



TWEED
SHIRE COUNCIL

Mayor: Cr G Bagnall

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

Agenda

Extraordinary Council Meeting Thursday 30 October 2014

held at Murwillumbah Cultural and Civic Centre
commencing at **6.00pm**

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.

Items for Consideration of Council:

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REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE ACTING DIRECTOR CORPORATE SERVICES

1 [CS-EXT] 2013/2014 Statutory Financial Reports/Audit Report

SUBMITTED BY: Financial Services

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
- 1.2.3 Financial requirements and the community's capacity to pay will be taken into account when meeting the community's desired levels of service

SUMMARY OF REPORT:

Council's Statutory General Purpose Financial Reports in accordance with Section 413 of the Local Government Act, 1993 and the Special Purpose Financial Reports in accordance with the Local Government Code of Accounting Practice and Financial Reporting for the financial year ended 30 June 2014 have been completed.

Section 413 (2) – A council's financial reports must include:

- (a) a general purpose financial report;
- (b) any other matter prescribed by the regulations; and
- (c) a statement in the approved form by the council as to its opinion on the general purpose financial report.

This report recommends that the statement as to Council's opinion on the General Purpose Financial Reports as required by Section 413 (2) (c) of the Local Government Act and the Special Purpose Financial Reports as required by the Local Government Code of Accounting Practice and Financial Reporting be executed.

RECOMMENDATION:

That:

1. **In accordance with Section 413(1) of the Local Government Act 1993 Council refers the General Purpose Financial and Special Purpose Financial Reports for audit.**

2. **The statement as to Council's opinion on the General Purpose Financial Reports as required by Section 413(2)(c) of the Local Government Act 1993 and the Special Purpose Financial Reports as required by the Local Government Code of Accounting Practice and Financial Reporting for the financial period 2013/2014, be executed.**

REPORT:

Background

Council's Statutory General Purpose Financial Reports in accordance with Section 413 of the Local Government Act 1993 for the financial year ended 30 June 2014 have been completed.

Legislation Requirements

The Local Government Act 1993 ("the Act") relating to the preparation of Council's annual financial reports requires that:

1. Section 413 – A council must prepare financial reports for each year, and must refer them for audit as soon as practicable after the end of that year.
2. Section 413 (2) – A council's financial reports must include:
 - (a) a general purpose financial report;
 - (b) any other matter prescribed by the regulations; and
 - (c) a statement in the approved form by the council as to its opinion on the general purpose financial report.
3. Section 413 (3) – The general purpose financial report must be prepared in accordance with the Act and the regulations and the requirements of:
 - (a) the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to regulations; and
 - (b) such other standards as may be prescribed by the regulations.
4. Section 416 – A council's financial reports for a year must be prepared and audited within the period of 4 months after the end of that year.
5. Section 418 – Upon receiving the Auditor's Report, the Act requires the Council to give at least 7 days public notice of the meeting at which it proposes to present its audited financial reports, together with the Auditor's Report, to the public.
6. Section 420 – Any person may make a submission to the Council with respect to the Council's audited financial reports or with respect to the Auditor's Report.
7. Clause 215 of the Local Government (General) Regulation, 2005 requires that the Statement under Section 413 (2) (c) on the annual financial report must be made by resolution of the Council and signed by the Mayor, at least one (1) other member of Council, the General Manager and the Responsible Accounting Officer.
8. Section 417 (5) - It is a requirement that lodgement of the Audited Financial Statements and the Auditors Report be submitted to the Office of Local Government by 7 November of each year.

Council's Statutory General Purpose Financial Reports and Special Purpose Financial Reports for the financial year ended 30 June 2014 have been completed. Due to the timing of the Audit Committee meeting, an extraordinary Council meeting is required to refer these reports to audit. It is proposed to present the audited financial reports to the public at the November 2014 Council meeting.

The Audited Financial Statements and Auditors Report will be sent to the Office of Local Government by 7 November as required.

The General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules for the financial year ended 30 June 2014 will be tabled at 30 October 2014 Extraordinary Council meeting following endorsement from the Audit Committee at its meeting of 27 October 2014.

Council's External Auditors - Thomas Noble and Russell will present the outcomes of the audit at the Extraordinary Council meeting on 30 October 2014.

OPTIONS:

Not Applicable.

CONCLUSION:

That the statement as to Council's opinion on the General Purpose Financial Reports as required by Section 413 (2) (c) of the Local Government Act and the Special Purpose Financial Reports as required by the Local Government Code of Accounting Practice and Financial Reporting be executed.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

In accordance with the requirements of the Local Government Act and Local Government Code of Accounting Practice.

d. Communication/Engagement:

INFORM. We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1	Statement by Councillors and Management (ECM 3498455 and ECM 3498456).
Attachment 2	General Purpose Financial Statements (to be tabled at the meeting).
Attachment 3	Special Purpose Financial Statements (to be tabled at the meeting).
Attachment 4	Special Schedules (to be tabled at the meeting).

LATE ITEM

1.3.2 Business Paper for Extraordinary Meetings

The General Manager must ensure that the business paper for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.

Despite the sub-clause, business may be transacted at an Extraordinary meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:

- (a) a motion is passed to have the business transacted at the meeting; and
- (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

Such a motion can be moved without notice but only after the business notified in the business paper for the meeting has been disposed of.

Only the mover of a motion referred to in the immediate sub-clause can speak to the motion before it is put.

The Regulation Clause 242

RECOMMENDATION:

That as per Section 1.3.2 of the Code of Meeting Practice Version 2.4.1, Item 2 [CS-EXT] Audit Committee Annual Report for Period Ending 30 June 2014, being an Addendum item, be dealt with and it be ruled by the Chairman to be of great urgency.

2 [CS-EXT] Audit Committee Annual Report for Period Ending 30 June 2014

SUBMITTED BY: Acting Director

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 Audit Committee is charged with the responsibility of preparing an annual report on the past financial year activities and present it to Council. Following the review of the Annual Financial Statements by the Audit Committee on Monday 27 October 2014 the latest Annual Report for the period ending 30 June 2014 has been signed off.

The Audit Committee Annual Report should be considered in conjunction with the report on the 2013/2014 Statutory Financial Reports/Audit Report.

RECOMMENDATION:

That Council receives and notes the Audit Committee Annual Report highlighting its activities for the financial year ended 30 June 2014.

REPORT:

As required under the Audit Committee Charter the Audit Committee has prepared its Annual Report on the past financial year's activities for the period ended 30 June 2014.

The Audit Committee undertook a review of the 2013/2014 Financial Statements on Monday 27 October 2014 and following this review which has resulted in some amendments to the Financial Statements, the latest Annual Report for the period ending 30 June 2014 has been signed off. A copy of the Annual Report is included as an attachment to this report.

OPTIONS:

Receive and note the Audit Committee Annual Report highlighting its activities for the financial year ended 30 June 2014.

CONCLUSION:

Council should receive and note the Audit Committee Annual Report highlighting its activities for the financial year ended 30 June 2014 and consider this Annual Report in conjunction with the report on the 2013/2014 Statutory Financial Reports/Audit Report.

COUNCIL IMPLICATIONS:

a. Policy:

Audit Committee Charter v1.6

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. Audit Committee Annual Report for the financial year ended 30 June 2014 (ECM 3502064)

REPORTS FROM THE DIRECTOR ENGINEERING

LATE ITEM

1.3.2 Business Paper for Extraordinary Meetings

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- (a) a motion is passed to have the business transacted at the meeting; and
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Such a motion can be moved without notice but only after the business notified in the business paper for the meeting has been disposed of.

Only the mover of a motion referred to in the immediate sub-clause can speak to the motion before it is put.

The Regulation Clause 242

RECOMMENDATION:

That as per Section 1.3.2 of the Code of Meeting Practice Version 2.4.1, Item 3 [E-EXT] Murwillumbah Motorfest and Swap, being an Addendum item, be dealt with and it be ruled by the Chairman to be of great urgency.

3 [E-EXT] Murwillumbah Motorfest & Swap

SUBMITTED BY: Roads and Stormwater

Valid



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
 - 3.1 Expand employment, tourism and education opportunities
 - 3.1.2 Attract major events to the Tweed
-

SUMMARY OF REPORT:

Council received an application to close roads within the Murwillumbah CBD to conduct a "car cruise" associated with the inaugural "Murwillumbah Motorfest & Swap" event being held at the Showground on Friday 5, Saturday 6 and Sunday 7 December 2014.

The proposal for road closures associated with this event was considered by Council's advisory committee, the Local Traffic Committee, which did not support the requested time period length of the road closures and this was subsequently accepted by Council in adopting the Minutes of the Local Traffic Committee meeting held Thursday 25 September 2014 at its 16 October meeting.

The event applicant has now sought a review of this advice and is seeking the road closures for one hour on the evening of Friday 5 December and one and a half hours on the evening of Saturday 6 December. The applicant has indicated that the event could not proceed if the road closures as requested are not approved.

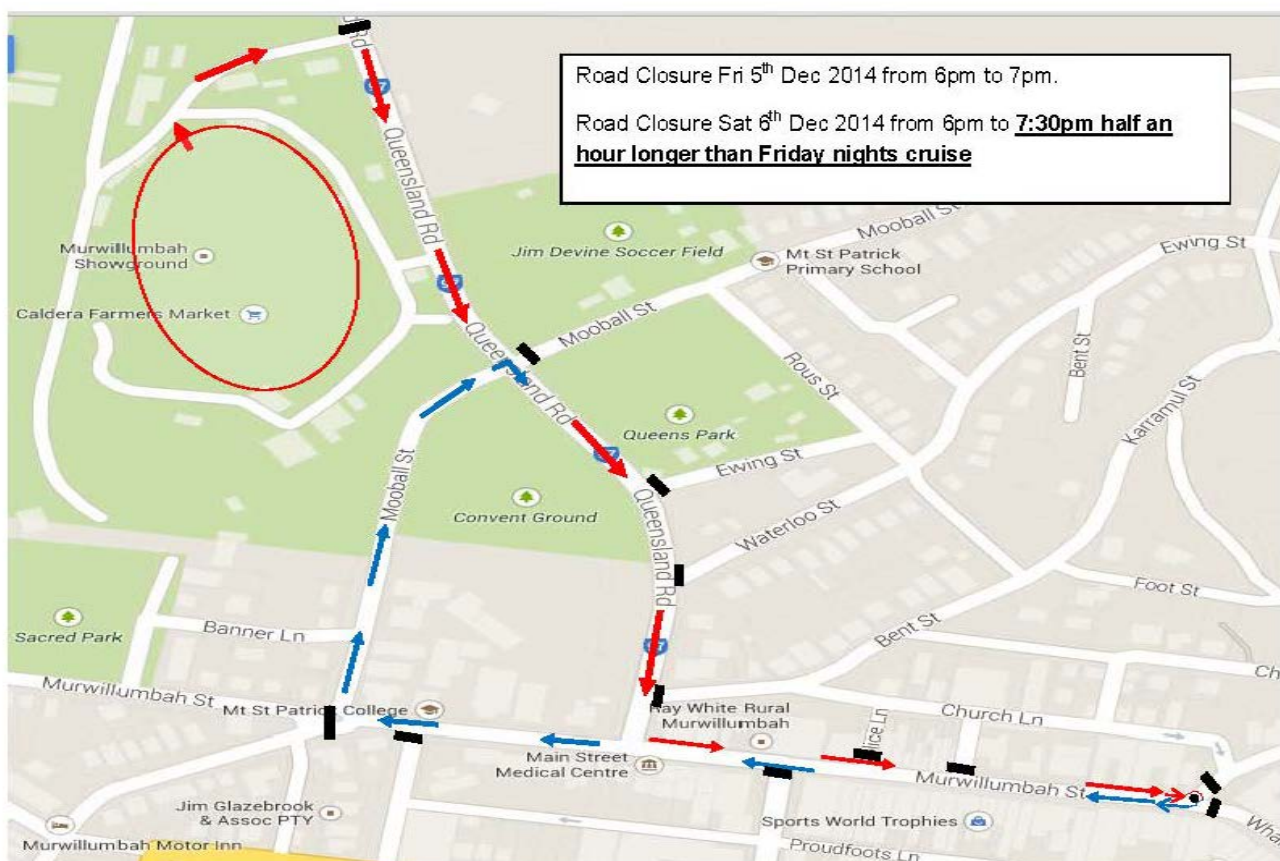
RECOMMENDATION:

That Council determines whether the Murwillumbah Motorfest & Swap event organiser's proposed road closures for the "car cruises" on Friday 5 and Saturday 6 December 2014 be approved.

REPORT:

A request has been received for Council support of the inaugural Murwillumbah Motorfest & Swap event which is to be held at the Murwillumbah Showgrounds 5, 6 and 7 December 2014. The event organisers are the Cooly Rocks On Festival Inc. and associated activities include bands, dancing, a "show and shine" of 1970's and 1980's cars and a car cruise through Murwillumbah CBD involving the show and shine vehicles. Council is supporting the Event under its Festivals and Events Policy to the amount of \$20,000.

The car cruises are proposed for Friday 5 December 6.00pm to 7.00pm and Saturday 6 December 6.00pm to 7:30pm. The organisers expect 300 vehicle participants and the route as shown below will commence at the Showground and turn right onto Queensland Road, turn left into Murwillumbah Street, travel east turn left into Queen Street, conduct a "U-turn" around the clock tower, turn right into Murwillumbah Street, travel west and turn right into Mooball Street, travel north and turn right into Queensland Road and then continuous as above for the one hour on the Friday and one and a half hours on Saturday.



Council's Local Traffic Committee (LTC), an advisory group consisting of Council officers, a councillor, NSW Police, Roads and Maritime Services and State Member representatives, tabled the request for the exclusive use of the roads at its 25 September meeting. The minutes were reported to Council at 16 October meeting, with the following Committee Advice:

"That the proposed Murwillumbah Motor Fest and Swap Car/bike Cruise on Friday 5 and Saturday 6 December be supported, for one 'cruise' lap only of the proposed route subject to:

1. *Endorsement of the event by Murwillumbah Chamber of Commerce.*
2. *Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons*
3. *Community and affected business consultation*
4. *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 details including a personal contact name and a telephone number for all event related enquiries or complaints*
5. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event*
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 Police, Murwillumbah Fire brigade and Murwillumbah Ambulance*
9. *Arrangements made for private property access and egress affected by the event"*

The reasoning for the limitation to one lap included the impact on traffic wishing to enter the CBD, through traffic from the west having to be diverted, and the unnecessary emissions arising from the vehicles. It was considered that should the event organisers wish to continue "the cruise" through the CBD beyond the one lap that the participants could drive on the public roads and conform to prevailing road rules.

The proposed road closures' impact on non-event traffic would include:

- Motorists accessing the CBD from Queensland Road to be diverted along Cane Road to Racecourse Road.
- Motorists wishing to access the hospital forced to use Old Ferry Road.
- Potential impact on the operations of the NSW Ambulance and Fire Service.
- Residential accesses along the route impeded and limited.

Since being informed of Council's road closure limitation, the event organiser has written to Council requesting a review of the limitation on the grounds that participants would not attend the event as the cruise is an important component.

Reasons put forward for a review of the limitation include:

- The event has already sold tickets on the basis that the cruise will be under full road closures for the respective one and one and a half hour periods.
- The volume of spectators would be reduced and a resulted decrease in adjacent business custom.
- A full road closure will discourage non-cruise vehicle participation.
- A full road closure will enable event organiser control of the event participants.
- Limitations on the car cruise may lead to a cessation of the event.

The event is in its first year of operation and the expectation is that it will attract a large contingent of visitors and participants, providing benefits to the local economy.

Below is a copy of the event organiser's letter to Council.



Bob Newman, CEO
Shop 203/87 Griffith St
Coolangatta Qld 4225

22 October, 2014

Murwillumbah Motorfest & Swap

To the General Manager, Tweed Shire Council, Mr Troy Green

Following on from my reply email to Ray Clark, dated Friday 17 October 2014, I feel I need to stress the importance of the Car Cruise, on a closed circuit, to the event as a whole.

For most if not all of the entrants to Motorfest if it wasn't for the car cruises they would not travel to Murwillumbah to be part of this event. They can display their cars at events hosting show n shines almost every weekend of the year somewhere in Queensland or New South Wales.

This fact is supported in two main ways:

Firstly I have spoken to both the Cooly Rocks On and Motorfest car committees and they both agree that if the road is not closed it would be just like driving their show cars on the weekend as a group or club, both groups agreed if this were the case they would not bother going to an event advertising a cruise like this.

Secondly 98% of our ticket sales to date have been for what we call the 'Mega Car Entry' which gains entry to the Show n Shine (Friday, Saturday & Sunday) and Car Cruise (Friday & Saturday evening). There is little to no sales for just the show n shine entry.

The other major aspect is from a Murwillumbah businesses perspective (mainly the food & beverage outlets) if the cruise vehicles are mixed in with regular cars it dilutes the whole impact of the cruise. It would not create the same spectacle and atmosphere and therefore crowds would not fill the streets to watch as they do at the Cooly Rocks On festival.

The roads closure allows for show vehicles cruising at between 10kmh and 15kmh to drive up and down the main street of Murwillumbah using the clock tower as the turn around point. If this

admin@coolyrockson.com www.coolyrockson.com
T/F 07 5599 2081 - Suite 203, 87 Griffith St Coolangatta Qld

abn 84812



doesn't happen as proposed businesses along the route who hope to attract people to purchase food and drink could be lost or at best be greatly diminished.

We are trying to avoid the 'hoon' element becoming involved (this is why our cut off date for car entrants is 31 December 1984). Once word got around that the roads were open for one and all we would have no control over who can and cannot drive and how they can and cannot drive. While I totally agree all road rules must be obeyed I know this will not happen with those who are not entered into the event but are able to drive the cruise route while not being a registered entrant.

With the road closed for the cruise we have the maximum amount of control over how the drivers behave and we also have their details. If they choose not to abide by the traffic regulations their details would be passed on to the NSW police immediately an infringement was seen, as well as the offender being expelled from the event.

I am afraid if you uphold a decision to not close the streets on Friday and Saturday evenings for the cruise as requested this will be a 'deal breaker'. Once the public are aware of this via our website and the media then entries will peter out and people will not register. Hence we will not be able to meet our budgetary targets and as a not for profit organisation we cannot afford to do this.

This is not meant to be a threat, far from it, it is a reality. The event needs a point of difference to attract people, both entrants and spectators and the car cruise is that point of difference, I am asking you to reconsider your position on this matter please.

Yours sincerely

Bob Newman
Chief Executive Officer

admin@coolyrockson.com www.coolyrockson.com
T/F 07 5599 2081 - Suite 203, 87 Griffith St Coolangatta QLD

abn 848

OPTIONS:

1. That Council approves for the Murwillumbah Motorfest & Swap on 5 and 6 December the closure of the affected roads for one lap only and that further laps are to be under open road conditions and subject to conformance with the NSW traffic road rules; or
2. That Council approves for the Murwillumbah Motorfest & Swap the road closures of Murwillumbah CBD for Friday 5 December 6pm to 7pm and Saturday 6 December 6pm to 7:30pm as requested by the event organiser.

CONCLUSION:

Council is requested to consider the report and the requested road closures associated with the conduct of a "car cruise" through Murwillumbah CBD on Friday 5 and Saturday 6 December 2014. Any approval will require as a matter of course, advice of the closure to community, business owners, and emergency services.

COUNCIL IMPLICATIONS:

a. 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.

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