollongbar;
5. Joanna Gardner, Byrrill Creek Landcare Group;
6. Northern Rivers Guardians; and
7. Tweed Heads Environment Group Inc.

The original copy of the submissions, the responses to the submissions, and the resulting changes (where applicable) to the Strategy are all detailed in the Submissions Report (see Attachment 2).

IWCM Strategy Implementation

As summarised in the Council Business Paper Report (12/12/2013), the Strategy identifies 26 current and emerging IWCM Issues that Council and the community will face over the next 30 years and 60 IWCM Actions (also referred to as Management Options in the Strategy) to address these issues.

The 60 IWCM Actions have been bundled into the below three implementation levels to assist Council in determining the resourcing and funding requirements to achieve IWCM goals and objectives:

- **Level One Actions** are actions that are fully funded under Council's four-year delivery program. These actions are either already underway or planned through the previous 2006 IWCM Strategy. There are 25 IWCM Actions in this category.
- **Level Two Actions** are additional mostly unfunded actions that relate to meeting NSW Office of Water (NOW) Guidelines. There are 20 IWCM Actions in this category.
- **Level Three Actions** are the additional unfunded actions which are designed to meet the wider catchment management objectives. These Actions would be the focus of a medium to longer term program (ie five to ten years), but would be reliant on sourcing additional funding and resourcing. There are 15 IWCM Actions in this category.

As described in the Council Business Paper Report, only the Level 1 actions and some Level 2 actions will form the basis of IWCM actions in the short to medium term due to limited funds available. To achieve full IWCM implementation, the remaining unfunded Level 2 and Level 3 actions would be the focus of a medium to longer term program. It is proposed that these be considered in the development of Council's Environmental Sustainability Strategy (ESS) and the overall resourcing, funding, and priorities set by this new strategy. The ESS is in the early stages of development and an initial framework is expected to be completed in 2014. It is envisaged this would allow priorities to be set in 2015, which in turn would provide direction on the feasibility of unfunded Level 2 and Level 3 IWCM actions.

Overall, the IWCM Strategy has a proposed ten year implementation program with a total budget cost of \$9.07 million (2013 dollars) with approximately \$1.97 million identified in the first three years. Table 1 below summarises the status and funding requirements of the three implementation levels.

Table 1: Prioritisation of IWCM Actions

	Currently Funded*	Additional Funding Required (2013 Dollars)	Meets NOW Guidelines	Meets Wider Catchment Management Objectives	Priority
Level 1 Current or outstanding IWCM Actions	Yes		No	No	Immediate
Level 2 Urban Water Cycle Management Actions	No	\$3.8M	Yes	No	Short - medium term
Level 3 Total Water Cycle Management Actions	No	\$5.27M	Yes [#]	Yes	Medium - long term
Total		\$9.07M			

* Funded in Council's four-year delivery program

[#] Exceeds NOW minimum requirements

Note: Once the IWCM Strategy is adopted by Council, it will be forwarded to the NSW Office of Water (Sydney Branch) for final review and concurrence.

OPTIONS:

1. Adopted the Integrated Water Cycle Management Version 4 as presented to Council.
2. Does not adopt the Integrated Water Cycle Management Version 4 as presented to Council.

CONCLUSION:

This updated IWCM Strategy will continue to serve as the strategic plan which will guide and prioritise strategic actions regarding Council's management of the urban water supply, sewerage and stormwater systems and will inform and guide the development of the Environmental Sustainability Strategy in relation to Total Catchment Management.

COUNCIL IMPLICATIONS:

a. Policy:

The IWCM will contribute to further policy development across the full range of the Water and Wastewater functions of Council and future policies relating to the development of the ESS.

b. Budget/Long Term Financial Plan:

As described above, the proposed ten-year implementation program has a total budget cost of \$9.07 million (2013 dollars), which is the cost estimate for the currently unfunded Level 2 and Level 3 actions. Of this total, approximately \$1.97 million is identified in the first three years. Level 1 actions are fully funded and will remain an integral component of the strategy going forward. A key part of the IWCM strategy will be to prioritise, resource, and identify

future sources of funding for the Level 2 and Level 3 actions, within the framework of the Environmental Sustainability Strategy if they are considered appropriate when compared with other environmental priorities and Councils ability to fund the same.

c. Legal:

Nil.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. IWCM Strategy, Version 4.0 (ECM 3370974).

Attachment 2. IWCM Public Exhibition - Submissions Report, Version 3.0 (ECM 3370999).

Attachment 3. IWCM Council Business Paper Report 12 December 2013 (ECM 3377085).

REPORTS FROM THE ACTING DIRECTOR CORPORATE SERVICES

48 [CS-CM] Mayor and Councillors Annual Remuneration 2014/2015

SUBMITTED BY: Corporate Governance

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
-

SUMMARY OF REPORT:

The Local Government Remuneration Tribunal has made a determination under Sections 239 and 241 of the Local Government Act 1993 in relation to fees payable to Mayors and Councillors for the 2014/2015 financial period, of a 2.5 per cent increase over the fees payable in 2013/2014.

Council is required to determine the fees payable to the Mayor and Councillors for 2014/2015.

RECOMMENDATION:

That the fees payable for the Mayor and Councillors for the 2014/2015 financial period be:

Mayor	\$39,110
Councillors	\$17,930

In accordance with the maximum fees as determined by the Local Government Remuneration Tribunal.

REPORT:

The Local Government Remuneration Tribunal has made a determination under Sections 239 and 241 of the Local Government Act 1993 in relation to fees payable to Mayors and Councillors for the 2014/2015 financial period, of a 2.5 per cent increase over the fees payable in 2013/2014.

Council is one of 32 councils classified within the category of Regional Rural and the Tribunal did not review the categories of Councils during the 2014 review.

In accordance with Section 241 of the Local Government Act 1993, the Tribunal has determined minimum and maximum annual fees payable to Mayors and Councillors. The determination in relation to the Regional Rural Category is disclosed in the following table:

	2013/2014		2014/2015	
	Minimum	Maximum	Minimum	Maximum
Councillor	\$7,930	\$17,490	\$8,130	\$17,930
Mayor*	\$16,890	\$38,160	\$17,310	\$39,110

* *The Mayoral fee is payable in addition to the fee paid to the Mayor as a Councillor in accordance with Section 249(2) of the Local Government Act 1993.*

Council resolved in June 2013 that the fees for 2013/14 be Councillor \$17,490 and the Mayor \$38,160 which was the maximum.

OPTIONS:

Council can determine the fees applicable across the range between the minimum to the maximum for the Regional Rural Category.

CONCLUSION:

That Council determines the applicable fees payable for the 2014/2015 financial period. It is recommended that the maximum amount be adopted in consideration for time and commitment made by Councillors.

COUNCIL IMPLICATIONS:

a. Policy:

Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors v1.8.

b. Budget/Long Term Financial Plan:

Adequate allowance has been made in the 2014/2015 estimates for Mayor and Councillors remuneration.

Payment of the maximum fees will result in an expenditure of \$164,620 compared to \$160,590 in 2013/2014.

c. Legal:

Not Applicable.

d. Communication/Engagement:
Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Extract from the New South Wales Government Gazette No. 41 - Report and Determination of the Local Government Remuneration Tribunal dated 24 April 2014 (ECM 3356585)

49 [CS-CM] Integrated Planning and Reporting Framework - 2013/2017 Delivery Program, 2014/2015 Operational Plan and Resourcing Strategy

SUBMITTED BY: Corporate Governance

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.2 Council will seek the best value in delivering services
-

SUMMARY OF REPORT:

Council placed the Delivery Program 2013/2017 including the Draft Operational Plan 2014/2015 and updated Resourcing Strategy 2013/2023 on public exhibition for a period of 43 days from 14 April to 26 May 2014.

The Delivery Program 2013/2017 details projects and services Council has determined to carry out over the four years. Year two of Delivery Program 2013/2017 is informed by the Resourcing Strategy 2013/2023 and Draft Workforce Management Plan. The Operational Plan 2014/2015 is a detailed account of year two of the Delivery Program and incorporates the 2014/2015 Budget, Revenue Policy and Fees and Charges.

In accordance with Council's Community Engagement Strategy, Council sought community input into the Draft Plans by convening two community round table sessions with community groups. In addition Council sought general community feedback by advertising in the Tweed Link and Media Releases.

This report contains a summary of community submissions received by Council during the public exhibition period together with input received from the community round table sessions.

Council must consider all public submission received concerning the Delivery Program 2013/2017, the Operational Plan 2014/2015 and the Resourcing Strategy 2013/2023 before adopting the plans for the next four years.

RECOMMENDATION:

That Council adopts the following plans, as exhibited and amended: Delivery Program 2013/2017, Operational Plan 2014/2015, Revenue Policy and Statement 2014/2015, Part A, Budget 2014/2015, Part B, Fees and Charges 2014/2015 Part C and Resourcing Strategy 2013/2023.

REPORT:

Council placed year two of the Delivery Program 2013/2017, Draft Operational Plans 2014/2015 and an updated Resourcing Strategy 2013/2023 on public exhibition, following the April Council Meeting, for a period of 43 days, with submissions closing on 26 May 2014.

In accordance with Council's Community Engagement Strategy, Council sought community input into the Draft Plans by convening two community round table sessions with invited community groups and business representatives. Council additionally sought general community feedback by advertising in the Tweed Link and through Media Releases.

Members of the following organisations participated in the round table sessions:

- Banora Point & District Residents Association;
- East Banora Residents Association;
- Kingscliff Ratepayers and Progress Association;
- Murwillumbah Ratepayers and Residents Association;
- Pottsville Community Association; and
- Tyalgum District Community Association.

Written submissions were kindly received from:

- Banora Point & District Residents Association;
- Murwillumbah Ratepayers and Residents Association; and
- Mr B McDonald.

Summary of Round Table Discussions

Banora Point & District Residents Association

- Section 94 and 64 contributions income variations over the budget term.

Officer Comments:

Section 94 and 64 contribution incomes are based on expected predictions; however it is acknowledged that State legislation that permits developer to choose providers of water and sewerage infrastructure would result in less contributions and a risk on Council. The predicted income allows for the possible early payment by developers of s64 water and sewer charges in the last month before the adoption of revised Water and Sewer Development Servicing Plans which are expected to be in place from 1 July 2015.

- Funding for Regional Library contributions over the next three years.

Officer Comments:

Council has a long standing funding agreement with Lismore Council to provide Regional Library services for the Tweed. The service is funded by Council and State and is justified as a needed service for the Tweed. Council is currently reviewing library services offered in the Shire to ensure current and further services meet the demands of the Shire.

- Community Centre in Banora Point expenses.

Officer Comments:

\$132,000 allocation is combined staff and operational costs; \$90,000 of the income is from grants income for staff costs and income from hire of the centre.

- Koala Connections Biodiversity Funding.

Officer Comments:

This is a grant funded project from the Koala Connections Environmental Trust for education and tree planting mainly on private land. The aim is to improve Koala habitat and corridors.

- Innovation fund.

Officer Comments:

This is a fund set up for the delivery of technology upgrades to improve Council customer services in particular software upgrades. Innovations such as the smart phone application and planned upgrade of computer operating systems and associated infrastructure. Other areas of improvement include the introduction of "E-Letters" an initiative to reduce costs and improve correspondence response times. Following comments this item has now been renamed 'IT Resourcing Strategy' to provide greater clarity.

- Works at Pacific Highway South Tweed.

Officer Comments:

The works are an upgrade to a sewer pump station located adjacent to the Pacific Highway at South Tweed Heads. These works are funded by the sewerage fund.

- Plans for Amaroo Park on Darlington Drive Banora Point.

Officer Comments:

Council has in reserve the section 94 funding for Amaroo Park. Community consultation did not identify a strong community desire for the park so it has remained a low priority; however the opportunity exists to have further discussions. Banora Point has many little pockets of community land that are predominantly needed for drainage, very few of these areas are usable.

- Oxley River bank stabilisation project.

Officer Comments:

A Council project as part of the Lower Tweed Management Plan. River banks stabilisation on both private and public land near Slippery Crossing to repair major bank failures. Works are funded through the water and sewer dividend paid to the general fund.

East Banora Residents Association

- Commended Council on Seaview Street kerb and gutter upgrade and acknowledge the forthcoming upgrade to Oyster Point Road. The Association suggested improvement to

Wilson Park as good infrastructure for all to enjoy in addition to works in Bay Street Tweed Heads.

Officer Comments:

Bay Street Tweed Heads street scaping project has commenced and Council has allocated \$300,000 to the Oyster Point Road project. Council will forward to the association a map showing the lots that RMS propose to hand over to Council in association with Wilson Park.

Council has also determined to hold two Council meetings each year in selected locations around the Shire following the success of the February meeting held in Banora Point.

Kingscliff Ratepayers and Progress Association

- Proposed developments at Kings Forest and Cobaki provision for water and sewerage infrastructure.

Officer Comments:

In readiness for increased population Council has constructed infrastructure such as the Bray Park Water Treatment Plant, Kingscliff and Banora Point Waste Water Treatment Plants. Infrastructure to service the entire proposed population as a result of these two development areas is a matter for Council and the Developer decisions. The budget contains some items in both Water and Sewer Funds to service these developments that will be paid for out of s64 developer contributions. The timing of the works will be reviewed to match the actual progress of the developments.

- Expected funding for the Kingscliff foreshore redevelopment. Improvements to the Amenities Hall for example the toilets cannot proceed before foreshore works, although the Association welcomed Wyoming Road and Viking Street capital works.

Officer Comments:

Council has endorsed to take a more detailed look at the design and cost and no decisions will be made until more information is available and presented to the community. This is a multimillion dollar project that is yet to be funded.

- Kingscliff Library upgrade and lack of meeting rooms in Kingscliff.

Officer Comments:

Council is undertaking a review of Library facilities in the Shire as part of an analysis of cultural facilities in the Shire. The functions of libraries are changing and Council needs to take a wider look at where services are provided and where services can be networked or shared.

Murwillumbah Ratepayers and Residents Association

- Funding allocations to the Murwillumbah Community Centre.

Officer Comments:

Funding includes recurrent costs for bigger maintenance items and servicing of the building in the longer term.

- Resourcing Strategy and suggestion of satellite officers would mean purchase of land in coastal areas which the Association suggests is not effective use of Council funds.

Officer Comments:

Council has recently reached an agreement with Southern Cross University to purchase the campus building adjacent to the Tweed Civic Centre. The current Murwillumbah Office is at capacity therefore it became necessary to consider additional long term office space. In addition as the population increases and services expand to cater for growth additional office space would be needed. Council has no plans to relocate the Murwillumbah office.

Further the Revitalising Local Government Report October 2013 prepared by the Independent Local Government Review Panel proposed a Northern Rivers Joint Organisation. Tweed Shire is in a good position to accommodate any joint services that may be deemed appropriate to operate from Tweed by a future Joint Organisation.

- Making Tweed Shire a City.

Officer Comments:

Council is reluctant to the proposal for the Shire to become a City as the notion implies just Tweed Heads. The shire is more than Tweed Heads.

- Bush fire mitigation funding.

Officer Comments:

Fire hazard reduction budget is an allocation for protection of Council owned assets. The Rural Fire Service and Council have regular meetings to identify areas of hazard protection.

- Increase soil carbon in the Tweed Shire.

Officer Comments:

Soil Carbon project is grant funded. Council is working with local farmers to increase productivity through the addition of soil carbon. The project is testing a number of soil carbon sources for example green organic waste, waste from chicken farm and biosolids from waste water treatment plant.

- Regional Condong boat ramp project.

Officer Comments:

Council voted not to proceed with the Regional Condong boat ramp project on the basis that increased boat activity along that section of the river was not appropriate.

- Urgent repair to Tumbulgum Road as a main arterial route in and out of Murwillumbah.

Officer Comments:

Council has reduced the speed limit to 40kms. Any upgrade to Tumbulgum Road must include a separate upgrade to the trunk water main. Officers advise that Tumbulgum Road is not expected to fail even though some subsidence has occurred near the guard rail. The problem section of Tumbulgum Road has been re-marked to ensure pedestrian

safety. An upgrade to the road will be a major undertaking because of the need to widen the road and restabilise the entire river side section of the road.

Federal roads funding is now uncertain with such outcomes having a major impact on road maintenance in the Shire. Council is still waiting on funding for Kennedy Drive promised sometime ago.

- Grant funding for Knox Park.

Officer Comments:

Council is working within conditions of the grant funding and will have met all required milestones by December 2014.

Council's 2014/2015 Budget is directed at asset maintenance unlike previous Budgets which had an additional focus on Seven Year Infrastructure Planning items for example Arkinstall Park. Council's focus on long-term asset needs is in line with the Long-Term Financial Plan. The TCorp Report listed Tweed Shire Council as financially strong with an outlook of neutral. Council is now directing funding towards asset improvements while remaining financial sustainable. The purchase of the Southern Cross University building at Tweed Heads was viewed as a long-term sustainable asset to meet Council's future needs.

Council has listened to the community and simplified the 2014/2014 Fees and Charges document and is continually improving all of its Integrated Planning and Reporting Framework documents.

Pottsville Community Association

Officer Comments:

Pottsville Community Association took the opportunity to have an individual discussion in regard to the suite of Integrated Planning documents on display. The Acting Director Corporate Services gave an undertaking that responses would be provided to the specific questions raised by the Association.

Tyalgum District Community Association

- Road infrastructure planned for Tyalgum and surrounding villages noting that expenditure designated for Tweed was warranted.

Officer Comments:

A special rate levy was collected from selected commercial properties in Tweed Heads which has now ceased. The cost of infrastructure is reduced in highly populated areas with costs substantially increasing in less populated rural areas.

Council has a Rural Land Strategy to manage the future of rural lands in the Shire on exhibition seeking community input with the expectation a Rural Villages Strategy will follow. Both Plans will in the future inform rural land use and development and the opportunity is now for the community to have input.

- Promotion of Tyalgum and surrounding Villages.

Officer Comments:

Destination Tweed is engaged for the development of business and tourism for Tweed and the Association should discuss promotion needs with the organisation. The overwhelming success of the Margaret Olley Exhibition space at the Tweed Regional Art Gallery has Council considering 25 additional car park spaces to cope with demand.

- Pedestrian facilities within Tyalgum in particular connecting the Hall with the business centre.

Officer Comments:

Council is preparing a Pedestrian Access Mobility Plan ('PAMP') for the management of safe pedestrian infrastructure in the major centres around the Shire. This does not include Tyalgum. Council needs to be informed of pedestrian issues and the Association is encourage to make a submission to Council.

- Funding for Perkins Bridge, Limpinwood Road approach repair.

Officer Comments:

This is a maintenance issue which is programmed for completion this year.

- State Emergency Services funding

Officer Comments:

State Emergency Service ('SES') funding is a statutory requirement placed on Council. Emergency evacuation centres in emergency are decisions of the SES and not Council.

- Strategic planning costs.

Officer Comments:

A quarterly report is presented to Council on status of planning reforms projects.

Summary of written submissions

Banora Point & District Residents Association

- Following a review of the 2013/2017 Delivery Program, Draft 2014/2015 Operational Plan and associated documents in addition to the round table discussion, the Association does not wish to make any objections. The document seems to be a fair distribution of ratepayer's funds and commend Council for delivering what is a difficult task in prioritising funds.

Murwillumbah Ratepayers and Residents Association Inc

- Cycleways and new footpaths include 5 projects incorporating stage 1 of the rail trail at a cost of \$275,000. Access to the Art Gallery must be improved, greater signage or an economic alternative created. The idea of waiting for a rail trail is abhorrent, we do not agree with this proposal. A rail trail would include a steep climb too difficult for the elderly, the extended walk would detract visitors in addition to including more footpaths to construct and maintain. Consider the rail trail unreasonable and non-economic.

Officer Comments:

Council is reviewing options for access to the Art Gallery including additional carparking and pedestrian access.

- Pedestrian Access Mobility Plan ('PAMP') under construction the Association sees a greater need for access as the shire grows because with mainly vehicle access to travel the shire, no public or private bus, no rail, road maintenance expenditure will increase. Suggest designated cycle areas on many Shire road and grading sections alongside gravel roads to improve cycle safety. Proportion of existing pedestrian and cycle paths replacement per annum is only 0.6%.

Officer Comments:

The PAMP will provide Council with a prioritised plan for future footpath and cycleway projects, targeting high use areas for upgrades or extensions. The Delivery Program and Operational Plan provides capital and rehabilitation budget allocations, while Council has also adopted a developer contribution plan for cycleways, which assists in funding on and off road cycleway facilities. Where feasible, shoulder widening is incorporated into road reconstruction projects to assist cyclists on the rural road network.

- The 2013/2017 Delivery Program does not report on things accomplished from last year, things that need attention and things that have gone over budget.

Officer Comments:

This reporting is currently provided through quarterly updates of the Delivery Program and Operational Plan, exception reports and the Annual Report.

- Nullum House, there is a need for the homeless, can another location be found because of the location near a playground, are no other suitable properties available?

Officer Comments:

Council is in discussions with organisations providing services to the homeless to determine whether an alternative location can be found including potentially the Red Cross building in Knox Park.

- Knox Park, is there a final exhibition?

Officer Comments:

The draft Plan based on feedback received from the consultation period will be considered by Council at its July meeting.

- Boating should continue on the Tweed River to attract tourism.

Officer Comments:

Council notes the Associations suggestion.

- G001 Domestic Waste Service Charge, are these figures relevant to the proposed charges to garbage collection and how long before the garbage rates will stabilise?

Officer Comments:

The domestic waste services charge which attaches to the rates is made up of a number of parts. These include a charge for overall waste services such as the biannual kerbside bulk waste collection service, household collections for recycling and waste, disposal costs for waste collected in the kerbside services, processing cost for recycling and the currently optional green waste collection. The cost of the service is influenced by a number of factors including the contract collection costs which rise annually by CPI, and the disposal costs that are impacted by the State Government levy increase which is currently \$10 + CPI per annum. The levy increase is due to increase for the next 2 years so this should settle down to just CPI after this.

- A0582 Property sales - selling and holding costs. A property assessment request by Councillors, did this identify any suitable locations for the homeless and disabled? Is it possible to purchase suitable locations from the sale of unsuitable locations? A location in Dungay was willed to the disabled and subsequently placed for sale; will the disabled be forced to travel to Tweed? Can something be done to keep facilities in Murwillumbah where they are needed?

Officer Comments:

Council does not fund homelessness or disabled services as this is the responsibility of higher levels of government. If available Council has provided facilities for groups who provide these services and will continue to do so.

- A5625 Road Signs On costs, with new development greater directions signage will be needed. The mapping of the Shire and facilities is needed with the 2018 Gold Coast hosted Commonwealth Games, good information will be an asset for the economy. Therefore current information needs to be reviewed and amended before the Games begin.

Officer Comments:

Council is continually renewing and upgrading its signage in response to community concerns and when it believes there is a need.

- A3866 Tumbulgum Road Murwillumbah urgent road repairs needed. Lowering of the speed limit does not address the state of the road, how dangerous must the road become before repairs are undertaken. Aware the job is large, in addition to water main upgrades but the cost will only become larger the longer the road is left in its current state.

Officer Comments:

Tumbulgum Road will be repaired once a cost effective solution is determined.

- A3962 Numinbah Road repairs, this is a major access route with stop lights still in operations, Timing and allocating of resources does not appear to be efficient?

Officer Comments:

Numinbah Road will be repaired in the next 6 to 12 months.

- When will the new Quarry come on line? Quality local grade material should only be used on our roads. The closure of the existing Quarry is a concern along with added expense on the ratepayers to have to purchase and transport is a concern.

Officer Comments:

The existing Eviron Quarry is currently leased to a private company to operate. Council has no plans to operate its own quarries in the immediate future as the cost to do so is prohibitive.

- B0308 Bray Park Weir, taking climate change seriously, is there something planned to raise the weir level to compensate for tidal influence that can now be experienced in bad weather events and king tides? In addition it is good to see water mains being attended to in Murwillumbah.

Officer Comments.

This is an issue which Council will need to address in the coming years.

- A0558 Tourism and Economic Development - Contracted Services. This is a large amount of funding, what is given in return? The Association considers local lookouts should be better advertised; only Crematoriums and Funeral Parlours are advertised as you come into Murwillumbah. Is it not possible to put local government tourism advertising along the highway to let more people know that Murwillumbah is out here?

Officer Comments:

Council contracts Destination Tweed to undertake tourism promotion for the Tweed Shire. These services include operating three visitor information centres which are open seven days a week, as well as undertaking national advertising campaigns and production of free tourism brochures and collateral promoting the Tweed region. The amount of money expended on tourism promotion by Tweed Shire Council is not significant compared to similar sized coastal Councils on the eastern sea board.

Destination Tweed have been actively involved in reviewing strategic assets such as lookouts, tourism signage, entry statements and walking trails as a mechanism for creating a greater tourism attraction.

The Pacific Highway is under the management of the Roads and Maritime Authority (RMS) (NSW Government). They directly control advertising, tourism signage, direct access (new on / off ramps) and the location of service centres. Council, Destination Tweed and the business chambers are all actively working with RMS to get better tourism directional signage throughout the Tweed.

There is currently a joint development applications / planning proposal (rezoning) with the State Government for a service centre immediately next to Melaleuca Station.

- Bruce Chick Park in need of repair, it is well used and serves as an advertisement for our Valley?

Officer Comments:

Council has considered a number of reports on potential options for the upgrade of Bruce Chick Park but is yet to determine its preferred option.

- D002 Planning Reforms. The Rural Lands Strategy is completed this year, and the only way the Association has been informed was through the Draft Operational Plan 2014/2015. If the Strategy extends beyond the year how is it funded, and question the

use of population figures taken from other studies dating 2009, why not use Australian Bureau of Statistics 2011 figures.

Officer Comments:

The 2013/17 Delivery Program indicates that the Rural Lands Strategy will be finished this year. The contract term for preparing the draft Rural Land Strategy, should it have been obtainable, would have resulted with the completion of the project prior to 2014. At the time of providing advice on the delivery program items the Planning Reform Unit (PRU) considered it conceivable that the project could be completed by June 2014, as corroborated by the consultant.

The extensive interest in the project from the community and valuable input from the Reference Panel has led the investigation and data capture beyond that previously anticipated. Whilst broadening the breadth and depth of the work will ultimately lead to a better informed, resilient and responsive strategy the timeframe for its preparation has extended considerably. The current advice from the PRU is that the project has an anticipated completion date of June 2015.

The Rural Land Strategy is costed. Council committed \$125,000 to the project in 2012 and prior to the tendering process for a consultancy.

Why use population figures taken from earlier studies dating to 2009 and not the latest 2011 ABS figures? As noted at Section 1.6 on page 11 of the Draft Resource Inventory and Land Capability Assessment, prepared by EnPlan Partners, *"The population profile has been prepared using ABS 2011, 2006 and 2001 Population Census data and ABS 2010/11 and ABS 2005/06 Agricultural Census Data."*

In addition to the statistical data compiled by the Australian Bureau of Statistics (ABS), and the data modelling and projections prepared by Council's statistical consultant, id Consulting, which draws on the ABS data from 1991, there are other sources of policy work that the draft Rural Lands Strategy draws from. Some of that work includes modelling and projections of specific matters, derived by interpretation of the ABS data that was available at that earlier point in time, and the use of the information is nonetheless relevant to the situation to which it is being used, and which is validated, corroborated or rebutted by comparative assessment of the most current data.

The draft Rural Land Strategy does use the most recent statistical information, but it also draws on statistical information and interpretive work that dates back to 1991, and in doing so provides a stronger evidential basis for understanding and projecting trends.

- Draft Resourcing Strategy.

Officer Comments:

Council acknowledges comments provided on the Draft Resourcing Strategy.

Individual submission by Mr Bob McDonald

The Delivery Program has been again presented as a nonsensical document containing meaningless statements being impossible to audit. No understanding of outputs and outcomes and no appreciation of efficiency and effectiveness targets and measures.

- Section 404 of the Local Government Act requires the Delivery Program to include a method of assessment that determines the effectiveness of each principle activity detailed in the Plan to implement long-term strategic intent. Where are the methods shown in the Delivery Program? If methods are absent the Delivery Program fails compliance.

Officer Comments:

Key Performance Indicators and specific budgets are included for each function and these are monitored on a quarterly and annual basis.

- Council must develop methods to determine the effectiveness of the Delivery Program. The methods will focus on both outputs (the things we did) and outcomes (the results of what we did - Did it work? Was it beneficial?) Where are the outputs and outcomes detailed in the Delivery Program, if not the Delivery Program is not compliant.

Officer Comments:

Outcomes of the Delivery Program and Operational Plan are monitored quarterly. The outgoing Council also prepares an End of Term Report that highlights the achievements of the council over the course of the four-year Delivery Program.

- Section 428 Local Government Act requires that Council prepare a report (its annual report) for that year reporting as to its achievements in implementing its Delivery Program and the effectiveness of the principle activities undertaken in achieving the objectives at which those principle activities are directed. If Council is not focusing on effectiveness of the principle activities in the Delivery Program, how can the Annual Report be produced to meet requirements of legislation?

Officer Comments:

The Annual Report is prepared, resolved by Council and provided to the Minister and Office of Local Government.

Council initiated advice to the community

- Tweed Link issue 854, 15 April 2014 all residents of the Shire were asked to comment and provide input on services and infrastructure priorities.
- Media Release Tuesday 6 May 2014 notification to all residents that the Draft Budget for 2014/2015 is open for public comment.

Feedback wanted on Council's key documents

Community feedback is invited on five key documents in Council's integrated planning framework, after last week's Council meeting resolved to put the documents on public exhibition.

The 2013/2017 Delivery Program and the Draft 2014/2015 Operational Plan, Revenue Policy, Fees and Charges and Budget is on exhibition until 26 May.

The documents guide Council operations to meet community demands for services and infrastructure by maximising what it can achieve with its available resources.

The 2013/2017 Delivery Program, which incorporates the 2014/2015 Operational Plan, is structured on the Community Strategic Plan themes: Civic Leadership, Supporting Community Life, Strengthening the Economy, and Caring for the Environment.

Acting Director Corporate Services, Michael Chortlon, said the Operational Plan and Budget was a considered approach by the Council to meet community needs and the

constraints of a 2.3 per cent rate pegging increase.

It follows several years of delivering large capital projects such as the Margaret Olley Art Centre, Kirkwood Road interchange and Bray Park Water Treatment Plant.

The focus is now on completing the Tweed Regional Museum in Murwillumbah and Arkinstall Park while maintaining the existing \$3.3 billion of community assets and continuing services outlined in the Delivery Program.

The 2014/2015 budget is \$203.8 million, comprising \$124.5 million in the General Fund, \$42.8 million in the Water Fund and \$36.5 million for the Sewer Fund.

The budget is funded by a minor increase to the General Fund rate of 2.3 per cent, along with moderate increase in waste management, water and sewerage charges.

The overall increase for a typical residential property on the minimum rate is 4.55 per cent, taking the total minimum rate bill to \$2222.85 for 2014/15.

Budget amendments

A number of amendments to the draft budget have been made since the document was placed on exhibition, as a result of the Federal Budget announced in May 2014 and also incorporates minor corrections and omissions. These include:

- Reduction of Federal Financial Assistance Grant (FAG) income by \$92,193 (Federal Budget impact).
- Reduction of Federal Pensioner Rebate subsidy by \$176,377 (Federal Budget impact).
- Net Increases in various operational expenditure items of \$65,487.
- Net increases in various income items of \$27,910.
- Finalisation of General Fund internal charges (Activity Based Costing) to other funds, increasing internal revenue by \$194,921.
- Net reduction in transfers to reserves by \$85,226.
- Bring forward \$2.3m capital expenditure and corresponding loan funding from 2016/17 to 2014/15 (SCU purchase).
- Reclassification of \$2m South Tweed/Banora sports fields land purchase from Operating to Capital expenditure.

The draft budget remains balanced.

OPTIONS:

Council is required to adopt by 30 June 2014 the Delivery Program 2013/2017, Operational Plan 2014/2015, Revenue Policy and Statement 2014/2015, Part A, Budget 2014/2015, Part B, Fees and Charges 2014/2015 Part C and Resourcing Strategy 2013/2023.

CONCLUSION:

That Council adopts the following plans, as exhibited and amended: Delivery Program 2013/2017, Operational Plan 2014/2015, Revenue Policy and Statement 2014/2015, Part A, Budget 2014/2015, Part B, Fees and Charges 2014/2015 Part C and Resourcing Strategy 2013/2023.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

Sections 403, 404 and 405 Local Government Act 1993 applies.

b. Budget/Long Term Financial Plan:

As outlined within the Report and the Draft 2014/2015 Budget and Long Term Financial Plan.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Delivery Program 2013/2017 and Draft Operational Plan 2014/2015 (ECM 3378805)

Attachment 2. Revenue Policy and Statement 2014/2015, Part A (ECM 3374927)

Attachment 3. Budget 2014/2015, Part B (ECM 3376179)

Attachment 4. Fees and Charges 2014/2015 Revenue Policy, Part C (ECM 3378281)

Attachment 5. Resourcing Strategy, Supporting the 2013/2023 Community Strategic Plan (ECM 3374975).

50 [CS-CM] Local Preference Update

SUBMITTED BY: Corporate Governance

Valid



Civic Leadership



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.3	Delivering the objectives of this plan
1.3.2	Council will seek the best value in delivering services
3	Strengthening the Economy
3.4.3	Manage Council business enterprises to provide economic stimulus and maximise returns to the community

SUMMARY OF REPORT:

This report provides an update on the implementation of Version 1.5 of the Procurement Policy since Council at its meeting of 15 August 2013 resolved that:

- "1. Council adopts Version 1.5 of the Procurement Policy, as amended post exhibition and as per the version attached to this report.*
- 2. The implementation of Version 1.5 of the Procurement Policy commence from the date a notice to this effect is published in the Tweed Link.*
- 3. The Local Preference Section 4 of the Procurement Policy is to be reviewed at 3 months and 12 months post implementation. If the outcomes are unacceptable to Council as determined by the General Manager, then that section of the policy may be suspended by the General Manager.*
- 4. Any suspension of the Local Preference Section of the Procurement Policy by the General Manager (as per 3 above) must be reported to the next available Council meeting with recommendations for formal amendment of the policy in accordance with Section 160 of the Local Government Act 1993.*
- 5. The reviews referred to in 3 above are to be informed by in depth reviews by Council's internal auditor."*

Since the inclusion of the Local Preference section within the Procurement Policy in September 2013, several improvements with regard to the implementation of this initiative have been identified. To address these a working group of key stakeholders within the organisation have proposed the following changes be made to Council's Procurement Protocol:

- Adding key local preference terms to the definitions table.
- Addition of a paragraph in relation to the evaluation template spreadsheets in section 4 of the protocol.
- Enhancements to the following sections of the protocol:

- 4.1.2 Multi Criteria Evaluation
- 4.1.3 Rate Only Evaluation
- 4.1.6 Financial Cost Caps
- Addition of a 'Local Preference Tender Schedule: Unquantifiable Nominated Local Value' to the appendix C.

RECOMMENDATION:

That Council receives and notes the report on Local Preference.

REPORT:

This report provides an update on the implementation of Version 1.5 of the Procurement Policy since Council at its meeting of 15 August 2013 resolved that:

- "1. Council adopts Version 1.5 of the Procurement Policy, as amended post exhibition and as per the version attached to this report.*
- 2. The implementation of Version 1.5 of the Procurement Policy commence from the date a notice to this effect is published in the Tweed Link.*
- 3. The Local Preference Section 4 of the Procurement Policy is to be reviewed at 3 months and 12 months post implementation. If the outcomes are unacceptable to Council as determined by the General Manager, then that section of the policy may be suspended by the General Manager.*
- 4. Any suspension of the Local Preference Section of the Procurement Policy by the General Manager (as per 3 above) must be reported to the next available Council meeting with recommendations for formal amendment of the policy in accordance with Section 160 of the Local Government Act 1993.*
- 5. The reviews referred to in 3 above are to be informed by in depth reviews by Council's internal auditor."*

The Local Preference section within the Procurement Policy took effect on 17 September 2013, when a notice with regard to the adoption of the Procurement Policy Version 1.5 was published in the Tweed Link.

The objective of the Local Preference is to create a positive impact on the local economy through considering the local content contained in offers for supply of goods and services.

Council's Procurement Protocol provides guidance on the operational aspects of Local Preference.

Identified Improvements and Responses

Since the implementation of Local Preference section within the Procurement Policy took effect in September 2013, several improvements with regard to the implementation of this initiative have been identified. To determine an appropriate solution to these a working group of key stakeholders within the organisation has been formed. This working group includes the Director Engineering, officers from the contracts unit, Manager Works, Plant and Materials Coordinator and Internal Auditor.

The main matters discussed include:

- Addressing any areas of ambiguity with regard to the Local Preference section in the Procurement Protocol.
- Applying a consistent methodology for the application of Local Preference in the evaluation stage, including the application of the financial cost cap.
- Developing a workable solution for the application of Local Preference where the total expenditure is not predetermined (i.e. schedule of fees / rates).
- Improvements identified by Council officers and suppliers in regards to the Local Preference Tender Schedule. The Local Preference Tender Schedule is a form which is completed by suppliers and assessed by Council officers to determine the local preference score.

In order to address these matters the group determined that:

- No major changes to occur until after a 12 month audit review; and
- Minor changes and enhancements be made to the Procurement Protocol.

The minor changes and enhancements to the Procurement Protocol include:

- Adding key local preference terms to the definitions table
- Addition of a paragraph in relation to the evaluation template spreadsheets in section 4 of the protocol.
- Enhancements to the following sections of the protocol:
 - 4.1.2 Multi Criteria Evaluation
 - 4.1.3 Rate Only Evaluation
 - 4.1.6 Financial Cost Caps
- Addition of a 'Local Preference Tender Schedule: Unquantifiable Nominated Local Value' to the appendix C.

In addition to the above, the group noted that:

- The Executive Management Team recently endorsed a recommendation that appropriate staff receive Local Preference training.
- A procurement intranet site is being developed which will house current quote/tender related templates, including the Local Preference related spreadsheets developed by the Contracts unit.

Local Preference Internal Audit

An internal audit was also undertaken in January 2014. This three month review of Council's Local Preference section of the Procurement Policy and Protocol indicated that the effectiveness of Local Preference on the local economy has been limited. This is mainly due to a high proportion of qualifying purchases (i.e. over \$10,000) being ineligible as they were under existing agreements (majority), exceptional circumstances, contracts exempt from tendering legislation and standing orders.

It is expected that the 12 month review will provide a more accurate assessment of the policy as existing agreements expire and are replaced by agreements which have considered local preference.

OPTIONS:

1. That Council receives and notes this report.
2. That Council does not receive and note this report.

CONCLUSION:

Revision of Council's Procurement Protocol Version 1.7 has enhanced the effectiveness of the Local Preference initiative by providing further guidance to ensure the consistent application and best achieve the objective of creating a positive impact on the local

economy through considering the local content contained in offers for supply of goods and services.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.5

Procurement Protocol v1.7

b. Budget/Long Term Financial Plan:

Expenditure differentials will be determined from the degree of Local Preference applied.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

51 [CS-CM] In Kind and Real Donations - January to March 2014

SUBMITTED BY: Financial Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
-

SUMMARY OF REPORT:

Details of in kind and real donations for the period January to March 2014 are reproduced in this report for Council's information.

RECOMMENDATION:

That Council notes the total in kind and real donations of \$36,820.87 for the period January to March 2014.

REPORT:

Council maintains a register of in kind and real donations. Details of these donations for the period January to March 2014 are reproduced as follows:

Financial Assistance

Amount	Recipient	Donated Item	Date
\$26,947.00	Tweed District Rescue Squad Inc	Budget Allocation	08/01/2014
\$2,000.00	Westpac Life Saver Rescue Helicopter	Council Resolution 18/04/2013	19/03/2014
\$2,000.00	Twin Towns Friends Association Inc	Council Resolution 18/04/2013	19/03/2014
\$500.00	Festival of Ability Far North Coast	Donation - International Day for People with Disability	19/03/2014
\$31,447.00			

Goods and/or Materials

Amount	Recipient	Donated Item	Date
\$90.00	Bilambil Public School	Tube Stock	18/02/2014
\$6.00	Friends of TRM	Printing	Jan/Feb/March
\$8.40	Stokers Siding & District Comm Assoc	Printing	Jan/Feb/March
\$19.80	Stokers Craft Market	Printing	Jan/Feb/March
\$87.60	Murwillumbah Historical Society	Printing	Jan/Feb/March
\$6.00	South Tweed over 50's Friendship Group	Printing	Jan/Feb/March
\$57.60	Tweed Land Care Committee	Printing	Jan/Feb/March
\$275.40			

Provision of Labour and/or Plant and Equipment

Amount	Recipient	Donated Item	Date
\$2,796.08	Life Education Van Relocation	Provision of Labour & Council Plant	Jan/Feb/March
\$382.09	Street Christmas Decorations	Provision of Labour & Council Plant & Dumping Fee	January
\$3,178.17			

Tweed Link Advertising

Amount	Recipient	Donated Item	Date
\$56.70	Various Community Notices	Advertising	14/01/2014
\$62.10	Various Community Notices	Advertising	21/01/2014
\$213.30	Various Community Notices	Advertising	28/01/2014
\$70.20	Various Community Notices	Advertising	04/02/2014
\$116.10	Various Community Notices	Advertising	11/02/2014
\$89.10	Various Community Notices	Advertising	18/02/2014
\$189.00	Various Community Notices	Advertising	25/02/2014
\$64.80	Various Community Notices	Advertising	04/03/2014
\$64.80	Various Community Notices	Advertising	11/03/2014
\$45.90	Various Community Notices	Advertising	18/03/2014
\$132.30	Various Community Notices	Advertising	25/03/2014
\$1,104.30			

Room Hire

Amount	Recipient	Donated Item	Date
\$200.00	Twin Towns Friends Assoc	Room Hire - Tweed Heads Civic Centre	19/03/2014
\$26.00	Banora Point Rate Payers Association	Room Hire - Coolamon Room Banora Pt Com Centre	03/02/2014
\$26.00	Banora Point Rate Payers Association	Room Hire - Coolamon Room Banora Pt Com Centre	03/03/2014
\$45.00	Twin Towns Friends	Room Hire - South Tweed HACC	12/02/2014
\$45.00	Twin Towns Friends	Room Hire - South Tweed HACC	12/03/2014
\$79.00	Tweed Heads Hospital Auxiliary	Room Hire - South Sea Islander Room	06/01/2014
\$79.00	Tweed Heads Hospital Auxiliary	Room Hire - South Sea Islander Room	03/02/2014
\$79.00	Tweed Australian South Sea Islanders Com Inc	Room Hire - South Sea Islander Room	08/02/2014
\$79.00	Tweed Heads Hospital Auxiliary	Room Hire - South Sea Islander Room	25/02/2014
\$79.00	Tweed Heads Hospital Auxiliary	Room Hire - South Sea Islander Room	03/03/2014
\$79.00	Tweed Australian South Sea Islanders Com Inc	Room Hire - South Sea Islander Room	08/03/2014
\$816.00			

\$36,820.87 Total Donations 3rd Quarter (January, February, March 2014)

OPTIONS:

Not Applicable.

CONCLUSION:

For Councillor's Information and the details will also be included in the 2013/2014 Annual Report.

COUNCIL IMPLICATIONS:

a. Policy:

Donations and Subsidies Version 1.2.

b. Budget/Long Term Financial Plan:

As per Budget estimates.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

52 [CS-CM] Monthly Investment and Section 94 Contributions Report for Period Ending 31 May 2014

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested. The Manager Financial Services, being the Responsible Accounting Officer, certifies that investments have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies. Council had **\$175,709,044** invested as at **31 May 2014** and the accrued net return on these funds was **\$553,533** or **3.8%** annualised for the month.

RECOMMENDATION:

That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 May 2014 totalling \$175,709,044 be received and noted.

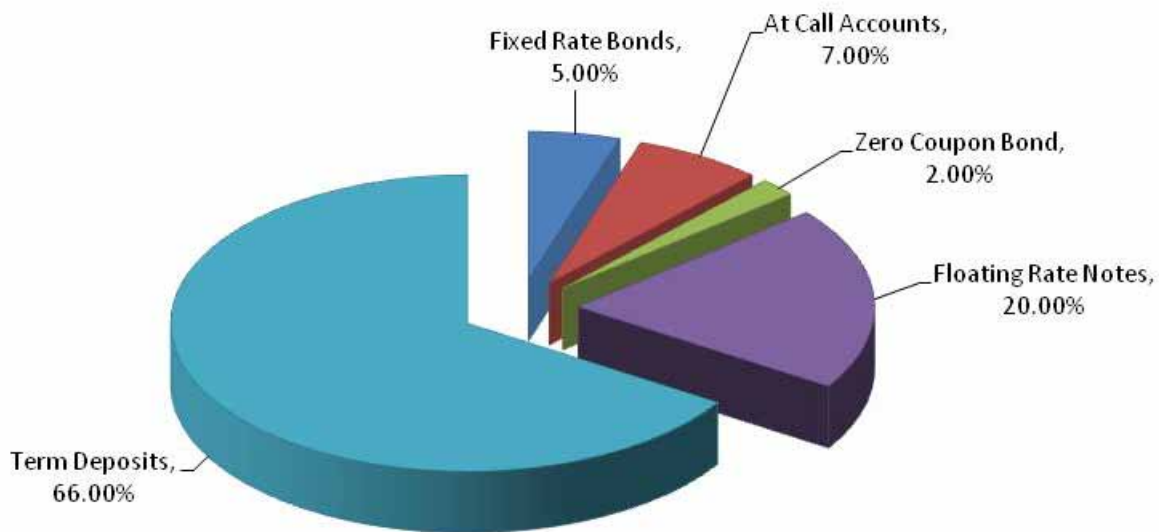
REPORT:

1. Restricted Funds as at 1 July 2013

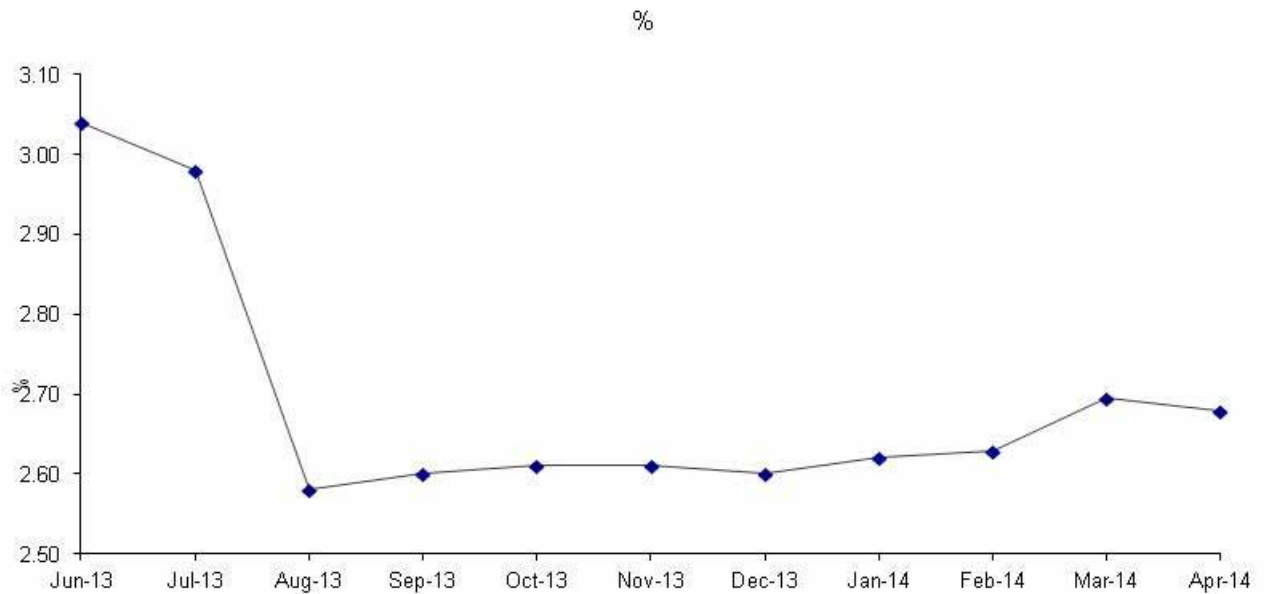
Description	(\$'000)			Total
	General Fund	Water Fund	Sewer Fund	
Externally Restricted	1,126	18,785	39,653	59,564
Crown Caravan Parks	15,926			15,926
Developer Contributions	25,917	3,916		29,833
Domestic Waste Management	10,075			10,075
Grants	4,975			4,975
Internally Restricted	26,122			26,122
Employee Leave Entitlements	5,123			5,123
Grants	5,930			5,930
Unexpended Loans	10,328			10,328
Total	105,522	22,701	39,653	167,876

Note: Restricted Funds Summary updated September 2013, corresponding with the Annual Financial Statements as at 30 June 2013

2. Investment Portfolio by Category



3. Investment Rates - 90 Day Bank Bill Rate



4. Direct Securities

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
AMP (ANZ) (03/16)	1,700,000.00	1,730,022.00	3.75	FRN	14/03/2016
AMP (RBS) (06/14)	2,000,000.00	2,018,320.00	3.85	FRN	06/06/2014
AMP (RIM) (05/17)	2,500,000.00	2,530,050.00	3.82	FRN	29/05/2017
ANZ (11/18)	1,000,000.00	1,008,760.00	3.55	FRN	06/11/2018
Bendigo (FIIG) (11/15) +1.25%	1,000,000.00	1,014,560.00	4.13	FRN	02/11/2015
Bendigo (RBS) (05/17)	3,000,000.00	3,026,820.00	3.88	FRN	17/05/2017
Bendigo (RBS) (11/18)	1,000,000.00	1,011,050.00	3.98	FRN	14/11/2018
BOQ (ANZ) (05/16)	1,000,000.00	1,011,150.00	4.06	FRN	30/05/2016
BOQ (RBS) (05/16)	1,000,000.00	1,011,150.00	4.06	FRN	30/05/2016
CBA (04/19)	1,000,000.00	1,012,870.00	4.25	Fixed Rate Bond	24/04/2019
CBA (04/19)	1,000,000.00	1,007,040.00	3.57	FRN	24/04/2019
CBA (08/16) 1.17%	3,000,000.00	3,056,010.00	3.85	FRN	02/08/2016
CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,304,000.00	7.17	Fixed Rate Bond	22/01/2018

CUA (Mar 2017) (CBA)	1,000,000.00	1,007,700.00	3.96	FRN	20/03/2017
Heritage (RBS) (06/17)	1,000,000.00	1,070,000.00	7.25	Fixed Rate Bond	20/06/2017
ING (RBS) (08/16)	1,000,000.00	1,024,310.00	4.25	Fixed Rate Bond	23/08/2016
ING (RBS) (09/15)	2,000,000.00	2,081,420.00	5.50	Fixed Rate Bond	03/09/2015
ING (RBS) (09/15)	2,000,000.00	2,081,420.00	5.50	Fixed Rate Bond	03/09/2015
ME Bank (CBA) (09/15)	1,400,000.00	1,418,032.00	3.87	FRN	03/09/2015
ME Bank (CBA) (11/16)	1,000,000.00	1,004,710.00	3.95	FRN	28/11/2016
ME Bank (Morgans) (11/16)	1,000,000.00	1,004,710.00	3.95	FRN	28/11/2016
NAB (06/16)	2,000,000.00	2,045,000.00	3.83	FRN	21/06/2016
Rabo (RBS) (09/18)	1,000,000.00	1,018,680.00	3.79	FRN	25/09/2018
Suncorp (04/19)	2,000,000.00	2,027,340.00	3.79	FRN	23/04/2019
Suncorp (Westpac) (04/15)	2,000,000.00	2,014,680.00	4.19	FRN	23/04/2015
Suncorp Covered (RIMSEC) (12/16)	2,000,000.00	2,111,620.00	4.75	FRN	06/12/2016
Westpac (Morgans) (02/19)	2,000,000.00	4,025,600.00	3.64	Fixed Rate Bond	25/02/2019
Westpac (RBS) (02/17)	4,000,000.00	1,032,020.00	4.34	FRN	20/02/2017
	48,600,000.00	47,709,044.00	4.30		

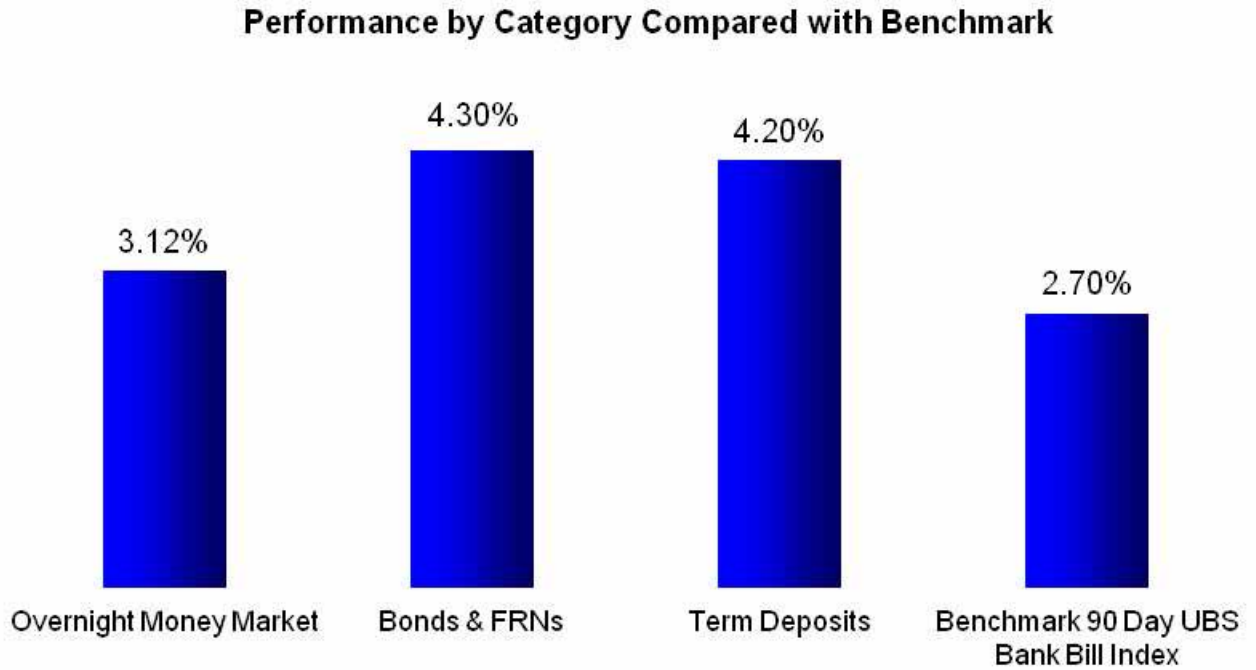
LEGEND	ABS = Asset Backed Security
Investment Type	Bond = Fixed Rate Bond CDO = Collateralised Debt Obligation FRN = Floating Rate Note
Counterparty	BB = Bendigo Bank Heritage = Heritage Bank ING = ING Bank Investec = Investec Bank Macquarie = Macquarie Bank NAB = National Australia Bank ME = Members Equity Bank RaboDirect = Rabo Bank Rural = Rural Bank Suncorp = Suncorp Metway Bank WBC = Westpac Banking Corporation

5. Term Deposits

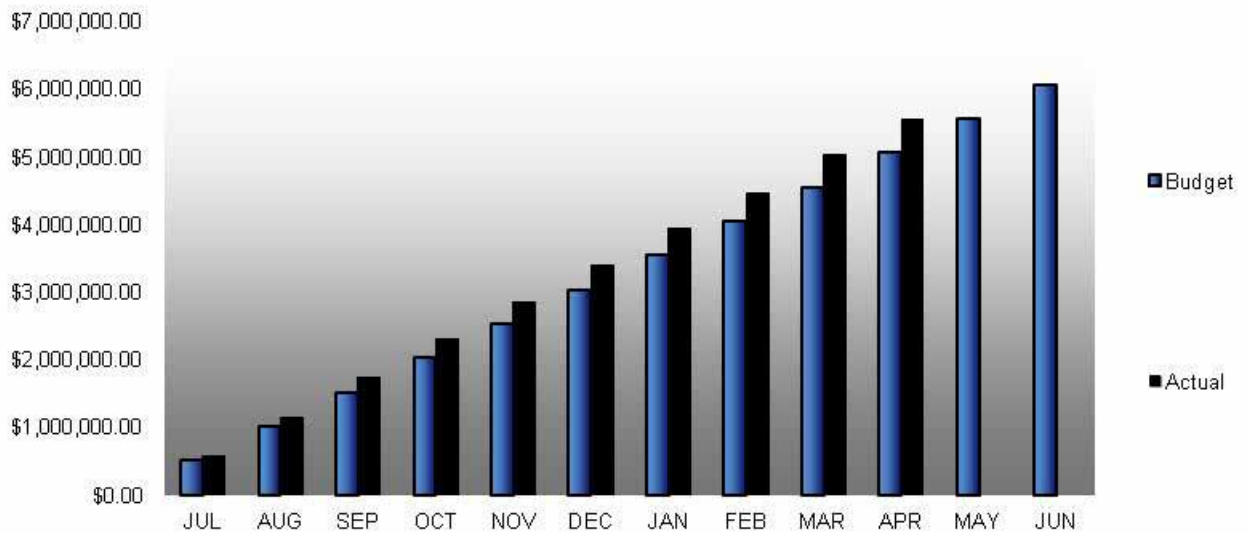
Lodged or Rolled	DUE	Counterparty	PRINCIPAL	TERM	% Yield
10-Sep-13	10-Jun-14	AMP (CURVE) (Sept 2013) annual interest	500,000.00	273	3.80
30-Jul-13	30-Jul-14	AMP (Curve) annual interest	1,000,000.00	365	4.00
28-May-14	26-May-15	Bendigo (May 2015)	2,000,000.00	363	3.63
03-Dec-13	03-Jun-14	Bendigo Bank	2,000,000.00	182	3.70
13-May-14	11-Nov-14	Bendigo Bank	2,000,000.00	182	3.66
23-May-14	23-Aug-14	BOQ (Feb 2016)	1,000,000.00	92	4.29
25-Feb-14	23-Feb-15	BOQ (Feb 2016)	3,000,000.00	365	4.05
03-Sep-13	03-Sep-14	BOQ (Mar 2016)	3,000,000.00	365	4.05
20-Sep-13	20-Sep-14	BOQ (Sept 2015) annual interest	2,000,000.00	365	4.20
20-Mar-14	20-Jun-14	BOQ (Sept 2016) quarterly interest	2,000,000.00	90	3.96
11-Oct-13	11-Oct-14	CBA (Oct 2015) annual interest	1,000,000.00	365	4.85
04-Mar-14	03-Mar-15	CUA (Mar 2015) (Curve)	2,000,000.00	364	3.80
18-Feb-14	19-Aug-14	Heritage Bank (Feb 2014)	2,000,000.00	182	3.75
15-Oct-13	15-Oct-14	ING (Curve) (March 2013)	2,000,000.00	365	4.01
20-Feb-14	19-Aug-14	ING (FIIG) (Aug 2014)	1,000,000.00	180	3.80
24-Apr-14	24-Jul-14	ING (FIIG) (Jul 2014)	3,000,000.00	90	4.14
28-Apr-14	28-Jul-14	ING (RIMSEC)	2,000,000.00	90	3.62
20-May-14	20-Aug-14	ING (RIMSEC) (Feb 2015)	1,000,000.00	92	4.09
09-Apr-14	08-Jul-14	ING (RIMSEC) (Jul 2014)	2,000,000.00	90	4.14
03-Sep-13	02-Sep-15	ING (RIMSEC) (Sept 2013)	1,000,000.00	365	4.14
06-May-14	06-Aug-14	Investec (RIMSEC) (Aug 2013)	1,000,000.00	92	4.22
10-Mar-14	10-Jun-14	Investec (RIMSEC) (Jun 2014)	1,000,000.00	90	4.60
03-Sep-13	03-Sep-14	Investec (RIMSEC) (Sept 2015) annual interest	1,000,000.00	365	4.14
11-Sep-13	11-Sep-14	Investec (Sept 2015) annual interest	2,000,000.00	365	4.37
03-Dec-13	10-Jun-14	ME Bank	2,000,000.00	189	3.83
13-May-14	11-Nov-14	MEB	2,000,000.00	364	3.90
15-Apr-14	14-Apr-15	MEB (Jul 2013)	2,000,000.00	364	3.90
25-Feb-14	25-Feb-15	MEB (Mar 2016)	2,000,000.00	365	4.07
11-Jun-13	17-Jun-14	MEB (RIMSEC) (June 2014)	4,000,000.00	371	4.15
30-Jul-13	29-Jul-14	MEB annual interest	4,000,000.00	364	4.15
06-Aug-13	04-Aug-15	NAB (Curve)	2,000,000.00	728	4.10
04-Mar-14	03-Feb-15	NAB (Feb 2015)	3,000,000.00	336	3.75
18-Feb-14	17-Feb-15	NAB (Feb 2015)	2,000,000.00	364	3.80

Lodged or Rolled	DUE	Counterparty	PRINCIPAL	TERM	% Yield
12-May-14	12-Aug-14	NAB (Feb 2015) annual interest	2,000,000.00	92	4.09
22-Apr-14	23-Jul-14	NAB (July 2013) annual interest	2,000,000.00	91	3.98
20-May-14	20-May-15	NAB (May 2016)	3,000,000.00	365	4.00
27-May-14	27-Aug-14	NAB (RBS) (Aug 2015)	2,000,000.00	92	3.89
12-May-14	11-Aug-14	NAB (RBS) (Aug 2015) quarterly interest	2,000,000.00	91	4.65
03-Sep-13	03-Sep-14	NAB (Sept 2013) annual interest	4,000,000.00	546	4.05
04-Sep-13	04-Sep-14	NAB (Sept 2016)	4,000,000.00	1098	4.25
04-Mar-14	03-Jun-14	NPBS	2,000,000.00	91	3.50
04-Mar-14	07-Mar-17	Rabo Bank (Mar 2017) (RIMSEC)	2,000,000.00	1099	4.15
07-Feb-14	10-Feb-15	RaboDirect (Curve) (Feb 2015) annual interest	1,000,000.00	366	6.00
07-Jan-14	11-Jul-14	RaboDirect (Curve) (Jan 2015)	1,000,000.00	185	4.20
26-Jul-13	26-Jul-14	RaboDirect (Curve) (Jul 2015)	1,000,000.00	365	5.20
26-Jul-13	26-Jul-14	RaboDirect (Curve) (Jul 2016)	1,000,000.00	365	5.40
11-Nov-13	11-Nov-14	RaboDirect (Curve) (Nov 2016) annual interest	1,000,000.00	366	6.30
22-Mar-11	22-Mar-16	RaboDirect (RIMSEC) (Mar 2016) annual interest	1,000,000.00	1827	7.15
24-Jul-13	24-Jul-14	RaboDirect (RIMSEC) annual interest	2,000,000.00	734	4.25
27-May-14	25-Nov-14	Rural (Curve) (Nov 2013)	2,000,000.00	182	3.65
13-Jan-14	11-Apr-16	Westpac (Jan 2016)	8,000,000.00	91	3.96
07-Apr-14	07-Jul-14	Westpac (Apr 2016) quarterly interest	2,000,000.00	91	3.99
19-May-14	18-Aug-14	Westpac (Feb 2016)	2,000,000.00	91	3.89
11-Mar-14	17-Mar-15	Westpac (Mar 2014) quarterly interest	2,000,000.00	371	3.85
16-May-14	18-Aug-14	Westpac (Nov 2014)	2,000,000.00	94	4.05
17-Mar-14	16-Jun-14	Westpac (Sept 2014)	4,000,000.00	91	3.80
		Total	116,500,000.00		4.20
LEGEND	Counterparty	ING = ING Bank		RaboDirect = Rabo Bank	
		Investec = Investec Bank		Rural = Rural Bank	
		Macquarie = Macquarie Bank		Suncorp = Suncorp Metway Bank	
		NAB = National Australia Bank		WBC = Westpac Bank	
		ME = Members Equity Bank			
		NPBS = Newcastle Permanent Building Society			

6. Performance by Category



7. Total Portfolio Income v Budget



8. Investment Policy Diversification and Credit Risk

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings	Investment Policy Limit	Actual Portfolio	Short-Term Credit Ratings	Investment Policy Limit	Actual Portfolio
AAA Category	100%	1.18%	A-1+	100%	8.73%
AA Category	100%	29.68%	A-1	100%	5.35%
A Category or below	60%	16.67%	A-2	60%	25.57%
BBB Category or below	20%	4.78%	A-3	0%	0.00%
Unrated	10%	1.13%	Unrated	10%	6.91%

9. Term to Maturity

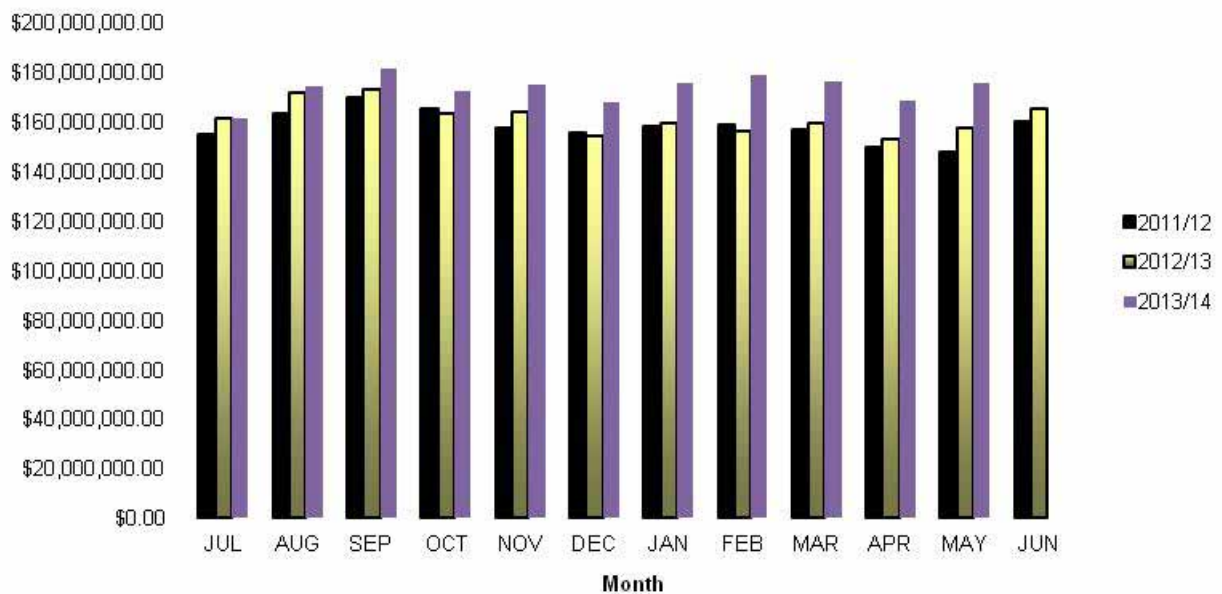
Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	43.67%	Minimum 40% of portfolio
More than 365 days and less than 3 years	44.54%	Maximum 60%
3 years and less than 5 years	11.79%	Maximum 35%
Total	100.00%	

10. Investment Alternatives Explained

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
At Call Cash	At Call	Immediate to a few months	Highly liquid - same day access to funds with no impact on capital	Not a capital growth asset
			Highly secure as a bank deposit	Underperforms other asset classes in the long term
Bank Bill	1 - 180 days	Less than 1 year	Highly liquid - same day access to funds, usually with no or minimal impact on capital	Not a growth asset
			Highly secure (bank risk)	Underperforms other asset classes in the long term
				May incur a small loss for early redemption
Term Deposit	Up to 5 years	Less than 2 years	Liquid - same day access to funds	Will incur a small capital loss for early termination
			Highly secure as a bank deposit	Underperforms growth assets in the longer term

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
Floating rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses if sold ahead of maturity and market interest rates have risen
			Coupon interest rate resets quarterly based on 90 day bank bill swap rate	Credit exposure to company issuing the paper
			Relatively liquid	May not be bank guaranteed
			Less administration than bank bills	Underperforms other asset classes in the long term
Fixed Rate Bond	1 - 5 years	Greater than 3 years	Can accrue capital gain if sold before maturity and market interest rates have fallen	Can incur capital losses if sold before maturity and market interest rates have risen
			Fixed return - semi annual coupons	Credit exposure to company issuing paper
			Generally liquid	
			Can be government or corporate issuer	

11. Monthly Comparison of Total Funds Invested



12. Section 94 Developer Contributions - Monthly Balances & Receipts

Contribution Plan	Plan Description	End of Month Balance	Contributions Received for Month
1	DCP3 Open Space	4,018,467	
2	Western Drainage	575,403	
3	DCP3 Community Facilities	1,566	
4	TRCP Road Contributions	10,089,646	349,956
5	Open Space	887,465	63,027
6	Street Trees	171,881	24,354
7	West Kingscliff	431,234	227
10	Cobaki Lakes	-1,296	
11	Libraries	1,826,182	135,184
12	Bus Shelters	81,922	10,302
13	Cemeteries	19,302	19,931
14	Mebbin Springs	86,607	
15	Community Facilities	674,059	43,829
16	Surf Lifesaving	371,733	14,808
18	Council Administration/Technical Support	1,304,910	299,874
19	Kings Beach	517,790	88,257
20	Seabreeze Estate	723	
21	Terranora Village	29,652	
22	Cycleways Shirewide	188,665	57,814
23	Carparking Shirewide	1,496,915	
25	SALT	1,097,661	52,785
26	Open Space Shire wide	2,844,250	611,073
27	Tweed Heads Masterplan	177,297	77,478
28	Seaside City	106,104	
91	DCP14	103,646	
92	Public Reserve Contributions	129,992	
95	Bilambil Heights	506,834	
	Total	27,738,610	1,848,898

13. Economic Commentary

Australian and World Economy and Cash Rate

The Reserve Bank of Australia (RBA) met on 3 June 2014 and the cash rate remained unchanged at 2.50%.

Growth in the global economy is continuing at a moderate pace, helped by firmer conditions in the advanced countries. China's growth appears to have slowed a little in early 2014 but remains generally in line with policymakers' objectives. Commodity prices in historical terms remain high, but some of those important to Australia have continued to decline of late.

Financial conditions overall remain very accommodative. Long-term interest rates have fallen further and risk spreads remain low. Emerging market economies are once again receiving capital inflows. Volatility in many financial prices is currently unusually low. Markets appear to be attaching a very low probability to any rise in global interest rates over the period ahead.

In Australia, the economy grew at a below-trend pace in 2013 overall, but growth looks to have been somewhat firmer around the turn of the year. This has resulted partly from very strong increases in resource exports as new capacity has come on stream, but smaller increases in such exports are likely in coming quarters. Moderate growth has been occurring in consumer demand and a strong expansion in housing construction is now under way. At the same time, resources sector investment spending is set to decline significantly. Signs of improvement in investment intentions in some other sectors are emerging, but these plans remain tentative, as firms wait for more evidence of improved conditions before committing to significant expansion. Public spending is scheduled to be subdued.

Monetary policy remains accommodative. Interest rates are very low and for some borrowers have edged lower over recent months. Savers continue to look for higher returns in response to low rates on safe instruments. Credit growth has picked up a little. Dwelling prices have increased significantly over the past year, though there have been some signs of a moderation in the pace of increase recently. The earlier decline in the exchange rate is assisting in achieving balanced growth in the economy, but less so than previously as a result of the higher levels over the past few months. The exchange rate remains high by historical standards, particularly given the further decline in commodity prices.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Division of Local Government guidelines with 72.12% of the portfolio held in cash and term deposits. Term deposit and bonds are still paying above average margins over the 90 day bank bill rate but these margins are contracting.

The historic low cash rate is still translating to lower total investment yields. This situation continues to present difficulties obtaining reasonable investment income without risking capital.

All investment categories including cash at call out-performed the UBS 90 day bank bill benchmark this month. Overall, the investment portfolio has returned an average 1.17% pa above the 90 day UBS bank bill index for the last month.

Source: RBA Monetary Policy Decision

14. Investment Summary

GENERAL FUND

CORPORATE FIXED RATE BONDS	12,685,640.00
FLOATING RATE NOTES	35,023,404.00
TERM DEPOSITS	39,000,000.00

WATER FUND CALL ACCOUNT 11,500,000.00 **98,209,044.00**

SEWERAGE FUND TERM DEPOSITS 28,500,000.00
FUND MANAGERS 0.00 **28,500,000.00**

TERM DEPOSITS	49,000,000.00
FUND MANAGERS	<u>0.00</u> 49,000,000.00

TOTAL INVESTMENTS 175,709,044.00

It should be noted that the General Fund investments of \$98 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.



Responsible Accounting Officer
Manager Financial Services
Tweed Shire Council

OPTIONS:

Not Applicable.

CONCLUSION:

Not Applicable.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Local Government (General) Regulations 2005 - Section 212 - Reports on council investments

"(1) The responsible accounting officer of a council:

- (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:*
 - (i) if only one ordinary meeting of the council is held in a month, at that meeting, or*
 - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
- (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*

(2) The report must be made up to the last day of the month immediately preceding the meeting."

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

ORDERS OF THE DAY



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1
1.2.1

*Civic Leadership
Council will be underpinned by good governance and transparency in its decision making processes*

53 [NOM] Holiday Rentals

NOTICE OF MOTION:

Councillor B Longland moves that a report be submitted to a future Council meeting which provides the scope for the preparation of a holiday letting strategy paper, similar to that recently prepared for Byron Shire Council, which identifies suitable holiday letting areas in the Tweed Shire, as well as a range of appropriate planning mechanisms needed to support this strategy.

Councillor's Background Notes

Recommended Priority:

There are currently 14 development applications for tourist accommodation with Council for determination.

Description of Project:

- The issue is currently confusing, divisive for the community, and impacting on Council's development assessment processes.
- Need for Council to recognise the importance of diverse and well managed tourism accommodation for Tweed's economy.
- This NOM seeks to create a platform for a clearer policy direction, both for the more immediate DA assessment, as well as a longer term strategic position.
- Consultation with key stakeholders and the community on any new policy formulation is essential.

Management Comments:

Delivery Program:



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
-

Budget/Long Term Financial Plan:

This request has resourcing implications for the Planning Reforms Unit.

Legal Implications:

Refer Policy Implications below.

Policy Implications:

This request will necessitate a review of existing Council statutory planning and policy controls.

54 [NOM] Social and Economic Impact of Council Budgets

NOTICE OF MOTION:

Councillor M Armstrong moves that Council notes that Tweed Shire Council budgets have a direct social and economic impact on the Tweed community and requests that in placing draft Budgets on public exhibition Council includes:

1. A snapshot of the economic health of the Tweed community with particular reference to business activity, economic and social disadvantage experienced by Tweed residents and ratepayers, and degree of housing stress;
2. An executive summary which outlines the impact of the draft budget upon the businesses, residents, and ratepayers of the Tweed; and
3. A brief overview in the annual report, where possible, of the success of the economic, environmental and social initiatives implemented during the previous economic year.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-------|---|
| 1 | Civic Leadership |
| 1.3 | Delivering the objectives of this plan |
| 1.3.2 | Council will seek the best value in delivering services |

Budget/Long Term Financial Plan:

Not applicable.

Legal Implications:

Not applicable

Policy Implications:

Social disadvantage is covered by ABS SEIFA or ABS housing stress indicators. These are based on census data and are only updated every five years. Next update due in 2017/18.

55 [NOM] Federal Budget

NOTICE OF MOTION:

Councillor M Armstrong moves that Council:

1. **Notes the significant impact of the Australian Federal Government 2014-15 budget on the Tweed Shire Council and that it will result in at least a \$268,378 cut to the Tweed Shire in the next financial year and at least \$1,085,133 over the next three years;**
2. **Notes that the Federal Government budget jeopardises the Tweed Shire Council's ability to continue to provide the same level of service and the same level of infrastructure renewal without increasing fees and charges;**
3. **Notes that in accordance with Council's own studies and research that many in the Tweed Community are facing financial difficulties and rely upon services provided by the public sector including the Tweed Shire Council;**
4. **Notes that the financial viability of rural and regional councils and communities will be disproportionately hurt by the Australian Federal Government 2014-15 budget given their greater reliance on the Federal Government's Financial Assistance Grants; and**
5. **Writes to the Federal Treasurer and the Federal Minister for Infrastructure and Regional Development, with copies forwarded to all other elected members of the Australian Federal Parliament, condemning the Federal Government's decision to hurt rural and regional communities by freezing Financial Assistance Grants to local councils and cutting the financial assistance to Pensioner subsidies.**

Councillor's Background Notes

Recommended Priority:

The Federal Budget is currently before Parliament for determination.

Description of Project:

Nil

Management Comments:

Delivery Program:



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.4 Strengthen coordination among Commonwealth and State Governments, their agencies and other service providers and Statutory Authorities to avoid duplication, synchronise service delivery and seek economies of scale
 - 1.4.1 Council will perform its functions as required by law and form effective partnerships with State and Commonwealth governments and their agencies to advance the welfare of the Tweed community
-

Budget/Long Term Financial Plan:

The impact on the budget/long term financial plan is highlighted in point 1 above.

Legal Implications:

Not applicable.

Policy Implications:

Not applicable.

56 [NOM] Receipt of Electronic Petitions

NOTICE OF MOTION:

Councillor M Armstrong moves that Council brings forward a report outlining options for the receipt of electronic petitions including, but not limited to, electronic alternatives to requirements for signatures and other methods to ensure the integrity of petitioners

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-------|---|
| 1 | Civic Leadership |
| 1.2 | Improve decision making by engaging stakeholders and taking into account community input |
| 1.2.2 | Decisions made relating to the allocation of priorities will be in the long-term interests of the community |

Budget/Long Term Financial Plan:

Unknown pending provision of a report to Council.

Legal Implications:

Unknown pending provision of a report to Council.

Policy Implications:

An **online petition (e-petition)** is a form of petition which is signed online usually through a form on a website. The use of e-petition's is increasing as the format makes it easy for people with access to the internet to make a petition at any time and through integration with social media, makes it easier for petition organisers to reach large numbers of potential supporters.

There are a number of generic e-Petition websites which will allow anyone with computer access to make one to protest any cause. Other sites are hosted and managed by government bodies such as the USA White House's "we-the-people" site.

The major considerations in providing and accepting e-petitions are:

Ensuring that petitions are properly formed. E-petitions need to be not frivolous, not be defamatory, be relevant to Council's Business. Generic e-petition websites often have no procedures to enforce these requirements and so the merit of petitions received from these sites can be called into question. Should Council establish an e-petition site, then a formal process will need to be developed and agreed for the approval and publishing of a new e-petition.

Ensuring the validity of petitioners. In order to prevent false or multiple signings, a process to establish the identity of the petitioner needs to be adopted. There are presently two common methods to achieving this:

Requiring all petitioners to pre-register with the controlling body and verifying identity during this registration process. For example the "we-the-people" site requires users to pre-register providing proof of identity such as their name, address, social security number or other verifiable details; or

Requiring petitioners to supply sufficient personal details at the point of signing to ensure identity (e.g. name, address, drivers license number or passport number) and to allow duplicate signings to be rejected.

Both of these methods are viable, but result in the controlling body holding significant amounts of sensitive private data. These bodies then become "hacking" targets for criminals to obtain identity information. They therefore require the highest levels of IT security to be established and maintained and procedures established for compliance with relevant privacy legislation. It should be noted that any loss of private information could result in serious reputational risk and legal penalties to the controlling body.

Along with collecting this information, the controlling body must provide resources to validate a sufficient number of petitioner identity data (from each petition) to ensure that false identities are not being used. This cost could be considerable.

Ensuring the relevance of petitioners. Since the internet knows no geographic or political boundaries, there is the possibility that overseas petitioners could be signing the petition. Whilst this could result in a large number of signatures, the relevance to Tweed Shire Council issues would need to be assessed. A simple policy (e.g. only allowing persons with an address in the shire) may not be appropriate as it would not allow legitimate visitors and non-resident property holders to participate. The latter group could be covered by requiring them to supply private property details ie. property id from a rates notice.

Ensuring availability, reliability and performance of the site. It is often difficult to predict the volume of traffic that will flow to an e-petition site. This will typically depend upon the sensitivity of the topic, the size of the potential petitioning audience and the effectiveness of community campaign groups. The failure of the site poses significant reputational risk as it is both embarrassing, and is sometimes wrongly interpreted by petitioners as an attempt to block response. As a result, the hardware and software of the site must be over-specified and support must be available after-hours (when people want to sign). All of these have a cost implication.

Hence, while e-petitions are an effective and growing option for public interaction, establishment of a trusted e-petition site that addresses the above issues is a major project and will require significant initial and ongoing resources to establish and operate. This needs to be balanced against the benefits of providing this facility.

57 [NOM] Online Community Engagement

NOTICE OF MOTION:

Councillor M Armstrong moves that Council reviews its current online community engagement strategies to ensure the integrity of the collected information and data and, pending the outcome of the review, presents all data obtained from online community engagement separately from other engagement strategies to enable the identification of potentially distorted responses.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-----|--|
| 1 | Civic Leadership |
| 1.2 | Improve decision making by engaging stakeholders and taking into account community input |

Budget/Long Term Financial Plan:

Not applicable

Legal Implications:

Online submissions are provided to Council and as with any forms of submissions, are open to interpretation

Policy Implications:

Community Engagement Strategy Version 1.1, Online and Social Media Policy Version 1.0, Privacy Management Plan Version 1.3

58 [NOM] Support for a Gas Field Free Northern Rivers

NOTICE OF MOTION:

Councillor K Milne moves that:

- 1. The Mayor writes to the NSW Premier, Mr Mike Baird, NSW Planning Minister, Ms Pru Goward, Member for Ballina, Mr Don Page, and copies in all NSW Government MPs calling for all Petroleum Exploration Licenses (PEL) in the Northern Rivers to be revoked and the region declared Gas Field Free.**
- 2. The Mayor requests the Northern Rivers Regional Organisation of Councils, Rous Water, Northern Rivers Tourism, Destination Tweed, Tweed Cane Growers Association, the Tweed Combined Rural Industries, Tweed Shire Business Chambers and the Caldera Environment Centre to place on their next agenda a motion to also write to the government officials identified in part 1 to the same effect.**

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.1	Protect the environment and natural beauty of the Tweed
4.1.3	Manage and regulate the natural and built environments

Budget/Long Term Financial Plan:

Nil.

Legal Implications:

Nil.

Policy Implications:

Council's resolved position on coal seam gas is as follows:

16 August 2011 - Council resolved that:

" .. Council places a moratorium on Coal Seam Gas activities on Council-owned land until such time as Council is satisfied that the impact of such activities can be appropriately managed."

25 October 2012 - Council resolved that:

- "1. Council reaffirms its moratorium with respect to Coal Seam Gas (CSG) and declares and actively promotes the position that Tweed Shire be free of CSG and other unconventional gas operations.*
- 2. Council calls on local State and Federal Members of Parliament to express their support for Council's position on CSG Mining.*
- 3. Council seeks a review of the NSW Government's Strategic Regional Land Use Policy given that it fails to rule out CSG development on productive agricultural land and sensitive environmental areas.*
- 4. As part of the forthcoming "White Paper" on the review of the NSW Planning system, Council makes a submission that planning powers be delegated to local government with regard to the consideration of development applications that deal with mining or gas extraction."*

12 December 2013 - Council resolved that:

- "1. The Tweed Shire Council reaffirms its commitment to a moratorium with respect to Coal Seam Gas (CSG) activity and restates the position that the Tweed Shire does not welcome CSG and other Unconventional Gas Mining operations.*
- 2. Prepares a submission to the NSW Department of Planning and Infrastructure (DPI) in response to proposed CSG exclusions zones and which includes support for the community's position that a moratorium with respect to CSG and Unconventional Gas Mining operations upon the basis of the community's desire to:*
 - a. Protect our world heritage listed environment;*
 - b. Maintain clean water security;*
 - c. Protect our food protection capacity;*
 - d. Foster environmentally sensitive Tourism; and*
 - e. Protect the unique character of our rural village, towns, and communities.*
- 3. Send letters with copies of the submissions, upon their completion, to the NSW Premier Barry O'Farrell, the NSW Minister for Planning, the Hon Brad Hazzard; the Member for Tweed Mr Geoff Provest; Member for Lismore Thomas George; and the Member for Richmond the Hon Justine Elliot."*

10 April 2014 - Council resolved that:

- "1. Council undertakes a public exhibition process to determine if the community would like Council to install Coal Seam Gas Free signage at the major entrances to the Shire.*
- 2. Council liaises with the gas field-free groups to work out potential locations, size and wording for the signs to include such information in the public exhibition process."*

15 May 2014 - Council resolved that:

"that this Mayoral Minute dealing with Coal Seam Gas and other Unconventional Gas Mining Operations be received and noted."

59 [NOM] Transforming Public Spaces into Social Living Rooms

NOTICE OF MOTION:

Councillor K Milne moves that Council brings back a report on the potential for developing a program to transform Tweed's public open spaces into social living rooms as undertaken recently by New York City.

Note: <http://www.abc.net.au/news/2014-06-01/architect-of-nycs-urban-renewal-looks-to-australia/5489048>

Councillor's Background Notes

Recommended Priority:

Nil

Description of Project:

Nil.

Management Comments:

Delivery Program:

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.6	Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities

The program referred to involves highly urbanised cities with a density of population to justify a lot of urban renewal, Tweed does not have the same issues. The park and main street redevelopments undertaken by Council, the cycleway network and cycle infrastructure and also planning strategies such as locality planning seeks to achieve the same outcomes as those discussed.

Budget/Long Term Financial Plan:

Staff resources to prepare a report.

Legal Implications:

Nil.

Policy Implications:

Nil.

60 [NOM] Advice for Councillors from Council's Advisory Committees

NOTICE OF MOTION:

Councillor K Milne moves that Council amends the Terms of Reference of Council Committees to enable Councillors to seek advice from these Committees on matters of relevance relevant to the committee, including development applications, if requested by a Councillor and accepted onto the agenda by resolution of the Committee.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-------|--|
| 1 | Civic Leadership |
| 1.2 | Improve decision making by engaging stakeholders and taking into account community input |
| 1.2.1 | Council will be underpinned by good governance and transparency in its decision making process |

Budget/Long Term Financial Plan:

There is an undefined resource impact on staff and committees and potential delay to the assessment process.

Legal Implications:

Delays in the determination of development applications by Council could result in deemed refusals.

Policy Implications:

Assessment of Development Applications are undertaken under the Environmental Planning and Assessment Act 1979. This proposal has the potential to unnecessarily politicise these Advisory Committees.

61 [NOM] Aboriginal Peoples of the Tweed Valley

NOTICE OF MOTION:

Councillor G Bagnall moves that in recognition of the long history of aboriginal peoples of the Tweed Valley, Council:

- 1. Seeks the input of the Aboriginal Advisory Committee (AAC), to consider the inclusion of appropriate known traditional aboriginal names for sites of significance within the Shire. This includes:**
 - (a) Parks and public reserves that do not have officially adopted names;**
 - (b) Selected parks and reserves that could be considered for dual naming by Council;**
 - (c) The dual naming of selected named geographical features of significance to the local Indigenous community in accordance with the Geographical Names Board dual naming policy for geographical features and cultural sites; and**
 - (d) Where appropriate, signage for towns, villages and place names that have an aboriginal origin be redesigned, which may include the traditional meaning of those names and a suitable indigenous theme.**
- 2. A report be brought back to the July 2014 Council meeting with a preliminary response from the AAC to these proposals in order to coincide with NAIDOC week.**

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
-

Budget/Long Term Financial Plan:

Potential cost if entry signs require amending

Legal Implications:

Nil

Policy Implications:

Naming of Council Parks and Sportsfields Policy criteria includes:

- (g) *Names of Aboriginal origin associated with the locality or associated with the historical background of the locality will be highly regarded, but must be accompanied by written approval of the name from the Local Aboriginal Land Council existing in the locality of public park to be named;"*

If dual naming is to be considered, this policy may need amending to reflect this option.

QUESTIONS ON NOTICE

62 [QON] Challenges facing Performing and Creative Arts

QUESTION ON NOTICE:

Councillor M Armstrong asked:

What are the impediments facing the promotion and expansion of the Creative and Performing Arts industries in the Tweed Shire and what actions could be undertaken by the Tweed Shire Council to help reduce these impediments?

63 [QON] Tweed Shire Waterways

QUESTION ON NOTICE:

Councillor K Milne asked:

1. Can Council identify the recreational activities on the Tweed Shires waterways that are considered to cause significant, moderate and minor erosion problems?
 2. Are there any legal impediments to Council and the Roads and Maritime Authority working towards developing a ban on excessive wake generating activities?
-

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

64 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 April 2014

SUBMITTED BY: Community and Cultural Services



Supporting Community Life

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
-

SUMMARY OF REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 April 2014 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 April 2014 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A2(c) Koori Kids - NAIDOC Week School initiative

That Council:

1. *Allocates the funds of \$450 previously provided to Koori Kids to the Tweed NAIDOC Committee for the purchase of children's promotional material for distribution at NAIDOC Week 2014.*
 2. *Releases annual funding to the Tweed NAIDOC Committee of \$2,060 for NAIDOC Week celebrations 2014.*
-

REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 April 2014 are reproduced as follows for the information of Councillors.

Venue:

Tweed Byron Local Aboriginal Land Council

Time:

9.45am

Present:

Aunty Joyce Summers (Canowindra representative), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Leweena Williams (Tweed Aboriginal Corporation for Sport), Desrae Rotumah (Tweed Aboriginal Co-operative Society), Des Williams (Tweed Byron Local Aboriginal Land Council representative), Mayor Barry Longland (Tweed Shire Council).

Ex-officio:

Robyn Grigg, Rob Appo (Tweed Shire Council), Gabby Arthur (Tweed Shire Council) (Minutes).

Guests (in order of arrival):

Suzanne Richmond (Tweed Shire Council) (arrived at 9.45am), Jacinta Weir (Tweed Shire Council) (arrived at 9.45am), Colleen Forbes (Tweed Shire Council) (arrived at 11.43am).

Apologies:

Ronella Phillips (Bugalwena Aboriginal Health Service), Anne McLean (Tweed Shire Council).

Chair: Desrae Rotumah

Moved: Jackie McDonald

Seconded: Leweena Williams

RESOLVED that the Chair was declared vacant and nominations were called. Desrae Rotumah was nominated and was unanimously elected to Chair the meeting.

Desrae Rotumah opened the meeting with a welcome to all present and paid respect to Elders past and present.

Suspension of Business for Agenda Item A1.

A1. Aboriginal Employment Strategy - Suzanne Richmond and Jacinta Weir (Tweed Shire Council)

Suzanne Richmond provided an update on actions taken and proposed to be taken by Council regarding the Aboriginal Employment Strategy (AES). The Indigenous Employment Update document dated 4 April 2014 prepared by Human Resources was posted out to the AAC members with the Agenda and also tabled at the meeting.

Suzanne provided the following update:

- At this point in time, there is neither a formal strategy for the AES nor a draft AES as the documents need to be prepared in conjunction with the Memorandum of Understanding (MOU) and Reconciliation Action Plan (RAP).
- Human Resources Unit has been trialling strategies to see which are effective and to enable the collection of statistics.
- The Aboriginal population within Tweed Shire is 3.5% of the overall population. The representation of permanent employees is 2.5%. This percentage rises with the inclusion of labour hire, trainees and apprenticeships.
- The permanent staffing pool covers from Grade 2(labourers) to Grade 8 (senior professionals).
- In 2013, 15% of all trainees and apprentices were Aboriginal or ATSI.
- In 2014, 20% of all trainees and apprentices were Aboriginal or ATSI.
- Aboriginality has been confirmed with documentation for the majority of those figures.
- JHA Recruitment has confirmed that in 2013, 8.5% of all labour staff placed with Council was Aboriginal or ATSI.
- So far in 2014, 8.6% of all labour staff placed with Council by JHA Recruitment is Aboriginal or ATSI.
- There are currently two identified Aboriginal positions within Council.
- Council is pursuing a partnership with NSW Health for a targeted Aboriginal Environmental Health Officer position, which would be a professional position. It is expected the commencement would be 2016.
- Council is looking to establish partnerships within the community. One of the partnerships working well is 'Titans 4 Tomorrow' which offers work experience to Aboriginal High School students as part of the school to work transition program. Five students were placed with Council through this program in 2013.
- In 2013, Council was involved in several career expos targeting the Aboriginal community.
- Two Council staff attended a 'General Cultural Competency' program in Brisbane in 2013. The program included looking at strategies that have worked elsewhere. Aunty Joyce commented that what may work in one community may not work in another community. Suzanne agreed and advised that the program provided an opportunity to challenge staff when thinking about strategies etc.
- Cultural Awareness Training for Councillors and Executive will be held on 14 (sic) May 2014 (training to be held on 16 May 2014).
- Cultural Heritage Management Plan training is coming.
- Reflect Respect training has been rolled out across the organisation dealing with appropriate workplace behaviour, discrimination, bullying and harassment.
- Identified Aboriginal positions within Council's structure; what they might be and how they would be funded.
- Targeted Aboriginal employment positions.
- Considering Council's recruitment processes such as advertising, getting information into the community, job application process (eg. does it discourage people from applying), funding opportunities and partnerships.
- Council will be seeking guidance from the Aboriginal community as to how this can move forward.

Jackie queried whether the Environmental Health Officer has been identified as a designated position because it is considered there is a need for it; as the AAC has been advocating for an Aboriginal Cultural Heritage Compliance Officer position. Suzanne advised the Department of Health informed Council that there is funding available for a

targeted Aboriginal Health Officer position and there is a need for such a role in Council. Jackie queried how the information that is minuted from the AAC meetings is passed on through the organisation. The Mayor provided details of the process of how the Minutes of the meetings are passed on to the Executive and Councillors.

Jackie enquired whether Council can pursue the Aboriginal Cultural Heritage Compliance Officer position by contacting the relevant government department regarding funding. Suzanne explained that as the Aboriginal Cultural Heritage Compliance Officer position is not a current position within Council, it would need to go down a different path as there is no budget funds currently allocated for that position. Desrae suggested that funding could be sought through the Office of Environment and Heritage.

Jackie requested clarification of when positions will be identified by Council for the loss of Aboriginal Cultural Heritage such as the loss of the Scarred Tree at Kirkwood Road. The Mayor confirmed that the AAC has stressed the need for an Aboriginal Cultural Heritage Compliance Officer. Jackie advised that the Aboriginal Cultural Heritage Compliance Officer position is more important to the community than the Aboriginal Environmental Health Officer as whilst it provides employment for an Aboriginal person, it does not assist the wider community and there is no one at Council ensuring compliance of Aboriginal Cultural Heritage.

Suzanne explained Council's process for creating a new position which requires a decision at Executive level to allocate budget funds.

Jacinta advised that she has had discussions with Robyn Eisermann who advised that the Planning Reform Unit had applied for grant funds for an Aboriginal position however the application was unsuccessful. This position may have been for an Aboriginal Cultural Heritage Compliance Officer however Jacinta couldn't confirm this.

Jackie advised the AAC would like Council to acknowledge how important the Aboriginal Cultural Heritage Compliance Officer position is to the Aboriginal community.

Cultural Awareness Training has been organised for the Executive and Councillors as a result of the request from the AAC. Rob will also be advocating for other training including Cultural Heritage training for outdoor staff.

Jackie asked whether Council would consider funding the TBLALC Sites Officer to do inspections from time to time on developments where the AAC has concerns there is no monitor on site, to ensure Cultural Heritage compliance. Suzanne advised that the request can be taken forward to Council.

Jackie requested that Council provides a report to the AAC advising what considerations are being given to its request for an Aboriginal Cultural Heritage Compliance Officer. Des noted that every AAC member reports to their organisations regarding the AAC Minutes. Council officers should be speaking to the Executive and Councillors advising of the views of the AAC. The Mayor advised that all Minutes with recommendations go to the Executive and Council for adoption and that advocating to the organisation is done through the form of a Notice of Motion. The Mayor undertook to follow up on this matter.

Robyn advised that the Minutes always go to the Executive Management Team and then to Council and all recommendations are visible. In relation to the position, a significant amount

of work has been undertaken through the Planning Reform Unit to be able to prepare a grant funding proposal, so the Executive would have been aware. Leweena requested clarification that the position referred to by the Planning Reforms Unit is in fact the Aboriginal Cultural Heritage Compliance Officer position.

Moved: Jackie McDonald

Seconded: Aunty Joyce Summers

RESOLVED that a motion be directed to the General Manager and Executive Management Team for a progress report for the position of Aboriginal Cultural Heritage Compliance Officer within Council

Carried

Suzanne Richmond and Jacinta Weir left at 10.41am

Resumption of Business Items.

Minutes of Previous Meeting:

Moved: Mayor Barry Longland

Seconded: Des Williams

RESOLVED that the Minutes of the Aboriginal Advisory Committee meeting held Friday 7 March 2014 be accepted as a true and accurate record of the proceedings of that meeting with the exception that:

GB2 Crown Reserve be amended to read "Jackie enquired to what extent Council is involved in the Crown Reserve south of the Gold Coast Airport which is in the Shire, as the NSW Government has recently granted a 86 year lease to Gold Coast Airport. Anne advised that she understood that Cr Carolyn Byrne is a member of the Gold Coast Airport Committee and may be able to provide some information. Anne also suggested that Phil Fogarty of Crown Lands might be able to provide some information when he attends a future meeting."

Business Arising:

GB2. Crown Land south of the Airport

Des enquired as to the significance of a 86 year lease rather than a 99 year lease and if the purpose of a 99 year lease is effectively to hand over the land, is it the same with an 86 year lease? There is concern that an Aboriginal Cultural Heritage Management Plan has not been obtained and that in years to come, the Aboriginal Cultural Heritage will be disturbed and the runway will be extended using this fact. There is concern that public land has been granted to the Airport which is owned by a private consortium, not the government. The boundaries of the Airport are Commonwealth. Clarification is required of the status of the land and whether Commonwealth or State legislation will apply.

Action: TBLALC to seek advice from Andrew Chaulk requesting clarification of whether now the new lease has been granted to the Airport, what is the status of the land; is it still NSW Crown Land with a Lease on it or will be considered Commonwealth land, and what Act will apply?

Agenda Items:

A2. Rob Appo (Tweed Shire Council)

(a) Memorandum of Understanding (MOU) update

Rob tabled the updated draft MOU and advised that the changes requested at the last AAC meeting have been incorporated into the MOU.

At the next meeting, Rob hopes to have the MOU ready for further review by the AAC. Rob requested advice from the AAC as to whether they would like to have the MOU signed off at the Cultural Awareness training. It was noted that the Aboriginal Employment Strategy is embedded in the MOU and it needs to be developed with close discussion and input from the AAC. The MOU needs to be tightened before it will be ready for signing off. The MOU should sit within the Reconciliation Action Plan (RAP). The Reconciliation Council is the body which will monitor the RAP.

Action: Community Development Officer - Aboriginal to email draft MOU to members for referral to their organisations.

Rob advised that all of Council's Executive Management Team have accepted the invitation to attend Cultural Awareness Training on 16 May 2014 however the majority of Councillors are yet to confirm their attendance. The Mayor has sent an email to Councillors seeking their confirmation of attendance. One Councillor has advised he will be an apology.

(b) Reconciliation Action Plan (RAP) update

Refer to A2(a) above.

(c) Koori Kids - NAIDOC Week School initiative

Rob advised that each year, Council receives a request for funding from Koori Kids for \$450 as part of the NAIDOC Week School initiative. Koori Kids states that the funds are used to provide all schools in the LGA with printed materials and the opportunity to participate in the competitions.

Rob advised he has made some enquiries regarding Koori Kids and he has some concerns that it is not a legitimate organisation. Rob has contacted the National NAIDOC Committee in Canberra who advised they don't support the program. He has also contacted the AECG and some of the local schools however they know nothing about the program. The phone number listed in the Koori Kids report is only a mobile number; there doesn't appear to be an office. The organiser, Dylan Williams is very persistent and refers all his correspondence via the General Manager or Director. Jackie suggested that Rob call Cassie Ryan of the Education Department to discuss.

Action: Community Development Officer - Aboriginal to make further enquiries with Cassie Ryan of the Department of Education regarding Koori Kids.

Moved: Des Williams

Seconded: Aunty Joyce Summers

RESOLVED that the Aboriginal Advisory Committee does not support the provision of funds to the Koori Kids - NAIDOC Week School initiative 2014.

Moved: Des Williams

Seconded: Aunty Joyce Summers

RECOMMENDATION that Council allocates the funds of \$450 previously provided to Koori Kids to the Tweed NAIDOC Committee for the purchase of children's promotional material for distribution at NAIDOC Week 2014.

Moved: Jackie McDonald

Seconded: Aunty Joyce Summers

RECOMMENDATION that Council releases annual funding to the Tweed NAIDOC Committee of \$2000 adjusted by CPI for NAIDOC Week celebrations 2014.

Suspension of Business for General Business.

General Business:

GB1. Museum website

Rob tabled copies of the Aboriginal Cultural Heritage information and advised that it is now available on the Museum website.

GB2. Clarrie Hall Dam Interpretative Signage

Rob advised that he has recently met with Heidi Andrews of Council regarding the design of the Clarrie Hall Dam Interpretative signage and tabled a copy of the design. The design allows for the removal of panels for maintenance requirements. The AAC members advised they are happy with the design. Rob advised that he has undertaken a site visit with Heidi and that the landscaping is being completed and includes three or four picnic areas.

Rob advised that the opening of the Clarrie Hall Dam will be on 1 May 2014 and handed out invitations to members.

Rob sought advice from the AAC regarding suggestions for the Welcome to Country and also a community member to tell one of the cultural stories. It was suggested that Victor Slockee be requested to do the Welcome to Country. It was noted what a great job Vic Slockee did at the opening of both MOAC and Closing the Gap. It was suggested that Kyle Slabb could do the storytelling.

Action: Community Development Officer - Aboriginal to liaise with Victor Slockee re Welcome to Country and Kyle Slabb re storytelling.

GB3. Aboriginal Network Conference

Rob advised that Council has received notification that the next Local Government Aboriginal Network Conference will be held in Narrandera on 10-12 September 2014. Nominations were received for Rob Appo and Des Williams to attend the conference.

Moved: Jackie McDonald

Seconded: Leweena Williams

RESOLVED that Rob Appo and Des Williams be nominated to attend the Aboriginal Network Conference on 10-12 September 2014.

Colleen Forbes arrived at 11.43am

Resumption of Agenda Item A3.

A3. Colleen Forbes (Tweed Shire Council)

(a) Cobaki Lakes - update

Colleen advised that Section 96 amendments have been proposed for Cobaki Lakes, with Precincts 1 and 2 having been determined by Council. Precinct 6 has not yet been determined. Neither amendment is in relation to the sand ridge area. Jackie enquired to what extent the developer consults with the consultant. Colleen advised that it is part of the PCA's and Council's roles to check the Aboriginal Cultural Heritage Management Plan before determining the request.

The developer would like to fill Precinct 8 which would affect Aboriginal Cultural Heritage Management however Council has not received an application. Any application for filling of that area would be submitted to Council and Council would liaise with the AAC and the TBLALC before determining.

Jackie recalled that at previous AAC meetings, the TBLALC were going to seek legal advice from Andrew Chaulk regarding filling of the sand ridge in Precinct 8.

With any Section 96 application, Council officers look to see if there are any changes that would impact the Aboriginal Cultural Heritage. The officer would then look at the Aboriginal Cultural Heritage Management Plan. If there is no impact to the Aboriginal Cultural Heritage, then they wouldn't look at the report.

Colleen undertook to bring any future applications to the attention of the AAC.

(b) River Heights Tourist Park - update

Colleen is currently preparing her assessment report to go back to the Joint Regional Review Panel (JRRP) that is scheduled to consider this matter on 6 May 2014. The matter last went before the JRRP in February, with a recommendation for refusal. The JRRP gave the applicant the opportunity to do an Aboriginal Cultural Heritage Management Plan. The applicant has prepared a report which has been sent to TBLALC and OEH. OEH didn't provide any guidance regarding the process. The applicant states there is no Aboriginal Cultural Heritage significance and the TBLALC is stating there is Aboriginal Cultural Heritage significance. The OEH haven't made any recommendation.

The Council report recommends refusal of the application however the JRRP will determine the outcome.

Council officers will have the opportunity to make representation to the JRRP as will TBLALC and the applicant. TBLALC to advise Colleen if it wishes to make a submission to the JRRP meeting. Colleen will find out the definite meeting date in the next couple of days.

(c) Mooball Residential Rezoning- update

Colleen has made enquiries with the Planning Reforms Unit which is dealing with the planning proposal at the moment re the Voluntary Planning Agreement (VPA). The planning proposal hasn't progressed enough for the VPA to go ahead yet but is not far off. The Planning Reforms Unit will be making a submission to the State Government for the gateway determination in about a week and then the VPA will be drafted.

Des advised that the concern was that a Caveat be placed on the land so that if it is sold, it is protected from a future owner subdividing and developing the land. Colleen confirmed that part of the VPA would be that a Caveat be placed on the land.

(d) Station Street, Burringbar - possible update

Colleen advised that the Development Application for a 20 lot subdivision was refused in September 2013 due to engineering and ecological issues. At the time of the decision, Aboriginal Cultural Heritage significance was not considered however now that Council is aware, they would be considered in the future.

On 4 March 2014, Council received a complaint regarding the clearing of vegetation on the land. The Natural Resource Management section investigated and the decision was that the slashing that took place was out of Council's jurisdiction however the complaint was referred to OEHL in relation to impact on vegetation.

Des advised that two artefacts were located on the land after it had been slashed and a AHIP was required.

Resumption of General Business.

General Business:

GB4. Report re location of Clarrie Hall Dam Artefacts

Rob tabled the final report prepared by Tim Mackney regarding his research to locate the artefacts at Clarrie Hall Dam. Tim is no longer with Council however he prepared the report prior to his departure. AAC members were requested to read through the report and to advise if they have any queries.

Next Meeting:

The next meeting of the Aboriginal Advisory Committee will be held on Friday 2 May 2014.

The meeting closed at 12.25pm.

EXECUTIVE MANAGEMENT TEAM COMMENTS:

A2(c) Koori Kids - NAIDOC Week School initiative

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

A2(c) Koori Kids - NAIDOC Week School initiative

- 1. That Council allocates the funds of \$450 previously provided to Koori Kids to the Tweed NAIDOC Committee for the purchase of children's promotional material for distribution at NAIDOC Week 2014.**
- 2. That Council releases annual funding to the Tweed NAIDOC Committee of \$2,060 for NAIDOC Week celebrations 2014.**

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - Adopted 25 September 2012.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

65 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 1 May 2014

SUBMITTED BY: Planning and Infrastructure



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.4 An integrated transport system that services local and regional needs
 - 2.4.1 Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities
-

SUMMARY OF REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 1 May 2014 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 1 May 2014 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:

A1 [LTC] Brisbane Street, Murwillumbah

That the parking spaces on Brisbane Street, once removal of the on-road outdoor dining blister is completed, be designated as "2 hour limited 9.00am to 5.00pm Monday to Friday" and "9.00am to 12.00 noon Saturday."

A2 [LTC] Kyogle Road, Bray Park

That a bus zone be installed on the south side of Kyogle Road between Ray Street and Thomas Street, Bray Park.

A3 [LTC] Tweed Valley Banana Festival 2014-05-02

That the proposed temporary road closures to support the conduct of the Tweed Valley Banana Festival on 29 and 30 August 2014 be approved subject to standard conditions as follows:

- 1. NSW Police approval being obtained***
- 2. Endorsement of the event by Murwillumbah District Chamber of Commerce***
- 3. Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons***
- 4. Community and affected business consultation***
- 5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints***
- 6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event***
- 7. Adequate public liability insurance being held by the event organiser***
- 8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event***
- 9. Consultation with emergency services particularly Murwillumbah Fire brigade and Murwillumbah Ambulance***
- 10. Arrangements made for private property access and egress affected by the event***

A4 [LTC-LATE] Bay Street, Tweed Heads

That following completion of the Bay Street upgrade, all timed on street parking between Wharf Street and Thomson Street in Bay Street is to be designated "2 P during normal business hours, 9.00am - 5.00pm Monday to Friday 9. - 12 Saturday".

REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 1 May 2014 are reproduced as follows for the information of Councillors.

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 10.00am

PRESENT:

Committee Members: Cr Barry Longland, Mr Greg Sciffer, Roads and Maritime Services of NSW, Snr Constable Chris Davis, NSW Police, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed.

Informal: Mr Ray Clark (Chairman), Mr Michael Kenny, Mr Steve Sharp, Ms Judith Finch (Minutes Secretary).

APOLOGIES:

Mr Thomas George MP, Member for Lismore, Mr David Bonner.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 10 April 2014 be adopted as a true and accurate record of proceedings of that meeting.

FOR VOTE - Unanimous

SCHEDULE OF OUTSTANDING RESOLUTIONS

[LTC-SOR] Schedule of Outstanding Resolutions - 1 May 2014

1. [LTC] Fraser Drive, Banora Point (B1)

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3194837; Traffic; Committee; Speed Zones; Safety; Fraser Drive

SUMMARY OF REPORT:

Request received for a reduction in the 80km/h speed zone on Fraser Drive Banora Point/Terranora based on the following:

"The matters to take in consideration are:

1. *There are no footpaths to speak of, forcing the many people, including children, having to walk on the road verge because of the rough nature either side of the bitumen. Many bike riders walk their bikes up the steep hill.*
2. *At night there is no street lighting in the areas of the road that are currently 80km/h particularly in the vicinity of the sporting fields. In a dark rainy night this danger is further advanced especially because of the bends in the road.*
3. *The volume of traffic that now uses Fraser Drive, to and from Terranora Road, has increased enormously since its completion of The Sexton Hill. Vehicles turning from Terranora Road down the hill accelerate, exceeding the 60km/h prior to reaching 80km/h areas, making exiting driveways hazardous. Many of them are using mobile phones too.*
4. *In the afternoon traffic sometimes queues 300 metres trying to turn into Terranora Road.*
5. *Large numbers of bike riders use Fraser Drive.*
6. *Whether we like it or not young people use the downhill for skateboard riding."*

The Committee advice from the meeting on 8 August 2013 in relation to the speed limit on Fraser Drive between Vintage Lakes Drive and south of Acacia Street was to remain at 80 km/h as per the following:

"That the speed limit on Fraser Drive is considered appropriate and no changes are warranted.

The existing 80km/h speed limit on Fraser Drive extends south of Botanical Circuit to north of Glen Ayr Drive, a length of approximately 1.3km. Accident data shows 2 casualty and 1 injury crash in this area and additional crashes at the intersection of Amaroo and Fraser Drive. No speed surveys are available for the area. There are only 3 houses with direct access to Fraser Drive within the area.

Traffic volumes on Fraser Drive south of Terranora Road have reduced from 5556 in 2011 to 5063 in 2013.

ADVICE TO COMMITTEE:

That the 80 km/h speed limit on Fraser Drive remain.

COMMITTEE ADVICE:

That:

1. *This item be referred to the Roads & Maritime Services for a review of the speed limit on Fraser Drive, Banora Point.*
2. *The Banora Point Residents Association be advised that a review of the speed limit on Fraser Drive (by the RMS) has been requested."*

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 10 April 2014).*

(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 7 November 2013 (Item B1).

2. [LTC] Tyalgum Road, Murwillumbah (B4)

ORIGIN:
Planning & Infrastructure

FILE NO: ECM 3282718; Traffic - Committee; Traffic - Speed Zones; Traffic - Safety;
Bus - Stops; Bus - Routes; Tyalgum Road; Old Lismore Road; Kyogle Road

SUMMARY OF REPORT:

Request received for a reduction in the speed limit on Tyalgum Road, Murwillumbah.

"....I would like I strongly believe it is a matter of pedestrian and motorists safety. I also asked that this limit be reduced as young children are regularly waiting for their school bus on this road next to an electric fence and waterway having to keep safe from traffic travelling at 100klms per hour and are also having to cross this road. This road directly passes a residential estate and street facing houses. Another concern is the location of a childrens park which is not much more than 100metres away from this road. From this estate there is no path for pedestrians to walk along if wishing to access local shops meaning that pedestrians have to walk along a 100 klm per hour road. There is also no public bus that comes through this estate, only bus available is on Tyalgum road. I have spoken to bus company requesting they pick up school children on Sovereign heights estate, they say this is not possible as there is nowhere to turn and the only other road they can exit Sovereign Heights estate is Old Lismore Road which is even more dangerous as not only does it come out onto Tyalgum Road (100klm per hour road) but at this point there is no visibility for the bus to safely pull out. I have spoken to other residents who would also like the road speed reduced from the Old Lismore Road to the Tyalgum/Kyogle road intersection, reasons being for pedestrian safety, their childrens safety, motorists safety. I do not believe that a reduction in speed to a residential area speed should affect motorists speed in which they get to their destination as it is only an area of less than 1klm. On this stretch of road if travelling from Old Lismore road to Tyalgum/Kyogle road intersection you have to slow down towards the intersection so I don't believe it will delay travellers by more than 1 minute, but the safety to me far out ways how fast someone gets to work, home or to the shops. Perhaps drivers should allow 1 extra minute in their daily drive along this road."

Sovereign Heights Estate is a comparatively new subdivision where access off Tyalgum Road has been constructed to the appropriate standard for a 100kph road. Sight distance for motorists exiting the estate is approximately 200 metres to the west. It is not unusual for children to wait for a bus on rural roads, however this is a decision for parents and bus operators. Reducing the speed limit on Tyalgum Road in this vicinity is unlikely to result in a change in driver operating speeds unless the reduced speed limit is heavily enforced.

A number of driveways directly access Tyalgum Road west of Sovereign Way. Speed surveys should be undertaken in this vicinity and forwarded to the RMS for speed zone reviews.

COMMITTEE ADVICE:

That the speed limit on Tyalgum Road be considered for a review by the Roads and Maritime Services according to the speed zoning guidelines.

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 10 April 2014).*

(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 13 February 2014 (Item B4).

3. [LTC] Kennedy Drive, Tweed Heads (A6)

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 75456361; Traffic - Committee; Traffic - Pedestrian Crossings; Traffic - Safety; Kennedy Drive

SUMMARY OF REPORT:

This item is brought forward from the Local Traffic Committee meeting held 5 December 2013 for further review after pedestrian surveys have been undertaken.

The Item from 5 December 2013 meeting is reproduced below:

"Request received for the installation of a pedestrian crossing outside the "Scales" fish shop on Kennedy Drive.

"Quite a few of us in "Endless Summer" area agree that it would keep people a lot safer if we had a pedestrian crossing outside "Scales" fish shop on Kennedy Drive. We see customers, ourselves included, trying to cross in front of that shop at risk of life and limb.

Kennedy Drive is such a busy Street now, in both directions, it is extremely difficult to cross safely. As quite a few residents in this area are elderly and some rely on "Scales" for their evening meal, it would be a real asset for you to paint a few stripes!!"

Creation of a marked pedestrian crossing in this vicinity would severely impact on kerbside parking due to the requirement of a 20 metre approach and 10 metre departure 'No Stopping' zone. This in itself would impact on the seafood business.

The Committee noted that a speed zone survey is currently being undertaken by the RMS.

COMMITTEE ADVICE:

That new pedestrian surveys be undertaken on Kennedy Drive, Tweed Heads near "Scales" fish shop to ascertain compliance with Roads and Maritime Services warrants for a marked pedestrian crossing."

From meeting held 10 April 2014:

Pedestrian counts were undertaken on a busy week day and a weekend during fine weather as follows:

Friday 14/3/14	12.15pm - 1.15pm	P 47 x V 747	= PV 35,109
Friday 14/3/14	6.00pm - 7.00pm	P 60 x V 579	= PV 34,680
Sunday 16/3/14	2.45pm - 3.45pm	P87 x V 701	= PV 60,987

Normal Warrant:

A pedestrian crossing should be considered for approval where:

- a) The product of the measured pedestrian flow per hour (P) and the measured vehicles traffic flow per hour (V) is equal to or greater than 60,000 and
- b) The measured flows, P and V are equal to or greater than 30 and 500 respectively
- c) The measured flows apply for three periods of one hour in any day.

Special Warrant:

Not applicable - not school, not aged or physically impaired (50% of pedestrians counted).

Whilst the warrants are met for a marked pedestrian crossing in one of three counts there are concerns that the installation of a marked pedestrian crossing on Kennedy Drive may lead to undesirable safety outcomes, such as rear end crashes and pedestrians forcing their right of way in unsafe situations.

The Chairman requested that this item be moved to the A section of the meeting.

COMMITTEE ADVICE:

That a concept design be brought forward to the Local Traffic Committee with the placement of a pedestrian refuge in the centre of Kennedy Drive adjacent to the "Scales" fish shop.

RECOMMENDATION TO COUNCIL:

That:

1. A concept design be brought forward to the Local Traffic Committee with the placement of a pedestrian refuge in the centre of Kennedy Drive adjacent to the "Scales" fish shop and consultation be held with the affected business owners.

2. A "No Right Turn" sign be installed on Kennedy Drive for westbound traffic opposite McDonald Street

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 10 April 2014).*

(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 10 April 2014 (Item A6).

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A1 [LTC] Brisbane Street, Murwillumbah

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3339564 and 3337561; Traffic - Committee; Traffic - Parking Zones; Brisbane Street

SUMMARY OF REPORT:

At the Council meeting held 10 April 2014 it was resolved that Council:

- "a. Remove the blister on the eastern side of Brisbane Street, corner of Wollumbin Street, Murwillumbah; and*
- b. Create extra public car parks, subject to the endorsement of the Local Traffic Committee."*

The existing outdoor dining blister on Brisbane Street adjacent to the Credit Union is not being utilised and Council has resolved to remove it subject to endorsement by the Local Traffic Committee. It is recommended that when the blister is removed that the reclaimed parking spaces be designated as "2 hour during business hours".

COMMITTEE ADVICE:

That the reclaimed parking spaces on Brisbane Street be designated as "2 hour limited 9.00am to 5.00pm Monday to Friday" and "9.00am to 12.00 noon Saturday."

RECOMMENDATION TO COUNCIL:

That the parking spaces on Brisbane Street, once removal of the on-road outdoor dining blister is completed, be designated as "2 hour limited 9.00am to 5.00pm Monday to Friday" and "9.00am to 12.00 noon Saturday."

FOR VOTE - Cr Barry Longland, Col Brooks, Greg Sciffer, Chris Davies

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Nil

A2 [LTC] Kyogle Road, Bray Park

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3345034; BUS14/0005; Traffic - Committee; Transport - Bus Services Shelter Sheds; Bus Services - Stops; Kyogle Road, Bray Park

SUMMARY OF REPORT:

Request received for a bus stop and shelter at a new location on the south side of Kyogle Road between Ray Street and Thomas Street, Bray Park. Council officers have been in contact with the Murwillumbah Bus Co. who supported the proposed bus zone.

COMMITTEE ADVICE:

That a bus zone be installed on the south side of Kyogle Road between Ray Street and Thomas Street, Bray Park.

RECOMMENDATION TO COUNCIL:

That a bus zone be installed on the south side of Kyogle Road between Ray Street and Thomas Street, Bray Park.

FOR VOTE - Cr Barry Longland, Greg Sciffer, Chris Davies, Col Brooks

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Geoff Provest

A3 [LTC] Tweed Valley Banana Festival 2014

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3341698; 3341699; Traffic - Committee; Festivals - Tweed Valley Banana; Roads - Closure - Temporary; Wharf Street, Murwillumbah; Queensland Road; Murwillumbah Street; Wharf Street, Commercial Road; Wollumbin Street; Nullum Street

SUMMARY OF REPORT:

Request received for temporary road closures for the 2014 Tweed Valley Banana Festival. The event is to be held from Friday 29 August to Saturday 30 August 2014 with the following temporary road closures being requested:

6.00pm to 10.00pm Friday 29 August 2014 (display of vintage cars, live music and entertainment)

- Wharf Street Murwillumbah

12:00 to 2.00pm Saturday 30 August 2014 (street parade)

- From Murwillumbah Showground
- Queensland Road
- Murwillumbah Street
- Wharf Street
- Commercial Road
- Wollumbin Street
- Nullum Street

COMMITTEE ADVICE:

That the proposed temporary road closures to support the conduct of the Tweed Valley Banana Festival on 29 and 30 August 2014 be approved subject to standard conditions as follows:

1. NSW Police approval being obtained
2. Endorsement of the event by Murwillumbah District Chamber of Commerce
3. Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons
4. Community and affected business consultation
5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
7. Adequate public liability insurance being held by the event organiser

8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
9. Consultation with emergency services particularly Murwillumbah Fire brigade and Murwillumbah Ambulance
10. Arrangements made for private property access and egress affected by the event

RECOMMENDATION TO COUNCIL:

That the proposed temporary road closures to support the conduct of the Tweed Valley Banana Festival on 29 and 30 August 2014 be approved subject to standard conditions as follows:

1. NSW Police approval being obtained
2. Endorsement of the event by Murwillumbah District Chamber of Commerce
3. Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons
4. Community and affected business consultation
5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
7. Adequate public liability insurance being held by the event organiser
8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
9. Consultation with emergency services particularly Murwillumbah Fire brigade and Murwillumbah Ambulance
10. Arrangements made for private property access and egress affected by the event

FOR VOTE - Cr Barry Longland, Greg Sciffer, Chris Davies, Col Brooks

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Geoff Provest

A4 [LTC-LATE] Bay Street, Tweed Heads

ORIGIN:
Planning & Infrastructure

FILE NO: ECM 3348678; Traffic - Committee; Parking - Zones; Bay Street; Navigation Lane; Enid Street; Thomson Street

SUMMARY OF REPORT:

During consultation with the business owners in Bay Street (west of Wharf Street) they have requested that all timed parking in Bay Street be changed to 2 hours. Currently there is a mix of 1 hour, ½ hour and 10 minute spaces between Navigation Lane and Enid Street. West of Enid Street parking is all 2 hour.

Currently, on street parking does not match businesses requirements, such as the 10 minute on street parking for the video shop which no longer operates.

The centre on street parking will be removed entirely from Bay Street, with the majority of on street parking being nose-in, 45 degrees.

The Design Unit has consulted with the business owners in Bay Street about the fragmented parking times and 2 hour timed on street parking was favoured.

COMMITTEE ADVICE:

That following completion of the Bay Street upgrade, all timed on street parking between Wharf Street and Thomson Street in Bay Street is to be designated 2 P during normal business hours, 9.00am - 5.00pm Monday to Friday 9. - 12 Saturday.

RECOMMENDATION TO COUNCIL:

That following completion of the Bay Street upgrade, all timed on street parking between Wharf Street and Thomson Street in Bay Street is to be designated "2 P during normal business hours, 9.00am - 5.00pm Monday to Friday 9. - 12 Saturday".

FOR VOTE - Cr Barry Longland, Geoff Provest, Greg Sciffer, Chris Davies

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Col Brooks

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 [LTC] Tweed Valley Triathletes Season 20 September 2014 to 7 March 2015

ORIGIN:
Planning & Infrastructure

FILE NO: ECM 3333313; Traffic - Committee; Sport & Recreation - General; Festivals/Events - Other; Tumbulgum Road; Cane Road; Queensland Road; Murwillumbah Street; Wharf Street; Racecourse Road; Old Ferry Road

SUMMARY OF REPORT:

Request received for permission to use roads for the Tweed Valley Triathletes season commencing Saturday 20 September 2014 and concluding on Saturday 7 March 2015.

"The senior (adult) course, as well as the swim leg in the pool, comprises a 10km cycle and 4km run. The cycle and run leave from the Tweed Regional Aquatic Centre. The cycle leg consists of a circuit which includes Tumbulgum Rd, Cane Road, Queensland Road, Murwillumbah St and Wharf St. The run leg goes along Tumbulgum Rd and then onto Racecourse Rd for 1km and returning the same way.

The Intermediate (adult) course includes a 7km cycle leg along Tumbulgum Rd, Racecourse Rd, Queensland Rd, Murwillumbah St and Wharf St and a 2km run leg from the pool to the Tumbulgum Rd/Racecourse Rd intersection and return.

The Junior course includes a 3km cycle along Tumbulgum Rd, part way along Racecourse Rd and return and a 1km run to the Old Ferry Rd/Tumbulgum Rd intersection and return.

Our transition area is the Council parking area on the western side of the civic centre and the area adjacent to the side entrance to the main pool.

Adult members are on the road between 6:05am and 7:10am. Junior members are on the road between 7:30am and 8:00am. At these times of the day there is little traffic.

Tweed Valley Triathletes Inc. believes that its long standing record of safety and reliability demonstrates its commitment to providing a safe environment for conducting our triathlon events."

These events have been undertaken for a number of years without incidents reported to Council. The Club has developed a Management Plan that controls the conduct of the event.

COMMITTEE ADVICE:

That the proposed Tweed Valley Triathletes events from 20 September 2014 to 7 March 2015 be supported, subject to the following:

1. NSW Police approval being obtained
2. Endorsement of the event by Bicycle NSW
3. Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons
4. Community and affected business consultation
5. The event organiser notifies Tweed residents of the impact of their events by advertising in the Tweed Link at their expense prior to the conduct of the first event for the year a schedule of the proposed events. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route

arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints

6. Adequate public liability insurance being held by the event organiser
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
8. Consultation with emergency services particularly Murwillumbah Fire brigade and Murwillumbah Ambulance

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 12 June 2014 in the Mt Warning Meeting Room commencing at 10.00am.

There being no further business the Meeting terminated at 11.15am.

SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:

A1 [LTC] Brisbane Street, Murwillumbah

RECOMMENDATION TO COUNCIL:

That the parking spaces on Brisbane Street, once removal of the on-road outdoor dining blister is completed, be designated as "2 hour limited 9.00am to 5.00pm Monday to Friday" and "9.00am to 12.00 noon Saturday."

A2 [LTC] Kyogle Road, Bray Park

RECOMMENDATION TO COUNCIL:

That a bus zone be installed on the south side of Kyogle Road between Ray Street and Thomas Street, Bray Park.

A3 [LTC] Tweed Valley Banana Festival 2014-05-02

RECOMMENDATION TO COUNCIL:

That the proposed temporary road closures to support the conduct of the Tweed Valley Banana Festival on 29 and 30 August 2014 be approved subject to standard conditions as follows:

1. **NSW Police approval being obtained**
2. **Endorsement of the event by Murwillumbah District Chamber of Commerce**
3. **Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons**
4. **Community and affected business consultation**
5. **The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative**

- route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
 7. Adequate public liability insurance being held by the event organiser
 8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
 9. Consultation with emergency services particularly Murwillumbah Fire brigade and Murwillumbah Ambulance
 10. Arrangements made for private property access and egress affected by the event

A4 [LTC-LATE] Bay Street, Tweed Heads

RECOMMENDATION TO COUNCIL:

That following completion of the Bay Street upgrade, all timed on street parking between Wharf Street and Thomson Street in Bay Street is to be designated "2 P during normal business hours, 9.00am - 5.00pm Monday to Friday 9. - 12 Saturday".

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - Reviewed 21 August 2013

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

66 [SUB-FMC] Minutes of the Floodplain Management Committee Meeting held Wednesday 7 May 2014

SUBMITTED BY: Planning and Infrastructure



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

The Minutes of the Floodplain Management Committee Meeting held Wednesday 7 May 2014 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Floodplain Management Committee Meeting held Wednesday 7 May 2014 be received and noted.

REPORT:

The Minutes of the Floodplain Management Committee Meeting held Wednesday 7 May 2014 are reproduced as follows for the information of Councillors.

Venue:

Canvas and Kettle Room, Murwillumbah Civic Centre

Time:

9.00am

Present:

Cr Katie Milne, David Oxenham, Danny Rose, Steve Twohill, Toong Chin, Brian Sheahan, Wayne Pettit, Felicia Cecil (left 12:15pm), Robert Quirk, Max Boyd, Paul Taylor, Samuel Dawson (left 12:30pm).

Apologies:

Iain Lonsdale, Lindsay McGavin

Minutes of Previous Meeting:

Moved: B Sheahan

Seconded: P Taylor

RESOLVED that the Minutes of the Floodplain Management Committee meeting held Friday 25 October 2013 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Agenda Items:

1. Final Post Exhibition Draft Tweed Valley Floodplain Risk Management Study (April 2014)
2. Final Post Exhibition Draft Tweed Valley Floodplain Risk Management Plan (April 2014)

Danny Rose updated the Committee on the exhibition process for the draft study and plan, and the issues raised in the 10 submissions received.

Residents Associations in Oxley Cove, Banora Point and Chinderah, and the Tweed Chamber of Commerce raised numerous issues in relation to the Tweed Valley Floodplain Risk Management Study (FRMS). Many of these issues related to the preceding Tweed Valley Flood Study, such as modelling of the probable maximum flood (PMF) and climate change scenarios. Other issues such as flood insurance and property values are outside the scope of the FRMS, and issues relating to evacuation and emergency response planning are the responsibility of the SES under its Flood Emergency Sub Plan.

The consultants have generally responded to these submissions with minor clarifications to the document, and additions to the "Frequently Asked Questions" (FAQs) in Appendix A of the FRMS.

Felicia Cecil maintained her Association's continued criticism of the PMF, however the rest of the Committee accepted that Council has acted in accordance with the NSW Floodplain Development Manual.

These submissions were critical that the FRMS lacked structural options for flood modification. However many options were considered and discounted by the study. The Committee recommended that additional information should be added to the FAQs in relation to the Byrill Creek Dam investigations.

Moved: S Dawson

Seconded: K Milne

RESOLVED that additional information be added to the draft Tweed Valley Floodplain Risk Management Study Appendix A "Frequently Asked Questions", regarding the rejection of Byrill Creek Dam as a flood mitigation option.

The Committee considered the results of the submission on behalf of Gales Holdings. The exhibited draft FRMS investigated various cumulative development scenarios for Chinderah and West Kingscliff. This included several fill scenarios for current/future industrial zoned land in West Kingscliff, of 50%, 75% and 100% site coverage for filling and flow obstructions above RL 2.2m AHD. All but the 50% scenario (which corresponds to the current DCP-A3 controls) were shown to have unacceptable results, based on exceeding the FRMS thresholds of >35mm impact in urban areas, and/or >100mm impact in rural areas. The Gales' submission included assessment of a 65% fill scenario, which was commissioned by Gales and carried out by BMT WBM. This produced acceptable results in West Kingscliff.

When the 65% scenario was combined with the broadscale rural development scenario, which considered filling of 1% of "low flow" rural land, plus identified potential employment land north of Wardrop Valley Road ("Dickinsons Land"), the results were found to be within the acceptable limits, with the notable exception of Tumbulgum Village. The additional filling of the industrial area increased the impacts in Tumbulgum from +34mm in the 50% fill scenario, to +38mm in the 65% fill scenario, which exceeds the 35mm limit adopted in the draft FRMS.

Committee members were concerned with these potential impacts and recommended that filling of the Chinderah/West Kingscliff industrial area be limited to 50% coverage.

During these discussions, it was also moved that 100% fill of residential land in West Kingscliff be accepted in the cumulative development scenario. This was supported by the majority, with Councillor Milne against.

Moved: M Boyd

Seconded: S Dawson

RESOLVED that the draft Tweed Valley Floodplain Risk Management Study and Plan be modified to limit the permissible site coverage for fill and other obstructions to flow in existing and proposed industrial areas of West Kingscliff to 50% coverage above RL 2.2m AHD.

Moved: M Boyd

Seconded: R Quirk

RESOLVED that the current controls for 100% filled site coverage for residential land in West Kingscliff be supported in accordance with the draft Tweed Valley Floodplain Risk Management Study.

Another submission on behalf of Twin Towns Services Club was considered, which requested an extension of shelter in place provisions that currently apply to in-fill development to facilitate rezoning for residential purposes.

The current draft has assessed in great detail the pros and cons of shelter in place as an alternative to evacuation, and the FRMS contains an assessment matrix based on land use and emergency response options, which would be considered for future rezoning and large scale development proposals. This would allow for consideration of shelter in place in certain circumstances.

Members of the Committee were concerned about this approach, and after discussion recommended that no change to Council's existing policy of preventing rezoning for habitable purposes unless permanent high level evacuation is available, be maintained. This was supported by the majority, with Paul Taylor abstaining.

Moved: M Boyd

Seconded: R Quirk

RESOLVED that due to the perceived risk to life, limited availability of essential services to at risk communities, and the availability of adequate existing residential zoned land for development:

- a) further rezoning for habitable purposes based on shelter in place provisions should not be supported, and
- b) the existing policy of Council should remain, prohibiting rezoning for increased habitable purposes unless land is serviced by a permanent high level evacuation route, and
- c) the draft Tweed Valley Floodplain Risk Management Study and Plan should be amended accordingly.

A final consideration from submissions was a request for a levee to protect properties in Mooball Street Murwillumbah from flooding. The Committee did not support this request, due to the high cost to protect a small number of homes, and noted that development controls in this area require high set homes with limited enclosure at ground floor level and if adhered to, should limit potential losses.

Councillor Milne discussed the Voluntary House Purchase scheme and the related classification of hazard in the FRMS. The Committee recommended that hazard definitions and related controls be reviewed as part of a future update to DCP-A3.

Moved: K Milne

Seconded: R Quirk

RESOLVED that the draft Tweed Valley Floodplain Risk Management Study be amended to recommend a review of the definition of high hazard areas, including an extreme hazard definition, and the development controls that apply, in a future review of Development Control Plan Section A3 - Development of Flood Liable Land.

Moved: M Boyd

Seconded: R Quirk

RECOMMENDATION:

That subject to the four Committee amendments (above), the draft Tweed Valley Floodplain Risk Management Study and Plan be adopted.

3. Murwillumbah CBD Flood Study

Item deferred to future meeting.

4. 2014/15 NSW Floodplain Management Program Grant Applications

Item deferred to future meeting

5. Floodplain Management Association Conference - Deniliquin

Item deferred to future meeting

General Business:

Max Boyd requested that an agenda item be added to the next meeting to discuss possible information that could be provided to the community regarding historic floods and in the context of extreme floods that have occurred in other catchments.

Brian Sheahan requested that an agenda item be added to the next meeting to discuss flash flooding problems at Chillingham and possible strategies.

Next Meeting:

The next meeting of the Floodplain Management Committee will be held in late June 2014, subject to availability of members.

The meeting closed at 12:45pm.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

That the recommendation from the Floodplain Management Committee be reported separately to Council.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

That Council notes the Floodplain Management Committee Minutes for meeting held 7 May 2014.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - Reviewed by Council 21 August 2013.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

67 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 8 May 2014

SUBMITTED BY: Community and Cultural Services



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
-

SUMMARY OF REPORT:

The Minutes of the xxx Committee Meeting held xxx are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 8 May 2014 be received and noted.

REPORT:

The Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 8 May 2014 are reproduced as follows for the information of Councillors.

Venue:

Tweed Regional Museum Murwillumbah

Time:

2.00pm

Present:

Stewart Brawley (Acting Director Community & Natural Resources); Robyn Grigg (Manager Community & Cultural Services); Judy Kean (Museum Director); Gary Fidler (Community); Sandra Flannery (Community); Fay O'Keeffe (Community); Janet Swift (Community); Peter Budd (Community); Joan Smith (Tweed Heads Historical Society); Denise Garrick (Tweed Heads Historical Society); Helena Duckworth (Uki & South Arm Historical Society); Mary Lee Connery (Uki & South Arm Historical Society); Max Boyd (Murwillumbah Historical Society); Beverley Lee (Murwillumbah Historical Society).

Apologies:

Cr Michael Armstrong; Cr Barry Longland.

Minutes of Previous Meeting:

Moved: Gary Fidler

Seconded: Joan Smith

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee meeting held Thursday 20 February 2014 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Item from Meeting held 20 February 2014

Unauthorised connecting of hose to Museum water supply to wash boats:

The company involved has been contacted and they have agreed not to connect hoses to the Museum water supply.

Item from Meeting held 17 October 2013

Proposed de-accession of motorised plough, MUS2000.93.1:

Provenance information has been gathered for this object; the use of the item was local, however there is nothing significant about the item or its use. The condition of the item is extremely poor. Museum Director recommended de-accession of the item.

Moved: Beverley Lee

Seconded: Helena Duckworth

RESOLVED that the motorised plough, MUS2000.93.1, be de-accessioned from the collection and offered back to donor's family.

Agenda Items:

1. Museum Director's Report

Museum redevelopment

Practical completion and hand over of keys to Murwillumbah took place on 24 April. There are still some minor works to be completed and some variations regarding additional lighting in the 1915 building in process. Fit out of various aspects of the Murwillumbah Historical Society Research Centre, staff office and storage areas is through the quotation stages and contractors will be completing work over the coming months.

Discussions are ongoing with members of the Murwillumbah Historical Society Committee about the process and schedule for relocation from Bray Park back to the Museum.

Open tenders were called for supply of specialist Museum showcases for TRM Murwillumbah. Tenders closed on 23 April. A final decision is pending and will be resolved prior to the MAC meeting. The lead times necessary for tenders and for manufacture and installation have pushed the date of delivery into mid July with consequent impact on other dates. The schedule below updates information provided in February.

April/May	Site handover (24 April), Certification, testing etc, certificate of occupancy (29 April - 9 May)
May/June	Dates for 'behind the scenes' tours are being confirmed. 12-18 May is National Volunteers Week, 18 May is International Museums Day. <ul style="list-style-type: none">Monday 12 May, Combined Rotary Club membersWednesday 14 May, Front of House VolunteersThursday 15 May 2.30, Murwillumbah Historical Society membersThursday 19 June, Tweed Heads Historical Society members Dates/tours tbc from groups who have confirmed their interest, <ul style="list-style-type: none">Friends of the Tweed Regional MuseumStaff of Council's Contact Centre We are liaising with a range of other groups.
From mid June	Site will be closed to allow display installation and preparation
June/July(tbc)	Murwillumbah Historical Society relocation back into Museum
Mid/late July	Delivery and installation of showcases
Late July - Late August	Display installation
Late August	Opening

Collection Store, Collection Management

Work is ongoing on assessment and preparation of items for display. This work is being undertaken at the Store by Museum staff and contract conservator Nadia McDougall with valuable assistance from a number of volunteers.

Object preparation, research and display development together with other activities related to redevelopment of TRM Murwillumbah are consuming staff time and temporarily impacting on time available to work with other sites.

TRM Tweed Heads

Council staff have continued to examine options for dealing with the significant deterioration of the RSL Hall. Necessary action and options will be discussed with Tweed Heads representatives prior to the MAC meeting.

Uki and South Arm

Staff continue to provide advice to the Society on a range of issues currently under discussion. Uki member Esma Thompson is undertaking a large project on behalf of the Murwillumbah Red Cross which is turning up archival material and objects.

Museum programs

Front of house volunteers

More than seventy new volunteers have now registered for the Front of House program at Murwillumbah. Induction sessions were completed on 26 February and 26 March, with the final induction session scheduled for 29 May.

De-accessions

No de-accessions are proposed for this meeting. I would like to thank Committee members for facilitating an 'out of time' de-accession request via flying minute.

Acquisitions

A small number of acquisitions were tabled at the meeting:

Object description	Donor
Brass stamp from Tyalgum butcher and bakery co-op	Frank Rowe
[Photograph] Portrait of two young children, Kynnumboon, Murwillumbah,	Carolyn Barnby
[Photograph] Child on fence, possibly at Kynnumboon, Murwillumbah	Carolyn Barnby
[Photograph] Child on horse, man standing behind horse. possibly at Kynnumboon, Murwillumbah	Carolyn Barnby
[Photograph] Man and young child on a bicycle, Kynnumboon, Murwillumbah	Carolyn Barnby
[Photograph] Portrait of two young children, Kynnumboon, Murwillumbah	Carolyn Barnby
[Photograph] Bray family group at Kynnumboon	Carolyn Barnby
[Photograph] Bray family group at Kynnumboon	Carolyn Barnby
[Photograph] Man and a woman at Kynnumboon, cross dressing fancy dress, c 1920	Carolyn Barnby
[Photograph] Studio portrait of Marjorie Bray, photograph by Angus McNeil, 1909	Carolyn Barnby
[Photograph] Tony Bray, 5 months, Kynnumboon, 1913	Carolyn Barnby
[Photograph] Bray family photograph, 'A family gathering with Grandma, Ethel in centre, Mum, Uncle Percy Lawson at left rear', 1918	Carolyn Barnby
[Photograph] Tony Bray, 4 weeks old, Kynnumboon, 1913	Carolyn Barnby
[Photograph] Bray family at the Murwillumbah Show (Tweed Agricultural Show), c1923	Carolyn Barnby
[Photograph] Portrait, 'Grandma Bray', possibly Gertrude Rosalie Bray, c 1910	Carolyn Barnby

Object description	Donor
Cigar pouch, postcard, leather that doubles as a cigar pouch addressed to 'Ethel Bray', Tweed River, Murwillumbah, c 1908	Carolyn Barnby
Receipt, from 'The Hong Kong Hotel Company Ltd', to Mr and Miss Bray for accomodation, 10th Feb 1904	Carolyn Barnby
Drinking glass, printed with image and caption 'They Got the Lot at Murwillumbah New South Wails'	Eileen Crofts
Daily News newspaper, Friday 24 November 1978. Front page story and image "They took the lot! Robbers scoop \$1.7mil".	Unknown

Digital acquisitions

As MAC members are aware one of the strengths of the TRM collection is the range and quality of images it contains - thanks to the efforts of members of each of the Societies over many years.

The bulk of this collection has been scanned and is stored digitally. Increasingly, important images of historical significance are 'born digital' and/or will only be appropriate to add to the TRM collection, including the research collection, in digital form.

TRM and many other collecting organisations are encountering the issues involved in managing the acquisition, preservation and use of digital images. Such collections are no less challenging and demanding of resources than 'physical' images and items, and require new processes and new ways of working. Large amounts of digital storage are required, working with images requires shared processes and protocols to eliminate inappropriate duplication, and acquisition needs careful consideration to ensure it is appropriate to the digital age and that any items digitally stored, no matter for what purpose, can be appropriately managed into the future.

We are in the process of working through these issues, and with each of the Societies to develop an understanding of TRM collection needs. This experience will enable us to establish new processes and procedures to appropriately manage the collection and to support the work of the Societies.

Proposed for accession at this meeting are 160 new digital acquisitions which provide examples of the way in which this element of the collection is growing. In summary, proposed acquisitions include the following groups of digital images:

Images donated by Bert Hayes in response to research undertaken by the Murwillumbah Historical Society into Hayes business in South Murwillumbah. These add to existing images and research material in the collection.

Images of historic maps (Jane Porter).

Simpson film footage which the Museum obtained permission to use some time ago, but which has recently been catalogued and time coded to enable individual subjects and events to be identified.

Images identified during research for display of chairs in the TRM collection - these images provide additional historical context and provenance information.

A further donation of items by Carolyn Barnby, Bray family descendent (donation of 64 original letters was endorsed at a previous MAC). This donation is of images from a family album and digital scans only of photographs which meet the TRM Collection criteria are proposed for acquisition.

A small number of images related to Murwillumbah sourced by Murwillumbah Historical Society (Tony Clark).

Staff

Contracts for Museum staff members Erika Taylor and Trish Budd have been extended to August 2014. Stewart Brawley has been appointed Acting Director Community and Natural Resources.

Business arising from the Museum Director's Report

TRM Tweed Heads:

Joan Smith, President Tweed Heads Historical Society, advised that a meeting was not held prior to this Committee meeting to discuss options for the RSL Hall. The meeting will take place on 19 May and Joan requested that the Condition Report on the RSL Hall be sent to her prior to this meeting.

Stewart Brawley, Acting Director Community & Natural Resources, agreed to this request.

Moved: Peter Budd

Seconded: Janet Swift

RESOLVED that the Museum Director's Report be accepted by the Committee and the proposed acquisitions be endorsed.

2. Historical Societies and Friends of TRM Reports

Reports were taken as read.

Joan Smith, President Tweed Heads Historical Society, added that three Councillors (Crs Armstrong, Bagnall and Milne) had visited the Tweed branch of TRM and discussed issues with volunteers. Joan enquired as to whether these discussions had been passed on to Council Staff.

Stewart Brawley, Acting Director Community & Natural Resources, advised that Councillors had been in discussions with Management.

2:25pm Robyn Grigg arrived.

General Business:

3. Council resolution regarding election of Committee Chairpersons

Council has recently passed a resolution stating that Council Committees, which have not stipulated the length of appointment of the Chairperson, to annually elect a Chairperson, beginning at the end of the current twelve month period (September, 2014).

Moved: Janet Swift

Seconded: Sandra Flannery

RESOLVED that this Committee advises Council that as the Committee does not stipulate the length of appointment of the Chairperson in its constitution, it will elect a chairperson annually as of September 2014.

As the next meeting of the Museum Advisory Committee following this date is November 2014, a chairperson will be elected at that meeting.

4. Parking

Discussions were held on potential parking issues at the Murwillumbah branch of Tweed Regional Museum.

Museum Director, Judy Kean, advised that she is aware of potential issues and is following Council processes in dealing with the issues.

5. Publicity

Peter Budd enquired about advertising the Museum project in the Tweed Link.

Museum Director, Judy Kean, advised that the Museum features on the front page of the current Tweed Link, and that she is working with Council's Communication and Customer Service unit to implement an extensive plan of publicity for the Museum project.

Judy Kean will forward to the Committee a summary of the materials and activities that are being developed.

Denise Garrick, Tweed Heads Historical Society, will forward to Judy some brochures she recently collected at the Australian Museum.

6. Access to Museum Collection

Max Boyd enquired about access to the Museum Collection, especially photographs.

Museum Director, Judy Kean, advised that Museum staff are currently working with Council's IT unit to improve access by Historical Societies and the general public to Museum resources.

Judy advised that the future of collecting institutions was in accessibility to information, and as the community owns the collection the museum needs to ensure they have access to it.

Judy advised that details on how best to do this can be discussed at an operational level.

7. Donations box

Peter Budd enquired whether the Murwillumbah branch of TRM will have a visible and compelling donation box to encourage donations.

Museum Director, Judy Kean, advised that the Museum would have a donation box.

8. Photograph donations

Max Boyd enquired whether it would be a good idea to advertise to the general public seeking donations of photographs.

Museum Director, Judy Kean, advised that managing photographic donations responsibly takes time and effort.

Seeking donations of photographs can be better done in a more targeted way, ensuring that the necessary information and permissions are managed.

9. Tweed Shire Council documents

Gary Fidler advised the meeting that many important documents were produced or received by Council, such as Heritage Reports, and that these documents would have value in the Museum collection.

Museum Director, Judy Kean, advised that she has commenced discussions with other Council Officers, and is compiling a discussion paper, on ways in which these types of documents can be held in a central place and entered on the Museum's Collection Management System to facilitate better access.

Next Meeting:

The next meeting of the Tweed Regional Museum Advisory Committee will be held Thursday 14 August 2014.

The meeting closed at 3.15pm.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

Nil.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - reviewed 21 August 2012 (ECM3283132).

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

**REPORTS FROM THE ACTING DIRECTOR COMMUNITY AND NATURAL RESOURCES
IN COMMITTEE**

C1 [CNR-CM] Expressions of Interest - Sports Advisory Committee

REASON FOR CONFIDENTIALITY:

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors).

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.6 Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities
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