



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr K Milne

**Councillors:** G Bagnall (Deputy Mayor)  
C Byrne  
B Longland  
W Polglase  
P Youngblutt

# Agenda

## **Ordinary Council Meeting Thursday 10 December 2015**

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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**Items for Consideration of Council:**

<b>ITEM</b>	<b>PRECIS</b>	<b>PAGE</b>
	<b>CONFIRMATION OF MINUTES</b>	<b>7</b>
1	[CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meetings held Thursday 19 November 2015	7
	<b>SCHEDULE OF OUTSTANDING RESOLUTIONS</b>	<b>9</b>
2	[SOR-CM] Schedule of Outstanding Resolutions	9
	<b>MAYORAL MINUTE</b>	<b>15</b>
3	[MM-CM] Mayoral Minute for November 2015	15
	<b>RECEIPT OF PETITIONS</b>	<b>19</b>
4	[ROP-CM] Receipt of Petitions	19
	<b>REPORTS THROUGH THE GENERAL MANAGER</b>	<b>21</b>
	<b>REPORTS FROM THE GENERAL MANAGER</b>	<b>21</b>
5	[GM-CM] Crown Lands Legislation Review	21
6	[GM-CM] Private Use - Murwillumbah Airfield	32
7	[GM-CM] Destination Tweed Quarterly Report July to September 2015	35
8	[GM-CM] Destination Tweed - Audited Financial Statements 2014/15	68
	<b>REPORTS FROM THE ACTING DIRECTOR PLANNING AND REGULATION</b>	<b>70</b>
9	[PR-CM] Future Use of Former Australian Volunteer Coast Guard Association, Kingscliff Flotilla, Training and Boat Storage Facility	72
10	[PR-CM] LEDA Cobaki Special Rate Proposal for Management of Environmental Protection Lands	80
	<b>INDEPENDENT ASSESSMENT OF DEVELOPMENT APPLICATION</b>	<b>87</b>
11	[PR-CM] Development Application DA15/0160 for the Erection of a Shed for Use as a Pottsville Community Men's Shed at Lot 301 DP 1125090, Black Rocks Sports Field, Overall Drive, Pottsville	87
	<b>REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES</b>	<b>116</b>
12	[CNR-CM] Council Aquatic Facilities	116
13	[CNR-CM] Concept Plans and Estimates - South Murwillumbah	134
14	[CNR-CM] Decorative Lighting	138
15	[CNR-CM] RFP2015-129 Murwillumbah Library Pond Upgrade	141

16	[CNR-CM] Refugee Welcome Zone	145
17	[CNR-CM] Tweed Regional Museum Service Agreement 2016-2017 and related Licences	148
18	[CNR-CM] Access and Inclusion Plan 2014-2015 Progress Report One	152
19	[CNR-CM] Tweed Coast Koala Study 2015	157
20	[CNR-CM] Black Rocks Sports Field	162
<b>REPORTS FROM THE DIRECTOR ENGINEERING</b>		<b>165</b>
21	[E-CM] Lease to Tweed Community Support Inc T/as Meals on Wheels, Kingscliff - Part Lot 4 in DP1179360 at Kingscliff	165
22	[E-CM] Alteration of Locality Boundary between Duroby and North Tumbulgum	168
23	[E-CM] RFO2015126 Provision of Manual Traffic Control Teams for Council Works	173
24	[E-CM] RFO2015116 Banora Point Reservoir Rehabilitation	177
25	[E-CM] RFO2015143 Supply and Delivery of Road Pavement Material for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur	182
26	[E-CM] Variation to Contract No. EQ2014-159 Tweed Heads Library & Precinct Upgrade Project	187
27	[E-CM] Tweed Coastal Creeks Floodplain Risk Management Study and Plan	192
<b>REPORTS FROM THE DIRECTOR CORPORATE SERVICES</b>		<b>198</b>
28	[CS-CM] Rotary 9640 District Conference - 7-9 May 2016	198
29	[CS-CM] Draft Events Strategy 2016-2020	204
30	[CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 30 November 2015	210
<b>ORDERS OF THE DAY</b>		<b>212</b>
31	[NOR] Byrrill Creek Dam Site - Moratorium	212
32	[NOM] Tweed Water Supply Security Beyond 2026	213
33	[NOM] Dual Reticulation	215
34	[NOR] Councillor Numbers	216
35	[NOM] Murwillumbah Mural and Graffiti Walk and Riverbank Restoration	217
36	[NOM] Australia Day Awards	219
37	[NOM] Mayors for Peace	220

38	[NOM] Ethical Policy	221
<b>QUESTIONS ON NOTICE</b>		<b>224</b>
39	[QON] Fluoridation Levels	224
40	[QON] Fluoridation of Water Supply	224
41	[QON] Fluoridation Plant and Equipment	224
42	[QON] Fluoridation Risk Reporting	224
43	[QON] Fluoridation Risks	225
<b>REPORTS FROM SUB-COMMITTEES/WORKING GROUPS</b>		<b>226</b>
44	[SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Tuesday 10 November 2015	226
45	[SUB-TRAG] Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 11 November 2015	233
46	[SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 19 November 2015	238
<b>CONFIDENTIAL ITEMS FOR CONSIDERATION</b>		<b>260</b>
<b>REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE</b>		<b>260</b>
<b>REPORTS FROM THE GENERAL MANAGER IN COMMITTEE</b>		<b>260</b>
C1	[GM-CM] Estate of the late Adrian Smith	260
<b>ORDERS OF THE DAY IN COMMITTEE</b>		<b>261</b>
C2	[NOR] Sale of Lot 5 DP 1178620 Kyogle Road, Terragon	261

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## CONFIRMATION OF MINUTES

- 1 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meetings held Thursday 19 November 2015

**SUBMITTED BY:** Corporate Governance

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## 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
- 

The Minutes of the Ordinary and Confidential Council Meetings held Thursday 19 November 2015 are attached for information and adoption by Council.

### RECOMMENDATION:

**That:**

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 19 November 2015 be adopted as a true and accurate record of proceedings of that meeting.**
2. **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 2.5.

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

Attachment 1 Minutes of the Ordinary Council Meeting held Thursday 19 November 2015 (ECM 3869177).

(Confidential) Attachment 2 Minutes of the Confidential Council Meeting held Thursday 19 November 2015 (ECM 3869180).

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## SCHEDULE OF OUTSTANDING RESOLUTIONS

### 2 [SOR-CM] Schedule of Outstanding Resolutions

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## 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
- 

### 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.*

**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 Reconciliation Action Plan (RAP) is currently in draft form and the Director Corporate Services and Director Community and Natural Resources are championing the process internally to provide input into the RAP, including establishing a specific internal working group.

The Reconciliation Action Plan (RAP) is an operational commitment and as such there will be a range of operational projects, including the employment strategy implemented as part of the RAP.

Terms of Reference for the internal workshop group are currently being developed.

Reconciliation Australia will be requested to assist with workshops with staff in the New Year to explain the purpose of the Reconciliation Action Plan (RAP) and how staff can become involved. The RAP will be finalised through the Executive Management Team and reported to Council for information by the end June 2016

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## 20 NOVEMBER 2014

### ORDERS OF THE DAY

#### 40 [NOM] Lighting to Chinderah Bay Drive Bus Shelters

##### NOTICE OF MOTION:

671

**Cr M Armstrong**  
**Cr K Milne**

**RESOLVED** that Council brings back a report to a future Council meeting with respect to providing lighting to bus shelters in the Shire and identify prioritised bus shelters.

**Current Status:** There are currently a large number of projects and tasks to be undertaken in the Traffic Section which is preventing an opportunity to complete this report. As a full time Road Safety Officer has been appointed, it is anticipated that the report will be forthcoming to the January 2016 meeting.

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## 21 MAY 2015

### ORDERS OF THE DAY

#### 41 [NOM] Holiday Letting/Tourist Accommodation

291

**Cr W Polglase**  
**Cr P Youngblutt**

**RESOLVED** that:

1. Council defers full enforcement action against existing operators of short term rental accommodation in the Shire until the Local Environmental Plan (LEP) amendment proposed at paragraph 3 is dealt with.
-

2. A meeting be convened which includes Councillors, Council staff, representatives of the short term rental accommodation industry and affected ratepayer/resident groups. The purpose of this meeting is to inform the process of developing a code of conduct for the industry while recognising its importance to the realisation of the Tweed's tourism potential.
3. Council processes an LEP amendment which can support the continuation of the holiday let industry in its current form.

**Current Status:** A workshop was held on 23 July 2015.

The Department of Planning and Environment has approved a Gateway request made by Council to advance a Planning Proposal for new LEP controls. It is expected that community consultation on these new draft controls will occur following the Christmas/New Year period.

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**18 JUNE 2015**

**ORDERS OF THE DAY**

**33 [NOM] 2016 Local Government Aboriginal Network Conference**

**349**

**Cr G Bagnall  
Cr K Milne**

**RESOLVED** that in recognition of Tweed Shire Council's successful submission to host the 2016 Local Government Aboriginal Network Conference, the Aboriginal Advisory Committee be invited to submit requests for works or projects in order of priority, that they would like to see completed before the delegates arrive.

**Current Status:** Referred to Aboriginal Advisory Committee for submission of suitable projects. A report will be submitted to a future Council Meeting.

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**16 JULY 2015**

**ORDERS OF THE DAY**

**31 [NOM] Parking Requirements for Small Businesses**

**408**

**Cr K Milne  
Cr P Youngblutt**

**RESOLVED** that Council brings forward a report on the issue of Council's requirements for parking for development approvals for new small business and intensified use of existing, or change of use, small business approvals, including but not limited to:

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- a) Council's current requirements and the justification for these requirements,
- b) The potential for these requirements to act as a disincentive for new or expanding small businesses,
- c) Comparison of Council's requirements with other similar growth Councils requirements,
- d) Options to alleviate the impost on small businesses such as eliminating, reducing or providing deferred payments,
- e) Options to address the implications for Council or the community from the above.

**Current Status:** This requires a comprehensive amount of investigation and work and sits behind current priorities including Tweed Road Development Strategy - Traffic Study, which will inform the Tweed Road Contribution Plan and a revision of Development Control Plan (DCP), Section A5 - Subdivision Manual.

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## REPORT FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

### C3 [CNR-CM] Tweed Heads Cultural Precinct

418

Cr W Polglase  
Cr P Youngblutt

**RESOLVED** that Council:

1. Proceeds with the development of a functional brief and business case for community cultural facilities at Tweed Heads based on the outcomes of the Cultural Plan and Community Infrastructure Network Planning.
2. Subject to the affirmative resolution of Council in regards to the report on 1-3 Bay Street Tweed Heads (comprised in Lots 8 Section 2 DP 759009, Lot 1 DP 880816 and Lot 7035 DP 1053313), proceeds with a cost benefit analysis of the commercial benefit and risks including opportunities for public/private partnership on the site for mixed public/private use.
3. Considers a further report on the outcomes of the functional brief, business case and cost benefit analysis for a public/private partnership on the site at 1-3 Bay Street Tweed Heads prior to calling for an expression of interest at this site.

**Current Status:** Work is currently in progress implementing the resolution of Council and a report is to be prepared for consideration at a future Council meeting. The proposed actions will take some time to finalise and will impact on the capacity to implement this resolution.

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**17 SEPTEMBER 2015**

**REPORT FROM DIRECTOR ENGINEERING**

**29 [E-CM] Tweed Coastal Creeks Floodplain Risk Management Study and Plan**

**510**

**Cr K Milne  
Cr B Longland**

**RESOLVED** that:

1. The draft Tweed Coastal Creeks Floodplain Risk Management Study and Plan be placed on public exhibition for a 6 week period.
2. A report be brought back on the potential for new developments to offset their flood impacts by assisting other rural landholders in the affected catchment improve flood absorption capacity.

**Current Status:** Report to be prepared for consideration at a future Council meeting.

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**38 [NOM] Improving Community Consultation**

**519**

**Cr K Milne  
Cr G Bagnall**

**RESOLVED** that this item be deferred to a future Council meeting to allow the appropriate technology changes to be appraised:

*On the Council website, when an item is loaded for 'On Exhibition', to add in a field in for Anticipated Council Determination Meeting (if known): (with a supporting disclaimer that dates may change at any time without notice).*

**Current Status:** Motion to be resubmitted for consideration at a future Council meeting.

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**19 NOVEMBER 2015**

**24 [E-CM] Water Supply Augmentation - Selection of Preferred Option**

**599**

**Cr K Milne**  
**Cr G Bagnall**

**RESOLVED** that this matter be deferred for consideration at 18 February 2016 Council meeting and arrangements made for a series of independently facilitated Workshops to be held with the interested stakeholder groups.

**Current Status:** Workshops facilitated by an independent facilitator to be scheduled.

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## MAYORAL MINUTE

### 3 [MM-CM] Mayoral Minute for November 2015

SUBMITTED BY: Cr K Milne, Mayor

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
  - 1.2.2 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

- 6 November NOROC – Ballina Council Chambers, Corner Tamar and Cherry Streets, Ballina
  - 27 November Richmond Tweed Regional Library Committee – Lismore City Council, 43 Oliver Avenue, Lismore
  - 30 November Far North Coast Weeds – Rous Water, 218-232 Molesworth Street, Lismore
- 

### INVITATIONS / MAYORAL REPRESENTATION:

#### Attended by the Mayor

- 4 November 25<sup>th</sup> Anniversary of Landcare Grants – McIlwraith Park, Commercial Road, Murwillumbah
  - 6 November Citizenship Ceremony – Tweed Civic Centre, Corner Wharf and Brett Streets, Tweed Heads
  - 6 November Mount St Patrick College Year 12 Formal – Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah
  - 7 November Murwillumbah Show Official Party – Murwillumbah Showground, Queensland Road, Murwillumbah
-

- 11 November Remembrance Day Service – War Memorial, Civic Park, Tumbulgum Road, Murwillumbah
- 12 November NOROC Ministers Meeting – Parliament House, Macquarie Street, Sydney
- 13 November Banksia Sustainability Awards Presentation – Sofitel Sydney Wentworth Hotel, Phillip Street, Sydney
- 19 November Life Education support photo – Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah Cr Longland also attended
- 24 November Museum presentation and 100 years since the first Council Meeting – Tweed Regional Museum, 2 Queensland Road, Murwillumbah
- 24 November Thrive2484 meeting on the future of TAFE – The Haven, 8/13 Wharf Street, Murwillumbah
- 24 November The Environmental Defenders Workshop – Canvas and Kettle, Tumbulgum Road, Murwillumbah
- 28 November TweedCAN Rally World Climate Change Summit – Knox Park, Wollumbin Street, Murwillumbah

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

- 19 November North Coast TAFE Industry Launch – Kingscliff TAFE, Caldera Restaurant, Cudgen Road, Kingscliff Cr Longland attended

**Inability to Attend by or on behalf of the Mayor**

All invitations were accepted by the Mayor or attended by another Councillor on her behalf.

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**REQUESTS FOR WORKSHOPS:**

Councillors did not request any additional workshops during November 2015

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**CONFERENCES:**

**Conferences attended by the Mayor and/or Councillors**

- 13 November Sustainable Business Australia CEO Forum – The Sofitel Wentworth Hotel, Phillip Street, Sydney Cr Milne attended
- 14-15 November Mayors' Weekend Seminar – Local Government House, 28 Margaret Street, Sydney Cr Milne attended



### **Information on Conferences to be held**

- 4-6 May 2016 Australian Coastal Councils Conference – Gary Holland Community Centre, Kent Street, Rockingham WA

The annual Australian Coastal Councils Conference is an important national event that brings together representatives of local government, researchers, policy makers and others with a stake in the future of the Australian coast and its communities. Conference topics include: Understanding Sea Level Rise and Projections for the Future – Keynote address by Dr John Church, coordinating lead author for the chapter on sea level rise in the 5<sup>th</sup> Assessment Report of the Intergovernmental Panel on Climate Change; - Coastal Issues and Challenges – A national perspective with case studies featuring practical examples of how to address common coastal challenges; - Managing and Funding Natural Disasters in Coastal Australia – Keynote address by Andrew Coghlan of Australian Red Cross representing the Australian Business Roundtable for Disaster Resilience and Safer Communities; Coastal Australia: a Federal Government Perspective – the Hon Greg Hunt MP, Minister for the Environment (invited); Presentation of the 2015 Australian Coastal Awards to acknowledge the achievement of individuals and organisations that have made a significant contribution to the Australian coastal environment, settlements and sustainability.

Super early bird registration \$990, two flights, car hire/transfers, three night's accommodation. [www.coastalcouncils.org.au](http://www.coastalcouncils.org.au)

- 6-8 April 2016 Sustainable Brands 2016 - "HOW will your brand drive business success NOW" - to be held at the Sofitel Sydney Wentworth, Phillip Street, Sydney.

2016 marks the first year the Sustainable Brand® (SB) community will gather in Australia. Sustainable Brands® is the premier global community of brand innovators who are shaping the future of commerce worldwide with focused attention on understanding and leveraging the role of brands in shaping that future. Live events are ideal for collectively aligning our community of brand innovators toward our common vision as well as convening members to share challenges and successes face to face.

Registration \$1300, two flights, two night's accommodation  
[www.sustainablebrands.com/events](http://www.sustainablebrands.com/events).

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### **SIGNING OF DOCUMENTS BY THE MAYOR:**

- 17 November Sub Licence with Strata Plan 65635 – Pontoon on Cudgen Creek Boardwalk

- 19 November Commonwealth Home Support Program – Funding Agreement – 1 November 2015 to 30 November 2018
  - 26 November .iD Consulting – Contract Renewal Covenant Release Lot 24 DP 1162599 316 Casuarina Way Kingscliff
- 

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.5.

**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 November 2015 be received and noted.**
  2. **The attendance of Councillors at nominated Conferences be authorised.**
- 

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## RECEIPT OF PETITIONS

### 4 [ROP-CM] Receipt of Petitions

**SUBMITTED BY:** Corporate Governance

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## 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 2.5:

*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:**

**REPORT:**

As per Summary

**OPTIONS:**

That in accordance with Section 1.5.4 of the Code of Meeting Practice Version 2.5:

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 2.5.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.5.

**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.

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 5 [GM-CM] Crown Lands Legislation Review

**SUBMITTED BY:** General Manager

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

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### SUMMARY OF REPORT:

The NSW State Government initiated a comprehensive review into the management of Crown Land across New South Wales.

The review included an invitation for public submissions on the *Crown Lands Legislation White Paper* which proposed a simpler legislative framework and other actions to support Crown land management into the 21<sup>st</sup> century.

Following receipt of over 600 submissions, the NSW Government has recently published the *Response to Crown Lands Legislation White Paper - Summary of Issues and Government Response*.

This report sets out most of the issues raised and the Government's response.

It is recommended that this report be received and noted.

### RECOMMENDATION:

**That Council receives and notes this report on the Crown Lands Legislation Review.**

## REPORT:

The NSW State Government initiated a comprehensive review into the management of Crown Land across New South Wales.

The review included an invitation for public submissions on the *Crown Lands Legislation White Paper* which proposed a simpler legislative framework and other actions to support Crown land management into the 21<sup>st</sup> century.

Following receipt of over 600 submissions, the NSW Government has recently published the *Response to Crown Lands Legislation White Paper - Summary of Issues and Government Response*.

This report provides an overview of the issues raised by the diverse range of submissions and the response to those issues by the NSW Government.

## Submissions

It is to be noted that submissions were received from a broad range of groups and individuals; the following table illustrates the diversity of submitters, which of course, resulted in a broad range of issues:

Community member	37.9%	State Government agency	1.8%
Local council	13.9%	Regional organisation	1.9%
Local organisation	9.1%	National organisation	1.9%
Environmental group	6.6%	Corporation	1.3%
State organisation	5.4%	Local councillor	1.3%
Commoner	5.1%	School of Arts	1.1%
Community Reserve Trust	4.5%	Reserve Manager	1.1%
Tenure holder	4.0%	DPI staff	0.6%
Local Aboriginal Land Council	2.4%	Member of State Parliament	0.5%

The submissions included:

- 84 submissions from local councils
- 55 submissions containing similar comments about environmental issues
- 14 submissions from Local Aboriginal Land Councils
- 5 submissions from Regional Organisations of Councils

Local councils raised the following matters:

- Support for the management under the Local Government Act 1993, including reduced reporting requirements
- Support for streamlining owner's consent process
- Support for councils being able to close roads in their local government area
- Concerns about the potential implications of:
  - Management of Crown reserves under the *Local Government Act*
  - Transfer of local land
  - Transfer of Crown roads

Environmental and community members raised these and other matters:

- Strong support for increased enforcement and compliance provisions
- Support for the removal of red tape
- Support for real community consultation and engagement processes
- Support for continued community involvement in reserve management
- Concern about the removal of specific protections for environment and social values of Crown land (including land assessment)
- Concern about perceived bias towards economic values
- Concern about transferring management and ownership of Crown land to councils
- Concern about the sale of Crown land

Aboriginal groups raised the following:

- A desire to ensure that the reforms will not result in less Crown land available for claims under the Aboriginal Land Rights Act
- A desire for full involvement in the reform processes

## Issues and Responses

The White Paper Response paper also lists the issues raised and the positions and concerns raised by the submission groups, and provided responses. The following is a selection of issues that have been identified as relevant to Tweed, but this report does not refer to all comments or all responses, it is strongly recommended that the full paper is reviewed, the White Paper Response is available from the Crown Lands website at [www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au).

### 1. New legislation

The majority of submissions supported the idea of new consolidated legislation and repealing the existing Acts.

A large number of submissions from community members, local and environmental groups contained comments to the effect that the proposed changes fail to recognise the environmental significance of Crown land, or to protect environmental, heritage and social values. Submissions from some local councils, the Law Society of NSW and some corporations also made similar comments.

These submissions also included overwhelming support for the objects of the new legislation to include the protection of environmental, cultural heritage and social values and should make stronger statements about the protection of Aboriginal interests.

**Response:** The proposed Act will explicitly recognise the need to integrate environmental, social, cultural heritage and economic considerations in decision-making about Crown land. The proposed objects of the Act will provide for Aboriginal use and co-management of Crown reserves, under the legislation it would be possible for Aboriginal Land Councils to be Crown Land Managers.

### 2. Improved management arrangements for Crown Reserves

The proposals for improved reserve management attracted a lot of comment from all groups of respondents. Overall more submissions supported than opposed the proposals, but this was not evenly spread between across all groups.

### **Local Councils managing reserves under the Local Government Act (LGA)**

Local councils broadly support being able to manage reserves under the LGA, however concerns were raised about the potential for increasing cost of management, noting this particularly in relation to plans of management.

Non-council groups expressed a strong philosophical belief that the Government should manage the Crown land estate and that oversight of local councils by State government was preferred. There was general wariness of local councils, including concerns that local councils:

- could impose higher rents for the use of reserves to cover potential increased resourcing requirements
- could seek to change the classification of reserves from community to operational land in order to sell off
- could be open to pressure from developers and other groups
- may not have the same level of interest in small community reserves that those communities have
- could reduce the level of community involvement under the LGA which will reduce community volunteering

**Response:** Local councils already manage a great deal of Crown land effectively for a variety of purposes, eg local parks, sporting and recreation areas located on Crown reserves, including high profile and iconic areas such as beaches, foreshore, riverside precincts and nature reserves.

The government's program is to improve the sustainability, capacity and integrity of local government. This will increase the ability of councils to manage Crown land and communities will be in a position to influence decisions about how Crown land is managed, as land of primarily local value will be made available to councils as 'community land'. Land will be transferred as operational land where it can be demonstrated that the land is used for depots or waste sites.

Where land has State significance, councils will not be able to sell it and the Minister will retain a degree of oversight of it. Such land will retain its reserve purpose and councils will need to manage it having regards to that purpose.

### **3. Crown Land Managers**

The majority of submissions supported the concept that legislation should provide for local community representation and participation in reserve management and governance.

A number of submissions from individuals and community organisations assumed that local councils would be taking over the management of all reserves currently managed by community trusts. This misconception raised a high level of concern about the potential to reduce the role of community members in the future management of community trust reserves.



A large number of community trusts and local council groups expressed a strong desire to retain community management of 'their' reserves and identified benefits of the current system, including community involvement and a focus on environmental protection. It was clear that these trusts and groups have a high degree of commitment to their reserves.

Some local councils expressed a preference for community members to be involved in an advisory rather than a management capacity. Other councils noted that they currently rely on volunteers to administer a number of reserves, and would not have the capacity to undertake the management and maintenance work that is currently done by volunteers.

**Response and next steps:** It is proposed that the legislation will provide for existing community trusts to become new Crown Land Managers and community trust board members to continue as board members: the legislation will not transfer control of reserves to local councils.

Councils may ultimately take control of some land which is identified as having local rather than State significance where local councils believe that this will benefit their constituents. Where this happens, local councils will be able to establish community advisory groups to ensure continuing community involvement in the management of reserves.

Where land is retained by the State, Department of Primary Industries - Lands will continue to work with community Crown Land Managers as it currently does with community reserve trusts and it is anticipated that significant community management of Crown land will continue.

#### **4. Other issues raised**

Other issues raised and discussed related primarily to functional consequences of establishing Crown Land Managers, including improved governance for reserve trusts, funding, approval requirements, and reporting requirements.

There was also discussion around the retention of Plans of Management for many reserves, particularly where there are multiple users of a reserve, and that it may not be always appropriate for smaller reserves, where strategic plans could be more appropriate.

Streamlining measures were discussed for land assessment, landowner's consent and notification requirements.

Better provisions for tenures and rents, these discussions were directed primarily to the presumption of market rental to be imposed on community and not for profit groups. The Crown's response was to state that rebates, waivers and concessions will continue to be available for such groups.

#### **5. Review Report**

The White Paper Response also included comments on the Review Report, noting that a number of submissions to the White Paper also commented on matters in the Review Report. The main themes of these comments follow:

##### **State and Local Land**

Submissions were divided about the concept of Crown land being classified into State and local land. Those in favour of the concept liked the fact that local interests will have control of local land. Those against were concerned that it is an excuse by the Government to cost-shift to local councils, or for the Government to reap large financial gains through selling off of land to private interests. There was also a strong theme of the level of trust in local councils.

**Response:** The classification of State and local land is not about selling land or cost shifting. It is about strategically looking at Crown land so that its management better aligns with the current and future needs of Government and the community as a whole. This is consistent with the land assessment provisions of the current CLA but will be more practical and strategic.

Where land is predominantly of local interest, transferring it to local councils will allow decisions about that land to be made by local communities rather than by the State Government. There will be no forced transfers of land to local councils.

### **Process of classifying local and State land'**

Many submissions made comments on this issue, including that the draft criteria did not provide sufficient consideration of environmental and conservation values. The criteria for identifying land in CBDs and coastal areas as State significant were seen as raising problems when they were applied on a broad scale. Some submissions identified that Aboriginal interests in land were not receiving adequate consideration in the criteria.

Councils were of the view that their input and local decision-making is essential in finalising the criteria for classifying State and local land.

**Response:** The submissions will be considered in the development of the criteria for State and local land. The draft local land criteria have been tested and further refined as a result of the Local Land Pilot. It is proposed that the criteria be used as a decision-making tool to guide councils in determining the benefits to local community from councils owning or managing the land. Determining the best manager for the land will be site specific and on a case by case basis. The draft State criteria will be tested and refined by the State land stocktake.

Aboriginal interests will be consulted prior to implementation of the criteria, and the Government intends to work in partnership with both Aboriginal interests and local councils in the implementation of the criteria.

### **Local Council control**

Submissions were divided on this issue. There were some submissions from local councils who want full control of all Crown land in the local government area, including the right to sell any land transferred to them.

A larger group of submissions doubted the capacity and commitment of local councils to manage Crown lands in the interest of their communities.

The financial implications for local councils were of major concern to respondents, and in particular to local councils. The following aspects were highlighted:

- Cost shifting - concern that the Government will retain Crown land of high monetary value, while local councils will be offered the low-value or high maintenance local lands
- Income stream - concern that the classification of some Crown reserves as State land will cut local councils off from income streams or assets in which they have invested
- Cost of transfer - concern that local councils will be charged a fee or have to pay transaction costs for Crown lands transferred to them
- Cost of management - concern that local councils will be given land that they have no financial capacity to manage
- Compliance - concern about local councils' ability to deal with Aboriginal land claims and native title

**Response:** Where local councils already manage Crown reserves that have local significance there may be additional expense resulting from the legislative requirement under the LGA for plans of management over community land. The Government is investigating options, including phase in periods for plans of management to address this. There will be no forced transfer of reserves to local councils. As such, local councils will be able to properly consider resourcing issues before accepting local land and will not be required to take on land with significant liabilities.

It is proposed to retain provisions for the PRMF to continue as a vehicle to provide funding for Crown reserves with State significance.

### **New business model for Department of Primary Industries - Lands**

A number of submissions were received relating to transitioning Department of Primary Industries - Lands to a public trading enterprise ("PTE"). The majority of submissions were not in favour of this, based on the assumption that a PTE model would be more corporate and primarily focussed on profit and loss, and designed to deliver only a financial return on the portfolio of Crown land in NSW.

Some respondents believed that less consideration would be given to other objectives such as long-term conservation and enjoyment of the NSW environment through recreation and other social pursuits. Concerns were raised by Aboriginal stakeholders that a PTE model may reduce the amount of claimable lands.

Key performance indicators were identified as being essential to ensure that any future PTE has the right focus. It was also noted the PTE model would also need the right business tools to support its operation.

There was a mixed response to the recommendation to investigate the use of market value to determine the opportunity costs on Crown land. Some submissions expressed concerns that economic values would overshadow social and environmental values in decision making, leading to a more commercially focused organisation. This view was consistent with comments on the PTE.

**Response:** The submissions will be considered in any further development of a PTE model and in the development of business systems and Key Performance Indicators supporting Department of Primary Industries - Lands as an organisation.

It will be important that the business of managing the Crown land estate is accountable and transparent to the people of NSW. The Government has commenced reform of Department of Primary Industries - Lands to ensure the business processes, reporting and land management activities are all accountable and transparent.

### **Proposals relating to Crown roads**

A number of submissions raised issues in relation to Crown roads, which was a topic in the Review Report. The key points were:

- That local councils were opposed to forced transfers of roads to them, as they saw this as a cost and liability shifting exercise
- That local councils strongly supported being given the power to close the roads for which they are the roads authority, and
- Concerns about the backlog of Crown road closures

**Response:** Improvements to deliver effective and efficient management of Crown roads, including transfer of Crown roads to local councils and reducing the backlog of road closure applications, will continue to be considered.

It is proposed that Councils will be given the power to close roads for which they are the roads authority. This will enable the Department of Primary Industries - Lands to focus on the backlog of road closure applications.

### **Additional issues raised that were not explored in the White Paper or the Review Report**

#### **Disposal of Crown Land**

Opposition to the disposal of Crown land was a strong theme in submissions from community members.

These submissions can be summarised as follows:

- Opposition to any sale of Crown land - this group was largely of the view that the basic approach should be to retain Crown land in public ownership in perpetuity
- Opposition to the current processes for the sale of Crown land - this group raised issues about the level of community consultation preceding disposals and the criteria for deciding what land should be disposed of
- Submissions from Aboriginal Land Councils - which put forward the view that all land that is surplus to the Crown land estate should be transferred to Aboriginal Land Councils.

**Response:** The Review is not about the broadscale disposal of Crown land. Since colonial times the NSW economy developed through the release and sale of Crown land and this still continues today. The Review is about strategically looking at the Crown land estate so that it better aligns with the current and future needs of Government and the community as a whole. The legislation will not compel or require the disposal of land.

#### **Opposition to coal seam gas**

A number of submissions from a range of stakeholders (local councils, environmental groups, community groups and individuals) raised concerns about coal seam gas exploration and mining on Crown land.

### **Register of Crown land**

There were a large number of requests for a publicly accessible register or database of Crown land.

**Response:** It is proposed a publicly accessible register of Crown land will be developed.

### **General Aboriginal issues**

A number of Aboriginal groups, organisations with Aboriginal interests and environmental groups stressed the importance of recognising Aboriginal heritage and Aboriginal interests in Crown land, and involving Aboriginal people in the decision making process for Crown land.

Local councils expressed concerns about owning and managing Crown land that is affected by native title or subject to claims under the *Aboriginal Land Rights Act 1983*.

**Response:** Local councils currently manage land affected by native title and land claims and this will continue in the usual course. The proposed legislation will specifically address native title by providing for a scheme of native title accreditation so that there is an understanding of the requirements of the native title legislation. Land that is the subject of undetermined land claims under the *Aboriginal Land Rights Act* will not be transferred to local councils.

### **Land Claims**

The first group comprised 14 submissions from Aboriginal Land Councils and a number of submissions from organisations with Aboriginal interests. This group advocated that the reforms to Crown land management must not jeopardise land claims and should facilitate transfer of land to Aboriginal Land Councils.

The second group was largely comprised of local councils and individuals or organisations that had been affected by land claims. This group generally advocated for changes to the *Aboriginal Land Rights Act* to limit the ability for the land to be successfully claimed and the impact of land claims on the use of Crown Land.

Both groups expressed concerns with the existing backlog of undetermined land claims.

**Response:** Changes to the *Aboriginal Land Rights Act* and the land claims regime are outside the scope of the review. The Aboriginal land rights and native title legislation will not be amended by the new Crown land legislation. The Government will work closely with both Aboriginal Land Councils and local councils in implementing the recommendations of the Review, including exploring opportunities afforded by the new Aboriginal land agreement provisions in the *Aboriginal Land Rights Act 1983*.

## **6. What's next?**

### **Legislation**

The new Crown lands legislation is being developed and is likely to be implemented in stages thereafter.

### **Local Land Pilot Program**

The Government has given in principle support to the Review Report recommendation that ownership or management of land identified as having primarily local significance should be

transferred to the relevant local council. This principle has been tested as part of a pilot program, which was conducted to help define and test the state and local land criteria and to develop and implementation plan for the transfer of local land, where feasible and appropriate.

Tweed Shire Council was one of four local councils selected to participate in the Local Land Pilot program with three other councils, selected to help to identify different types of land management issues faced by local councils across NSW. The participating councils fell within four descriptors:

- A council of a regional centre
- A small inland council
- A coastal council, and
- An urban council

The pilot program was completed in July 2015 and a report has been delivered to the NSW Government for consideration.

### **State Land Stocktake**

A stocktake of the Crown land estate is currently underway, the aim of which is to refine State criteria to identify State significant land. This process will inform the identification of land for retention along with management options for the land.

### **Reserves Governance Project**

The Reserves Governance Project is identifying ways to improve the governance and oversight of reserve managers, eg, in terms of appointment, support and compliance and ensuring the right manager is in place with effective governance and oversight. The policy development work is expected to occur during 2015-2016 with implementation to follow thereafter.

It is recommended that this report be received and noted.

### **OPTIONS:**

It is not necessary to consider alternative options in relation to this report.

### **CONCLUSION:**

The Government Response document foreshadows the direction of future legislation dealing with the management of Crown land.

### **COUNCIL IMPLICATIONS:**

#### **a. Policy:**

Corporate Policy Not Applicable

#### **b. Budget/Long Term Financial Plan:**

Not Applicable.

#### **c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

It is anticipated that the NSW Government will provide opportunities for the public and Council to comment on any proposed legislation.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**6 [GM-CM] Private Use - Murwillumbah Airfield**

**SUBMITTED BY: Holiday Parks 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:**

Council has been approached by Granada Productions to allow them the use of the Murwillumbah Airfield to film a sequence for an upcoming television series. This request would entail giving the applicant preferred use of the Airfield for up to six hours. Provision of this access to the airfield for inclusion within the ongoing series has the potential to give great exposure for the Tweed within Europe and help boost the Tweed as a tourist destination.

This report recommends that Council approves Granada Productions use of the Murwillumbah Airfield on 14 January 2016 under the conditions outlined in this report.

**RECOMMENDATION:**

**That Council approves Granada Productions use of the Murwillumbah Airfield on 14 January 2016 as detailed in the body of this report.**



**REPORT:**

Council has been approached by Granada Productions for the use of the Murwillumbah Airfield to film a sequence for an upcoming television series. This request would require preferred use of the Airfield for up to six hours from 9am to 3pm (AEDST) on 14 January 2016. The proposed filming is for up to 12 helicopters to land at the airfield in a sequenced landing. Granada has engaged Gold Coast Helitours to coordinate and fly all of the aircraft.

The proposed filming would potentially cause disruptions to the existing operations at the Airfield. Through discussions with Granada Productions, Helitours and the lessees and resident users of the airfield it is considered that imposing the following conditions would be the most suitable approach:

- Helitours would issue a NOTAM (formal CASA Notice to Airmen) for Murwillumbah Airfield outlining the filming operations including Chief Pilot contact details;
- Helitours Chief Pilot would be responsible for all aircraft movements on the runway for the period;
- An email will be issued to external users advising the Airfield will only be open to essential operations and emergency services;
- Any urgent aircraft movements by lessees or resident users would be arranged through Helitours Chief Pilot on the day;
- The Helitours Chief Pilot will maintain appropriate radio contact with all aircraft operating within the vicinity of the Airfield;
- That Granada Productions will be responsible to ensuring that any damage to the airfield is restored to its original condition prior to filming.

Granada has provided their certificate of currency for public liability cover for up to \$20 million dollars.

Granada has offered to give Council a donation of \$500 for the use of the Airfield. These funds could be put directly towards improving the infrastructure at the Airfield.

It is considered that the small amount of disruption is offset by the great exposure for the Tweed within Europe, which will help boost the Tweed as a tourist destination.

**OPTIONS:**

The options available to Council are:

1. Endorse Granada Productions the use of the Murwillumbah Airfield; OR
2. Refuse Granada Productions the use of the Murwillumbah Airfield.

**CONCLUSION:**

It is recommended that Council endorses Granada Productions the use of the Murwillumbah Airfield on 14 January 2016.

**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.

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**7 [GM-CM] Destination Tweed Quarterly Report July to September 2015**

**SUBMITTED BY: Holiday Parks and Economic Development**

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**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:**

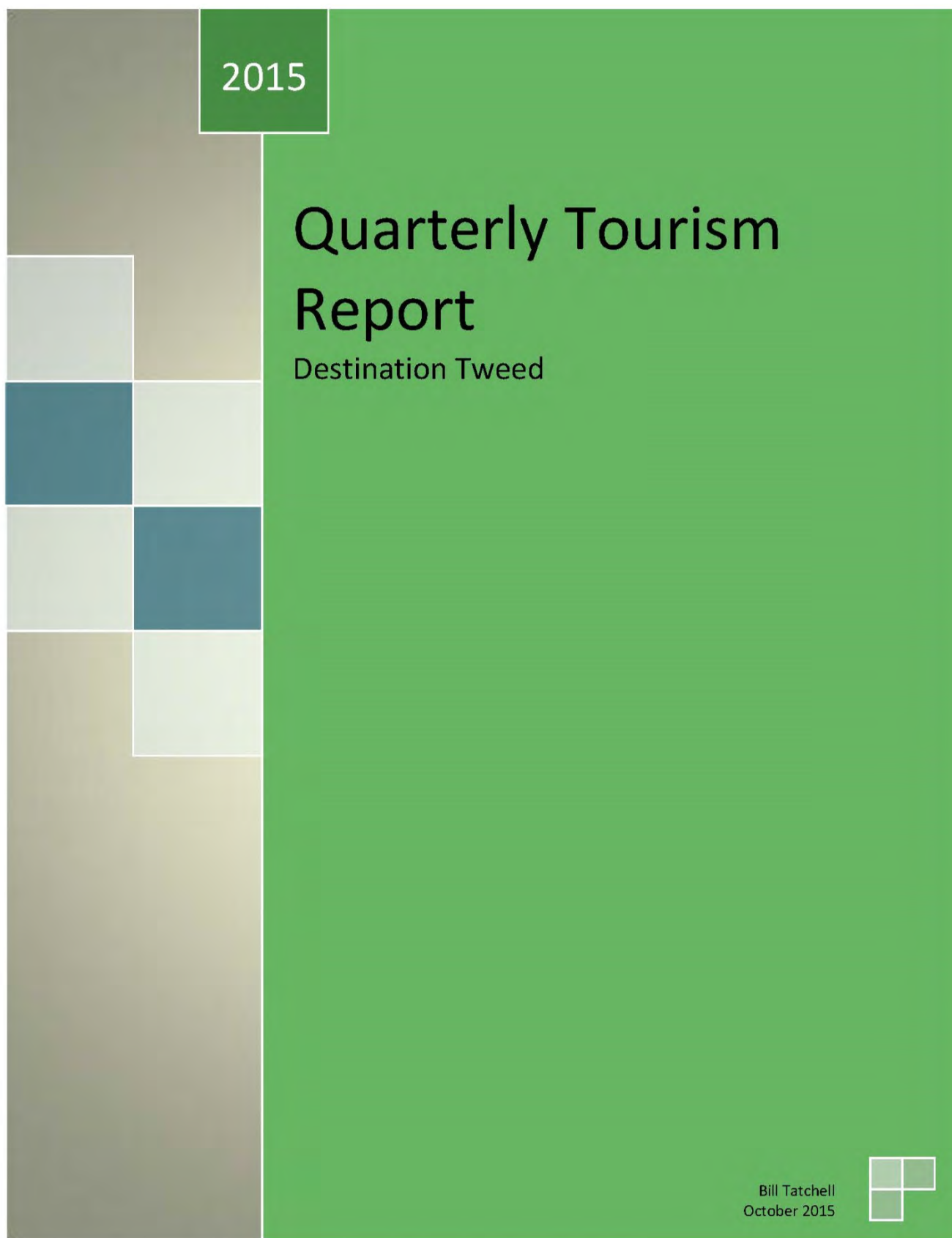
As required by the current funding and performance agreement with Destination Tweed, a quarterly performance report and summary financial statement are to be provided for Council's review. This report provides Destination Tweed's quarterly reports for the quarter 1 July to 30 September 2015.

**RECOMMENDATION:**

**That Council:**

- 1. Receives and notes the Destination Tweed's Quarterly report for the quarter July to September 2015.**
- 2. Requests the submission of the annual work program for the 2015/2016 year prior to the submission of the October to December Quarterly report.**
- 3. Endorses payment of the quarterly contract instalment for the October to December 2015 quarter in accordance with contract AC2010-073 Provision of Services for Economic Development Tourism Promotion.**
- 4. 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:



**CONTENTS**

Destination Tweed Board ..... 2

Report Overview ..... 3

Domestic Visitation ..... 4

International Visitation ..... 4

Strategic Planning Update ..... 5

DT Operational Focuses ..... 6

Industry Development ..... 8

Media & PR ..... 10

Marketing the Tweed ..... 14

Developing The Tweed Experience ..... 14

    Creative Tourism ..... 14

    Aquatic and coastal strategy ..... 20

Digital Marketing ..... 21

    DT Website ..... 21

    Social Media ..... 22

    Face Book Statistics ..... 22

Recent Marketing Activity ..... 24



## DESTINATION TWEED BOARD

Chair	Aymon Gow	General Manager - Tropical Fruit World
Deputy Chair	Charles Martin	General Manager Aviation - Gold Coast Airport Ltd
Treasurer	Belinda Hall	Business Manager - Corporate Services - NORTEC
Public Officer	Darren Wright	General Manager - Flight Centre Australia
Director	Tim Jack Adams	Owner - Water Sports Guru & GreenX
Director	Jamie Nicol	Regional Airports Manager - Virgin Australia
Director	Kylie Ryan-Milroy	Director - Atlas Currency Exchange
Director	Katie Milne	Mayor - Tweed Shire Council



## REPORT OVERVIEW

This report looks at the recent tourism trends, activity and marketing undertaken by Destination Tweed (DT) over the previous quarter. Tourism visitation to the Tweed has recorded growth for the 5<sup>th</sup> consecutive period with strong growth in a number of key market segments.



Increased tourism numbers not only provide increased revenue for local businesses, but also play a key role in building the destination organically. The Tweed's continued growth in numbers, a status quo on the average accommodation yield when regions around the Tweed are in decline, combined with tourism investment and development of new product that meets market expectations, have assisted in raising the Tweed's profile across a number of sectors.

DT has leveraged this exposure to attract media and travel trade to build the profile of the Tweed in various channels. With this increased interest and capacity, come opportunities that in the past have been outside our reach. For example, the recent front cover of the QANTAS inflight magazine featuring Cabarita is on the back of previous edition featuring images and editorial on the Tweeds natural environment.

The report also looks at DT focuses for marketing and development of the Tweed experience: in this quarter we have looked in particular at the development of Creative Tourism in the Tweed. The report outlines the strategy and activity DT has undertaken to develop this opportunity since it was identified by DT in 2013 and presents recent research to support the further development of Creative Tourism opportunities.

## DOMESTIC VISITATION

The notes below correspond to the pages of the Tweed Tourism Monitor (Attachment 1)

### OVERNIGHT VISITATION

- Domestic overnight visitors for the year ending June 2015 of 513,000. This is the fifth consecutive above average estimate. This result extends a period of stability that is rarely seen in any destination context, especially Local Government Areas.
- The percentage change in volume compared to the year ending March 2014 is positive, but not large enough to be considered statistically significant.

### VISITOR NIGHTS

- Domestic overnight visitors spent almost 1.8 million nights in the Tweed during the year ending June 2015. This is above the average across all 12 month periods of the Tweed Tourism Monitor.
- Whilst it extends a stable period of nights volume, a more important observation is the upwards trend in Tweed's nights market share.

### DAY VISITATION

- The Tweed LGA hosted almost 1.2 million domestic day visitors during the year ending June 2015. This is a year end June record high and the fifth consecutive result above 1 million.
- The result represents the fifth consecutive year-on-year increase. The year end June '15 result is 13% higher than the year end June '14 (not large enough to be statistically significant but given the recent trend in volume it is likely that a percentage increase near this level occurred).
- One of the most noteworthy observations is that the Tweed has now increased its market share of the former Northern Rivers Region in seven consecutive periods. This has occurred despite growth in the Regional volume.
- Tweed's share of overall Regional NSW day visitors has also increased - in this case for the sixth consecutive period.

Note: A period of increases such as these has not been observed in any other Local Government Areas over the past 10 years.

## INTERNATIONAL VISITATION

### OVERNIGHT VISITATION

- International overnight visitors to staying in the Tweed continue at levels in a narrow range with the difference between the Tweed Tourism Monitor's high and low being only a few thousand.
- The year end June '15 estimate is lower than the year end June '14 however it is not large enough to be a statistically significant change.



- Tweed's share of the former Northern Rivers Region remains at levels similar to more recent periods. Changes in regional share are not large enough to be considered statistically significant so should be interpreted as indicative and examined over the course of the overall Monitor.
- The same point applies to Tweed's share of Regional NSW.
- Reminder that this data does not include international day visitors to the Tweed.

Note: There is no ongoing data source to estimate international day visitors. The above estimate is not, therefore, an estimate of all international visitors to the Tweed LGA - only those who stayed overnight.

The Tweed's level of international day visitation is highly significant, but it is not recorded or reported on by Tourism Research Australia (TRA). The Tweed's true international visitation is significantly higher than is reported.

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#### VISITOR NIGHTS

- International visitor nights volume in the Tweed for the year ending June 2015 was large enough to register an estimate and is therefore an improvement on the previous period where this was not the case.
- The difference between year ending June 2015 and year ending 2014 is not statistically significant.

#### STRATEGIC PLANNING UPDATE

The Tweed Destination Management Plan (TDMP) provides the road map for DT's marketing and development initiatives 2014-18. However, it is not intended to be a static document, rather a foundation for DT to build upon – allowing flexibility to respond to external market forces, adapt strategic direction and to set new goals as agreed Action Points have been addressed. This is an iterative process so that, rather than waiting for an annual review, progress is monitored throughout the year allowing for a timely response to changing circumstances. An annual review is also still undertaken to assist ensuring alignment between marketing and product development planning for the coming year.

Successful tourism destination management is no longer solely about marketing. The task includes developing the product, maintaining and enhancing the experience and educating and informing industry. Tourism bodies need to ensure, where relevant synergy with National, State and local planning strategies. Locally in the Tweed this includes the Tweed Economic Development Strategy and both the Events and Rural Land Use Strategies currently being developed by Council. These plans are near completion and adoption and contain many relevant Action Points for product development and marketing. The TDMP will be reviewed in January 2015 to include recommendations and action point from these documents.

## DT OPERATIONAL FOCUSES

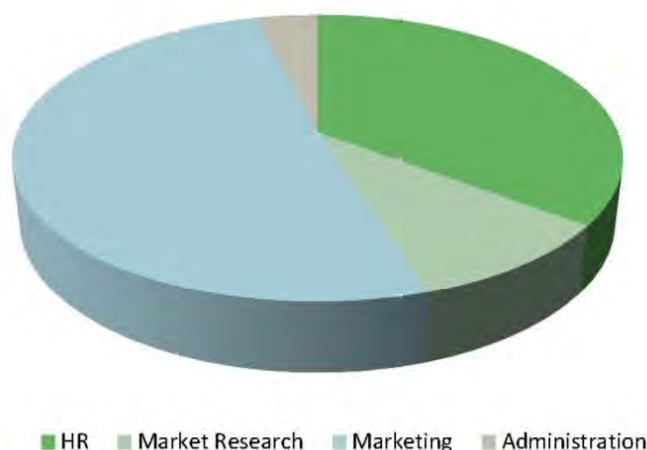
The following pie charts highlight the broad areas of focus for the next FY budget, each of these focuses support and enable each other. The outcomes of destination development activities feed into marketing with new or adapted products & experiences to take to market. Marketing then builds the profile of the Tweed and increases tourism numbers, which in turn assist in channelling visitors to the Visitor Information Centres (VIC). With increased visitation the VIC's can engage a growing number of tourist directly and influence their activities. This influence enables opportunities to retain visitors longer in the Tweed by offering more or new experiences to engage in whilst here.

### DESTINATION DEVELOPMENT



To successfully develop a destination, knowledge and experience must be imparted to the tourism operators. It is a hands on approach to working with individual operators or groups to facilitate knowledge transfer and engagement. These processes build capacity, sustainability and knowledge that enables the industry to mature and move through the development cycle organically. An informed industry is able to engage with the broader travel trade in a meaningful way and is an essential step to building a long term tourism industry on the Tweed.

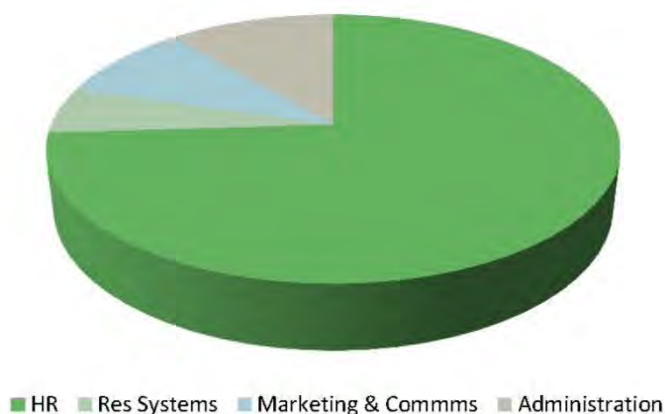
MARKETING



Market research plays a fundamental role in understanding the true opportunities open to us, expenditure in this area enables DT to work more effectively in targeting key markets. Once we identify our markets we can then focus on the most effective channels to reach them with the right message and product / experiences.

All marketing activity has a call to action back to the DT website, hence the desire to ensure that the DT site is populated with as many tourism operators and tourism supporting business as possible. This is a no cost opportunity for industry to engage in.

VISITOR INFORMATION CENTRES



By default visitor servicing is high in HR costs; VIC's are staffed by people whose key objective is to service visitors. Technology does play a part in the visitor servicing strategy, but it is the human element that makes the true difference in how information is imparted. The value of human contact cannot be underestimated when dealing with visitors to a destination.



## INDUSTRY DEVELOPMENT

### INDUSTRY WORKSHOP

DT co-hosted the Australia's Green Cauldron (AGC) industry workshop. The workshop held on September 17 at Southern Cross University (Bilinga Campus) attracted 70 operators from the landscape region. The workshop covered a range of informative topics designed to educate, raise awareness and transfer knowledge to attendees.

Speakers included:

- Rod Hillman - CEO Eco Tourism Australia
- Leonie Bowles - Project Officer Eco Tourism Australia
- Dr Sarah Gardiner - Griffith Institute for Tourism
- Krista Hauritz - Tourism & Events
- Leanne Handreck - City of Gold Coast

### AGC WEBSITE AND SOCIAL MEDIA LAUNCH

As part of our ongoing commitment DT remains fully engaged with the Australia's Green Cauldron activity and sits on the committee. Through the collaboration of each AGC partner we have launched a new AGC website and social media strategy. These activities enable operators to engage in the broader product development activities, as well as market their business to consumers.

### RAINFOREST WAY

DT in collaboration with industry partners has undertaken rejuvenation and rebranding of the Rainforest Way drive routes. The first step of this program has been the reengagement of selected tourism operators on the drive routes. The program has focused on local and regional tourism clusters with which to package and leverage varying consumer experiences.

The outcome of this program will enable more products to be available through travel trade, updated maps and consumer focused collateral. Information on the Rainforest Way is still regularly asked for across the region.

### MEETING WITH FEDERAL TOURISM MINISTER ON HIS VISIT TO GOLD COAST

At the recent launch of flights from the Wanda Group from Wuhan (China) to Gold Coast I had a positive meeting with Minister Colbeck. During the meeting we canvassed a number of issues that the Tweed faced including the need for better engagement cross border at an STO level and increased funding for regional tourism. We also discussed the need for additional support and funding to combat the negative perceptions of sharks in our oceans given the key focus on coastal waterways by TA and with beaches being one of our key tourism assets.

The Minister also shared his enthusiasm for the tourism portfolio and the strategic importance of building synergies with his other portfolio – international education (where the Tweed is well placed to benefit from). Overall a very positive exchange of issues and ideas especially with his knowledge on current Fisheries shark research given that this was a former portfolio.

## BUSINESS MENTORING

- The Business mentoring program through the AGC is drawing to completion. Operators have used this opportunity to fine tune their business processes, upskill and prepare for engagement with travel trade.
- The net outcome of this project is more stable tourism experiences that can cluster together to make packages ready for travel trade.

## INDUSTRY TRAINING

DT is working with NORTEC to look at delivering a range of training and upskilling opportunities for industry. These courses are being looked at as a way of raising the overall level of knowledge of the Tweeds tourism operators.

We are looking at three skills sets that we believe suit the industry's needs;

### Skill Set 1: Business operations focused

4 unit business analysis training:

BSBSMB301 Develop a Micro Business Proposal

BSBRES401A Analyse and Present Research Information

BSBREL401 Establish Networks

SIRXQU002A Lead a Team to Foster Innovation

This training could be delivered through workshops, where operators complete their business plan from home with additional distance support from NORTEC over a three week period. These units would provide a great tool for operators to be able to evaluate current direction, develop a forward thinking business plan and expand into a sustainable position that allows them to also contribute to future employment opportunities and traineeships in the region.

### Skill Set 2: Specific tourism content – yet to be finalised

4 unit tourism specific training, around the industry, systems, markets etc. This will enable upskilling for underemployed workers to look at a more directed and sustainable career pathway, along with developing skills of business owners to contribute to future employment opportunities.

### Skill Set 3: Customer service content that is open to all.

4 unit customer service training:

BSBCUS301 Deliver and Monitor a Service to Customers

BSBCUS402 Address Customer Needs

BSBMKG413 Promote Products and Services

BSBCRT301 Develop and Extend Critical and Creative Thinking Skills

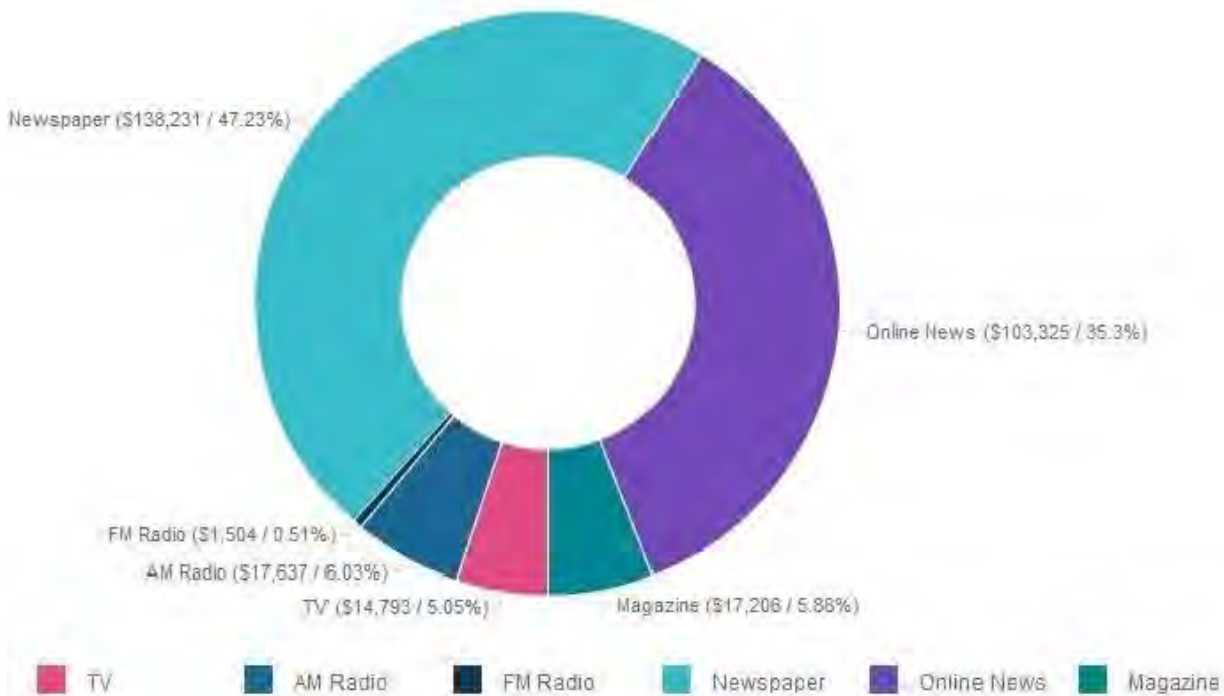
MEDIA & PR

MEDIA EXPOSURE

This coverage reached a cumulative audience of 4,467,362 and had an advertising space rate of AUD 292,696.

Media Type Breakdown (ASR)

\* ASR is not available for social content



- Newspapers had the highest volume of coverage (62 items or 47% of the total volume of coverage)
- Newspapers reached the highest cumulative audience (4,206,332 or 94% of the cumulative audience)
- Newspapers had the highest advertising space rate (AUD 138,231 or 47% of the total advertising space rate)



JOURNALIST FAMIL VISITS

DT hosts a number of journalists throughout the year, these journalist are tactically placed to generate interest in the Tweed which is then followed up by tactical product advertising.

- Mark Jones - Hong Kong fam trip – with upcoming direct flight HKG to OOL the food story of the Tweed was funded by DNSW and DT to be published in Cathy Pacific inflight magazine. This journalist came to the Tweed for two days and was taken throughout the Shire to experience first-hand farm visits, road side stalls, cheese making classes, cafes and restaurants. The subsequent story by the journalist was published in the UK Financial Times

The screenshot shows a Financial Times article page. At the top, there's a navigation bar with 'ft.com > life&arts > travel >' and options for 'Subscribe', 'Sign in', and a search box. The main heading is 'Asian & Australian Destinations'. Below that is a secondary navigation bar with categories like 'Home', 'UK', 'World', 'Companies', 'Markets', 'Global Economy', 'Lex', 'Comment', 'Management', 'Personal Finance', and 'Life & Arts'. The article title is 'A tasting tour of Tweed Shire' by Mark Jones, dated 'September 25, 2015 3:57 pm'. There are social sharing icons for 'Share', 'Author alerts', 'Print', 'Clip', and 'Comments'. The lead text reads: 'Hidden between the surf spots of Australia's east coast is a region distinguishing itself with something else — food'. Below this is a large landscape photograph of the Tweed river in New South Wales. The article text continues: 'We couldn't use the village hall because the vegan ice-cream makers had booked it for the morning. So we drove out to Debbie's place. We took a right turn by the war memorial and continued past the general store; that was about it for Burringbar central. The rest was lanes, creeks and homesteads.' Another paragraph starts: 'Debbie Allard was on the veranda waiting, a small freckled lady with a shock of red hair who looked as if she'd be chipping up trees and consuming apples if she weren't'. On the right side of the article is a vertical advertisement for the Omega Spectre watch, featuring the text 'SPECTRE 007 IN CINEMAS JAMES BOND'S CHOICE OMEGA DISCOVER MORE >'. At the bottom right, there is a 'LIFE AND ARTS ON TWITTER' section with a 'Follow @ftlifearts' button and a link to 'More FT Twitter accounts'.

- Sarah Hudson –Weekly Times - Melbourne Victoria. With upcoming marketing campaign into Melbourne to promote the Margret Olley Art Centre and the Archibald Prize exhibition it is essential to start to build the profile. This piece and a variant of it ran in print and online channels.

# Home of the good life

It's hard to resist the lifestyle and food of the Tweed region, writes SARAH HUDSON

**M**OUNT Warning is an ominous name for such a beautiful summit. But Captain Cook clearly felt it was necessary to apply the moniker to the extinct volcano to warn seafarers of dangerous reefs along the northern NSW and southern Queensland coast.

These days, given its perfect position near the most easterly point of the continent at Byron Bay, Mt Warning is a magnet for adventurers hiking to its peak to be the first Australians to see the sunrise.

Rising out of the surrounding subtropical rainforests, Mt Warning is also at the heart of the Tweed region of north-eastern NSW, which borders Queensland and runs from

the up-market Tweed Heads on the Pacific Ocean, to the quirky and charming villages of Murwillumbah and Uki, a short drive inland.

To explore this region, the best place to start is at Mavis' Kitchen at Uki, nestled in the rainforest with views to Mt Warning.

Run by hosts Peter and Charlie, Mavis' is named after Charlie's 96-year-old mother who lives in Melbourne and still cooks for herself.

Charlie and Peter ran an eatery in Carlton before they moved north and eight years ago established Mavis' as an oasis of food — and accommodation — with an edible garden on their idyllic property.

Peter and Charlie also run the Gallery Café at nearby Murwillumbah. The gallery has one of the best art collections in regional

Australia, housing the Margaret Olley Art Centre which was named after the renowned painter who died in 2011.

The village of Uki is worth a visit to see a slice of laid-back northern NSW life.

Those of a certain age will recall a time the NSW village of Nimbin —

located not far from Uki — was famous as the spiritual and hemp capital of Australia.

Well Uki has a touch of the Nimbins, demonstrated in its hemp-friendly shop fronts and its market — held on the third Sunday of the

month — where dreadlocks are the preferred hairstyle.

For another taste of subtropical life, drive about 20 minutes to Tropical Fruit World at Durambah, which has more than 500 varieties of fruit. Tours of the farm include a fruit tasting and to sink your teeth into a jackfruit or custard apple is to start to understand the allure of living in a warm climate.

Tweed Heads — perched on a headland and abutting neighbouring Coolangatta in Queensland — is the start of the high-rise, high-cost real estate that is typical of the sunshine-soaked coast.

Sitting in a Tweed Heads cafe, on the NSW-Queensland border — with views of Mt Warning and the ocean — a man walks in wearing a T-shirt bearing the words "The Good Life".

There's no argument with that. The attractions in this region — be it the rainforest, laid-back lifestyle, or delicious food — are why Victorians in their thousands migrate here each winter to escape grey skies.



Picture perfect: Mount Warning and (above) the Tweed Valley in the afternoon with Mavis' Kitchen (inset).



- Jim Kellar –Newcastle Herald focused on building the story of the Margaret legacy. As above this is building the profile of the region and experiences in order to then market various Tweed packages with direct flights.

**weekender** **TRAVEL**

# Olley's legacy comes alive

Visitors are paying homage to a regional art gallery that has become a destination in itself, writes **JIM KELLAR**.

**OFF** the beaten track as it may be, the Tweed Regional Gallery is worth the trip if you are visiting the North Coast of NSW. While we were drawn by the buzz about the Margaret Olley Art Centre, which occupies the newest wing of this contemporary building constructed in a paddock that was part of honoured politician Doug Anthony's dairy farm, there is much more to the facility.

The view to the north-west of the Border Ranges from the long, narrow outdoor balcony in the entry area is stunning. Encompassing farmland and the Tweed River in the foreground, the mountains rise majestically beyond the country town. And yes, you can see Mt Warning, the beacon of the North Coast, from the grounds.

The cafe to the immediate left of the entry is abuzz with energy from staff and customers. It features open sides, breathing life into this space on a sunny autumn day. Staff are friendly, beer and wine are available and the menu has more than a reasonable offering of healthy options, including a specials board.

There's a thriving arts community in this region, including the Gold Coast and Brisbane. And this gallery makes it clear it has respect for local talent, both in its exhibition schedule and ambitious artist-in-residence program, which is also part of the Olley legacy.

Gallery director Susi Muddiman is the obvious spark who made the Olley acquisition – all 70,000 items, a coup for the Tweed. The gallery has attracted more than 130,000 visitors since the Olley centre opened a year ago, almost doubling its annual attendance figures.

"I knew it would be successful, but it has way exceeded expectations," Muddiman says.

Ironically, while the Olley rooms are attracting visitors, the gallery has a very small collection of her works. What they do have is a treasure trove of her unfinished works, and the magnetic attraction of her studio, re-created exactly as it was at the time of her death.

"People always attach an imagination on how they imagine someone to be," Muddiman says. "It's a phenomenon that's hit me at this gallery. We have a portrait collection. And it's sort of bizarre watching people, and how they engage with portraits. It's something that has grown stronger since the Olley wing opened. By looking at a work, they are getting some mirror into the person, whether the artist or the person, a sense of knowing that person."

"She (Olley) was so public, at least that came across, but she was quite shy. But she had that public persona and public celebrity. It's extraordinary how people feel a connection. It's all through an imagined association with her."

For Muddiman, Olley has provided a real insight into an artist's life to the public.

"It's a real eye opener to see how an artist works, the environment she is creating. I'm sure it was Margaret's plan to show the environment an artist needs."

Muddiman also points to the professional library, which was moved to the Olley wing when it opened, as one of her favourite spaces in the gallery. From the natural light to the outlook, to the book case dividers made of cedar logs from Doug Anthony's farm, to, of course, the vast collection of art resource books.

Olley's collection of books and papers is yet to be added.

**IF YOU GO**

- Tweed Regional Gallery and cafe are open 10am to 5pm, Wednesday to Sunday. The gallery is located at 2 Mistral Road, Murwillumbah South, NSW. Tel: 6670 2790.
- The Margaret Olley Art Centre, which is the third stage of the Tweed Regional Gallery, combines exhibitions, multimedia drawing, research library, education workshop, artist-in-residence studio and the re-creation of Olley's famous home studio, particularly the Hat Factory and Yellow Room.
- Admission to the gallery is free.

At left, the Tweed Regional Gallery on the southern outskirts of Murwillumbah.






Above, the view of the Border Ranges from the gallery and the gallery's cafe.

The Hat Factory re-creation of Margaret Olley's home studio at the Tweed Regional Gallery.

## MARKETING THE TWEED

DT's remit is to market and promote the whole of the Tweed, to raise awareness of the overall destination, to increase visitation and importantly to increase tourism expenditure. In order to do this successfully we must market and promote experiences that our target markets want to consume. There is a balance in this between primary marketing objectives and secondary objectives.

DT undertakes research through the NVS to understand what our markets consume, where they consume and the trends centred on current consumption. This enables us to clearly identify opportunities for the Tweed's overarching experiences that cater to the majority of the market, whilst at the same time recognise and support the development of emerging segments.

In a broader sense DT aligns itself to marketing objectives of our neighbours Gold Coast Tourism and Tourism Events Queensland, as well as on the NSW side, North Coast Destination Network and Destination NSW. However these alignments do not necessarily provide the best value opportunities and DT also looks to the activity of Tourism Australia. Collectively these entities provide a broader framework within which DT can leverage media, trade, development and marketing opportunities. It is our responsibility to understand and work with these opportunities to promote the Tweed's strengths - recent activity being the National Landscape Program, Restaurant Australia and now the Aquatic and Coastal Strategy.

The same applies within the Tweed Shire. Operators can choose whether to leverage on the activity of DT. There is an unrealistic expectation by some that DT should (and in a position to) market every element of the Tweed to all markets. DT focuses on communicating to markets that have an interest in the experiences that the Tweed has to offer, we market our strengths and our opportunities to ensure the best possible conversion. It is simply not possible or strategically prudent for DT to promote every element of the Tweed to all markets.

## DEVELOPING THE TWEED EXPERIENCE

### CREATIVE TOURISM

Creative tourism has recently been presented as a possible way forward for Murwillumbah incorporating the Tweed Regional Gallery and Margret Olley Art Centre (TRGMOAC). DT attended the recent Cultural Tourism discussion which looked at ways of capturing the increased exposure of the Margret Olley Art Centre (MOAC) and overall interest in the Tweed River Art Gallery (TRAG).

DT has recognised the potential for some aspects of cultural tourism on the Tweed. However, given the broader meaning and scope of the term, there is overall a much better match to creative tourism opportunities in the Tweed hence the development of Tweed Fusion in 2013 to test this opportunity. Subsequent supportive developments have started to form in the Tweed through the collaboration of Thrive 2484 and the instigation of the Creative Caldera.

***"Creative tourism is travel directed toward an engaged and authentic experience, with participative learning in the arts, heritage, or special character of a place and it provides a connection with those who reside in this place and create this living culture."***

**UNESCO 2006**



Creative Tourism involves more interaction in which the tourist has an immersive experiences focusing on educational, emotional, social, and participative interaction with the destination, its living culture, and the people who live there. Tweed Fusion is a perfect example of taking the strengths of the Tweed's creative industries and producing consumable immersive experiences where visitors don't just feel like a visitor, but like a part of the society they are visiting.

Creative Tourism management requires us collectively to evolve and recognise the creativity within the Tweed as a resource to provide new opportunities to meet the evolving interests of tourists. After demonstrating proof of concept with Tweed Fusion in 2013, DT undertook further research to ascertain the true market opportunities for the Tweed. The table below identifies TRA's profiling of the experiences visitors to the Tweed engaged in and articulates the low uptake of cultural experiences (shaded yellow) by visitors to the Tweed. In contrast engagement in activities in the natural environment rated significantly higher (shaded green), this however should not be viewed as a negative, and rather it represents opportunity to develop product to grow a market segment.

#### PERCENTAGE UPTAKE OF ACTIVITIES OF TWEED'S DOMESTIC OVERNIGHT VISITORS

Note: Uptake refers to the percentage of total visitors that undertook the activity whilst visiting the Tweed. Source TRA's NVS

ACTIVITY	1999-2003	2004-2008	2009-2014	AVG
Eat out at restaurants	44%	51%	60%	52%
Go to the beach (including swimming)	50%	51%	48%	50%
General sight seeing	30%	27%	28%	28%
Go shopping (pleasure)	27%	31%	25%	28%
Pubs, clubs etc	30%	30%	23%	28%
Go fishing	14%	10%	9%	11%
Picnics or BBQs	13%	9%	7%	10%
Bushwalking or rainforest walks (2000 onwards)	7%	9%	9%	8%
Going to markets (street, weekend or art craft) (2000 onwards)	5%	7%	9%	7%
Visit national parks or State parks	5%	10%	6%	7%
Exercise, gym or swimming at a local pool, river or creek	6%	5%	7%	6%
Surfing (2004 onwards)		4%	6%	5%
Other outdoor activities (e.g. horse riding, rock climbing, four wheel driving)	10%	3%	2%	5%
Water activities or sports (2004 onwards)		7%	3%	5%
Go cycling (from 2006 onwards)		2.2%	3.1%	2.6%
Attend movies or cinema (2007 onwards)	4.6%	3.3%	0.9%	2.9%
Attend theatre concerts or other performing arts	2.5%	2.7%	2.1%	2.4%
Play golf	2.0%	2.1%	2.5%	2.2%
Attend an organised sporting event	2.1%	1.1%	3.1%	2.1%
Visit museums or art galleries	1.1%	1.5%	2.8%	1.8%
Visit history, heritage buildings sites or monuments	0.3%	2.0%	1.9%	1.4%
Attend festivals or fairs or cultural events	0.6%	1.1%	2.2%	1.3%
Experience aboriginal art or craft and cultural displays	0.5%		0.7%	0.6%
Visit art or craft workshops or studios	1.2%	0.5%	0.3%	0.6%
Visit an aboriginal site or community			0.4%	0.4%

Whilst cultural tourism experiences rank low in uptake, it does not mean there is not the opportunity to grow and develop this segment. DT consider this an under developed opportunity, the Creative Industries audit (collaboration between DT and Creative Caldera) has been undertaken to identify product development opportunities with which to



build and package creative opportunities to take to market. Without identifying these development opportunities to package, DT has little to take to market.

In today's highly competitive tourism market DT must ensure quality product and experience are taken to market and that they match target market needs and aspirations. Product packaging is a word that is banded about and used often as a recommendation without understanding the fundamental building block required in order to 'package' in the first place. Packaging is the consolidation a number of commissionable products (air and land) to be marketed and sold through third party distribution channels. DT understands this and the requirements, but it takes time to develop and establish. For the last few years as part of our destination and product development activities, DT has been working on building the capacity of the Tweed to understand this process.

As part of our market analysis, each key target market was examined to understand the activity and experiences that they presently consume for holiday and leisure purposes. The tables below are for DT's key domestic markets; the tables identify the activities undertaken historically with percentage changes and trend lines for each activity. As above, Creative Tourism has been shaded in yellow and activities engaging in the natural environment shaded in green. Clearly in each market there is a strong preference for visiting and engaging in natural environment as a preference, something which the Tweed has raw product to match. However, the Tweed requires greater range of creative experiences.

Note: The following data is sorted in visitor volume order as at 2014. It relates to trips with holiday/leisure as the main purpose of trip.

**Ex Melbourne**

	ACTIVITY UNDERTAKEN	2006	2007	2008	2009	2010	2011	2012	2013	2014	% Chg. (p.a.)	Direction & Max
1	Eat out / dine at a restaurant and/or cafe	1,091	1,085	1,117	1,255	1,206	1,107	1,165	1,129	1,250	2%	
2	Sightseeing/looking around	709	773	684	772	799	674	660	665	690	0%	
3	Go to the beach	718	711	683	738	666	603	714	643	687	-1%	
4	Go shopping for pleasure	588	564	655	659	582	582	577	603	579	0%	
5	Picnics or BBQs	528	471	377	456	334	434	419	553	509	0%	
6	Pubs, clubs, discos etc	494	577	474	526	307	402	476	419	483	0%	
7	Go to markets	239	282	250	265	255	275	345	336	442	8%	
8	Visit friends & relatives	479	438	444	483	482	436	428	412	433	-1%	
9	Visit national parks / state parks	324	287	305	258	281	266	327	259	348	1%	
10	Bushwalking / rainforest walks	292	277	262	285	212	241	313	233	288	0%	
11	Visit museums or art galleries	164	210	170	200	200	223	308	276	269	6%	
12	Visit history / heritage buildings, sites or monuments	142	175	184	136	167	141	162	207	213	5%	
13	Go on a daytrip to another place	231	231	211	189	153	177	204	177	189	-2%	
14	Attend an organised sporting event	83	105	90	74	81	67	89	93	146	7%	
15	Attend movies/cinema	12	129	163	170	135	141	159	112	140	36%	

**Ex Sydney**

	ACTIVITY UNDERTAKEN	2006	2007	2008	2009	2010	2011	2012	2013	2014	% Chg. (p.a.)	Direction & Max
1	Eat out / dine at a restaurant and/or cafe	2,831	3,307	3,578	3,344	3,212	3,163	3,154	3,622	3,545	3%	
2	Go to the beach	2,148	2,228	2,299	2,044	1,825	1,882	1,869	2,202	2,115	0%	
3	Sightseeing/looking around	1,811	2,051	1,939	2,003	2,101	1,968	1,666	1,870	1,881	0%	
4	Go shopping for pleasure	1,549	1,587	1,751	1,753	1,578	1,558	1,448	1,853	1,452	-1%	
5	Visit friends & relatives	1,258	1,318	1,339	1,322	1,266	1,314	1,189	1,409	1,369	1%	
6	Pubs, clubs, discos etc	1,298	1,552	1,398	1,308	1,107	1,051	1,140	1,270	1,290	0%	
7	Bushwalking / rainforest walks	935	1,066	1,046	922	848	841	788	983	1,082	2%	
8	Visit national parks / state parks	724	929	855	776	735	738	750	998	1,024	4%	
9	Go to markets	433	613	579	551	550	601	647	780	883	9%	
10	Visit museums or art galleries	457	458	490	487	550	547	519	642	680	5%	
11	Fishing	535	660	563	493	460	443	386	547	524	0%	
12	Picnics or BBQs	528	471	377	456	334	434	419	553	509	0%	
13	Visit history / heritage buildings, sites or monuments	309	396	360	328	404	336	379	390	431	4%	
14	Visit wineries	302	398	313	344	300	285	361	318	421	4%	
15	Water activities / sports	389	380	282	410	336	303	289	370	410	1%	

Ex Brisbane

	ACTIVITY UNDERTAKEN	2006	2007	2008	2009	2010	2011	2012	2013	2014	% Chg. (p.a.)	Direction & Max
1	Eat out / dine at a restaurant and/or cafe	252	344	242	261	319	298	288	359	378	5%	
2	Go to the beach	245	269	227	176	284	257	236	235	280	2%	
3	Sightseeing/looking around	169	247	192	187	218	163	147	189	205	2%	
4	Visit friends & relatives	101	162	123	89	163	96	107	119	162	6%	
5	Pubs, clubs, discos etc	131	210	108	109	116	111	135	135	162	3%	
6	Go shopping for pleasure	120	145	161	116	128	132	150	114	162	4%	
7	Visit national parks / state parks	75	121	81	74	72	57	98	77	117	6%	
8	Go to markets	52	58	57	62	30	53	58	61	102	9%	
9	Bushwalking / rainforest walks	78	104	85	73	101	103	92	103	94	2%	
10	Visit museums or art galleries	38	33	16	20	25	61	48	44	72	8%	
11	Fishing	81	56	59	61	42	96	54	72	66	-3%	
12	Picnics or BBQs	58	61	56	59	26	43	73	34	63	1%	
13	Visit history / heritage buildings, sites or monuments	51	42	18	15	91	24	52	57	61	2%	
14	Attend theatre, concerts or other performing arts	20	34	10	6	15	17	3	18	54	13%	
15	Surfing	57	36	25	22	45	36	15	50	37	-5%	

Note: Brisbane has the highest percentage growth in consumption of cultural experiences, representing a strong emerging market base that traditionally has highest levels of repeat visitation to the Tweed. This engagement has been seen in the attendance at Tweed Fusion Events with a strong showing of Brisbane visitors to each event each successive year, again with a high proportion of repeat attendees.

Ex North Coast NSW

	ACTIVITY UNDERTAKEN	2006	2007	2008	2009	2010	2011	2012	2013	2014	% Chg. (p.a.)	Direction & Max
1	Eat out / dine at a restaurant and/or cafe	421	466	475	425	477	506	463	420	369	-2%	
2	Go to the beach	260	311	256	212	191	250	263	209	203	-3%	
3	Sightseeing/looking around	243	339	275	240	288	234	279	214	185	-3%	
4	Visit friends & relatives	199	263	245	234	305	225	228	210	180	-1%	
5	Go shopping for pleasure	263	302	268	239	316	304	224	203	175	-5%	
6	Pubs, clubs, discos etc	237	258	201	229	181	226	203	174	164	-4%	
7	Bushwalking / rainforest walks	97	118	120	115	135	77	100	119	115	2%	
8	Visit national parks / state parks	83	77	89	90	147	70	109	98	104	3%	
9	Go to markets	43	59	94	51	54	77	66	105	92	10%	
10	Fishing	57	90	100	86	68	48	96	77	82	5%	
11	Visit history / heritage buildings, sites or monuments	44	47	40	43	53	17	33	45	66	5%	
12	Visit museums or art galleries	49	51	69	42	72	53	55	65	65	4%	
13	Go on a daytrip to another place	38	91	52	54	61	51	50	45	53	4%	
14	Other outdoor activities nfd	41	36	17	22	27	27	34	32	49	2%	
15	Attend an organised sporting event	41	52	59	40	31	60	36	46	49	2%	

It is important to recognise that whilst there are high levels of positive change in consumption of cultural experiences, the overall number in comparison to engagement in natural environments and associated activities within them is low.

DEVELOPING CREATIVE TOURISM

DT's first step in 2013 was to start to build the story of Creative Tourism in the Tweed. A visiting journalist family program was developed in conjunction with DNSW and industry, Tweed Fusion was established as a key product. All had a story incorporating the TRAG and more recently the MOAC. The success and organic growth in media exposure in relation to the MOAC made DT's role in building the story very simple as time progressed and we were able to scale back on the PR program.



Towards the middle of 2015 DT famil program kicked in with travel media focusing on the interest in the MOAC and Tweed overall. The PR strategy was followed up by a television Commercial (TVC) and advertising selected media channels and art oriented publications such as Look Magazine – Art Gallery NSW. In the New Year this will be followed up gain by product based marketing campaign with a national travel retail brand to both promote and sell packages promoting the TRGMOAC and Archibald Prize exhibition.

Product development activity continued through 2015 with the further development of Tweed Fusion activity to branch out and trial new experiences. The Outcomes of the Creative Industries Audit will yield greater immersive experiences to be developed in early late 2015 and early 2016 with which to take to market. This is a growing segment that will over time enable the Tweed to grow sustainably and develop niche markets delivering higher yield tourists to the Tweed.

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## TWEED FUSION

Now in its third year, the Tweed Fusion Weekend is now a project of the Caldera Institute being developed in close consultation and collaboration with Destination Tweed. The Tweed Fusion concept had its genesis as a component of an earlier DT project which sought to create a blueprint for a signature event that incorporated key creative elements of combining food and the arts. This involved research of food, place and culturally based major regional (and metro) festivals elsewhere in Australia - as well as researching emerging trends in festival experience development. Ensuring synergy with DTs iconic Tweed experience themes and related target markets has been a central driver in project development.

Broadly, the concept is based on a fusion of the arts, environment, local food and encapsulating the visual amenity of the Tweed's coastal and rural landscapes, and eclectic villages. The project provides a tangible framework to progress community and arts industry aspirations regarding the arts and cultural tourism. Highlights of this year's event include:

- A late September Sunday afternoon free promotional recital of Gershwin and Porter music by Duo Piacere held in the regional gallery foyer. The duo played to a full capacity audience of mainly day visitors from the Gold Coast and tourists visiting from Victoria.
- For the second year, the Caba Creative Trail took art out of the studio and onto the beach. This year over a kilometre of the Cabarita headland was filled with installations and the market stalls of 60 creative industry practitioners including artists, potters, designers and jewellers. Add to this street, chalk and landscape artists at work, and a stage with non-stop live music from a range of genres performed by regional rising stars, a buskers space and a range of street food provided by local providores - and there was plenty to keep the several thousand visitors and locals engaged.
- DT worked with the project team to bring the Arts Northern Rivers Creative Pop Up to the Tweed in conjunction with the weekend. Transforming a vacant shop in Murwillumbah into a creative emporium, the Pop Up was filled to the brim with the curated work of 21 Tweed-based artists for sale. Running over five days the Pop Up was a great success with Arts Northern Rivers commenting that the opening had the best attendance so far for this project across the Northern Rivers Region.
- Tumbulgum and the river system were included for the first time this year, with two successful Saturday on the River eco tours on the Rous River by Mount Warning Tours combined with a seafood luncheon at the picturesque House of Gabriel. As a result of a famil visit, Tumbulgum and the cruise were the subject of a long article on the influential Good Food Gold Coast blog.
- This year also saw the production of a Self Drive Gallery Trail map inviting visitors to enjoy a great coffee or meal as they explored the Valley's funky and eclectic café-gallery scene. Starting at Point Danger the trail lead visitors through Fingal, Chinderah, Cabarita, Tumbulgum, Murwillumbah, Dungay, Uki and Tyalgum creating a cultural link

between the coast and the hinterland. Available both in print form and online for the month leading up to the weekend and with maps distributed through Tweed Holiday Parks, the VICs and accommodation venues - anecdotally this was a highly successful initiative.

- The Sunday Country Picnic again drew visitors from both the Gold Coast and Brisbane. As per previous years this was an outstanding success with food prepared by Chef Jake Mackeen, music provided by Carmelia MacWilliam and set in a fabulous location on a private property. Visitors for the event were primarily from the Gold Coast and Brisbane. They included representatives of Australian Good Food Guide and Gourmand & Gourmet online.

## TWEED TVC

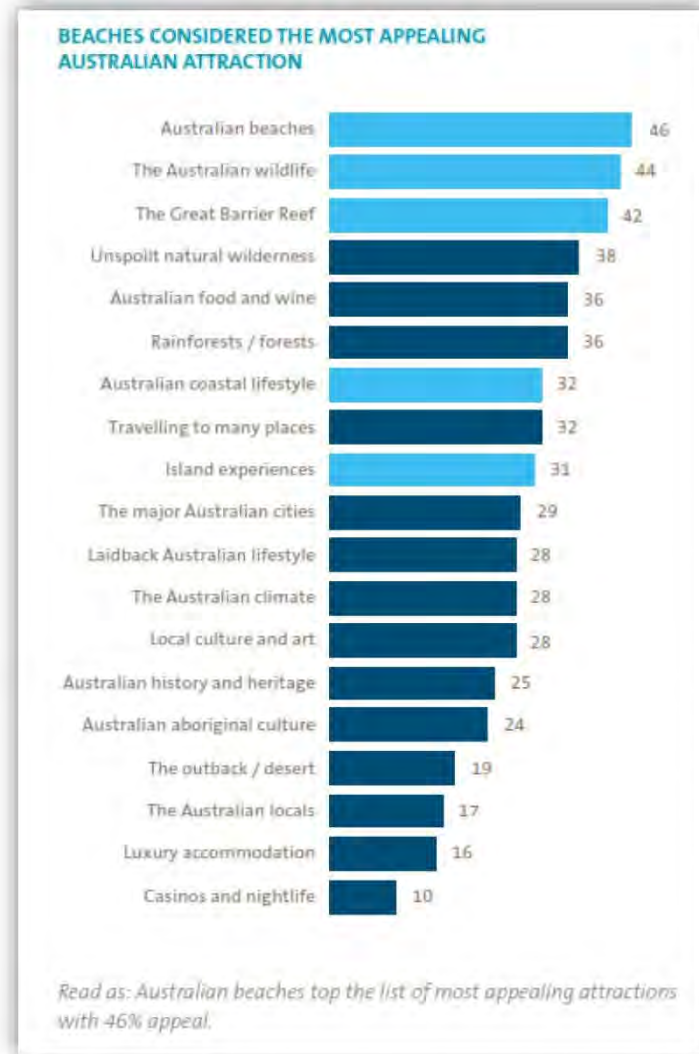
The TVC was designed to reach into the 55+ market and promote the Tweed region in the lead up to the summer holiday period, promoting the self-drive holiday to explore the Tweed creative elements. The TVC is on air from September 20 until November 15 on NBN, Prime, 7TWO and WIN in to South-East Queensland including the Far North Coast, Gold Coast and Toowoomba.





## AQUATIC AND COASTAL STRATEGY

From early 2016, Tourism Australia's 'There's nothing like Australia' campaign will put the spotlight on one of Australia's key competitive advantages – the aquatic and coastal offering. Backed by Tourism Australia's latest consumer research, this focus aims to both defend Australia's high ranking for world-class natural beauty in today's competitive market, as well as renew and reinvigorate consumers' perceptions of Australia's country's aquatic and coastal offering.



The Aquatic and Coastal Strategy dovetails directly into the Tweed's key tourist experiences and reasons for visitation both domestically and internationally.

Research conducted across 11 of Australia's key tourism markets shows that aquatic and coastal experiences are amongst the greatest drivers of international visitor demand, specifically to Australia. Two out of three international visitors enjoy Australia's aquatic or coastal environments in some way.

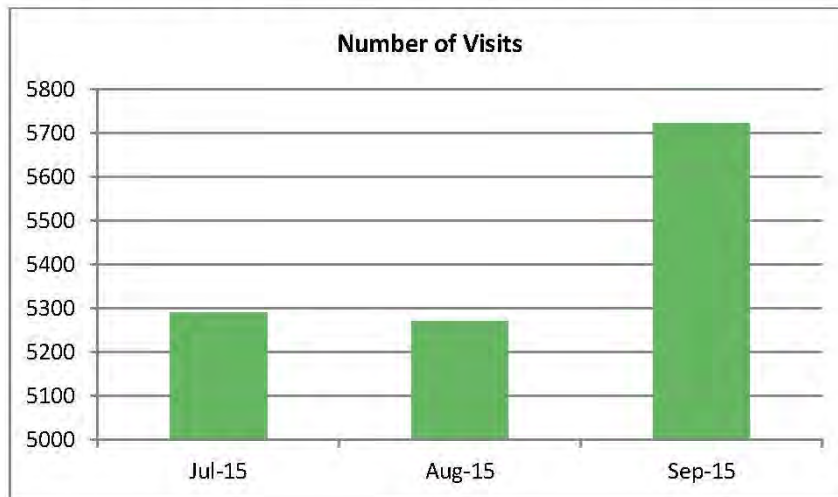
However, while Australia is known for world-class natural beauty, the world still doesn't have a good enough understanding of the breadth, depth and quality of our natural offering. The natural environment is the Tweed's strength; this program provides the Tweed with the opportunity to actively engage on a level playing field with other well established nature based destinations.



**DIGITAL MARKETING**

**DT WEBSITE**

Visitation to the website continually ebbs and flows from season to season and is reflective of consumer travel patterns and holiday planning. The increase in visitation to the site during the month of September is reflective of the TVC and other activities with the call to action back to [www.destinationtweed.com.au](http://www.destinationtweed.com.au).



The table below illustrates visitation to the website by the Tweed Shire’s top international source markets. Established international markets for the Tweed are New Zealand, United Kingdom, the United States and Germany which is consistent with visitation to our site from these markets.



## SOCIAL MEDIA

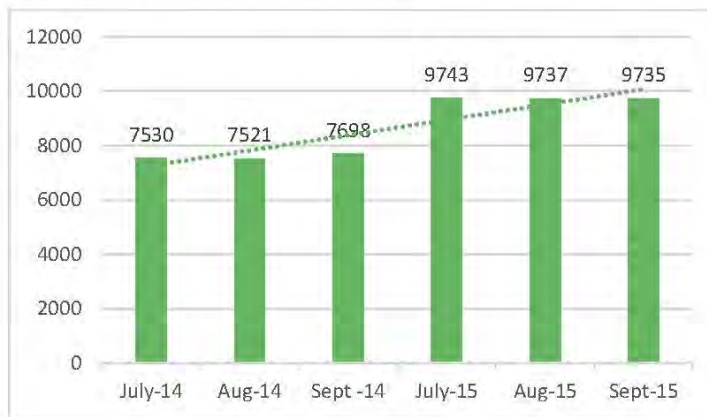
DT social media channels have to date been aligned with overall marketing activity, supporting traditional channels. This strategy was designed to drive 'likes' to the social platforms to build followers. This has worked well to date and DT recognises it is now time to implement a stand-alone social media strategy to drive organic growth and engagement.

As with many other businesses social platforms represent the most cost effective channels for DT to be engaging and communicating experiences and product offers to potential visitors.

## FACE BOOK STATISTICS

### LIKES

DT page currently has 9700 followers from a variety of countries. Numbers of likes have plateaued and as outlined previously DT are switching over to a dedicated social strategy.



### LOCATION OF FACEBOOK FOLLOWERS

Top 10 countries

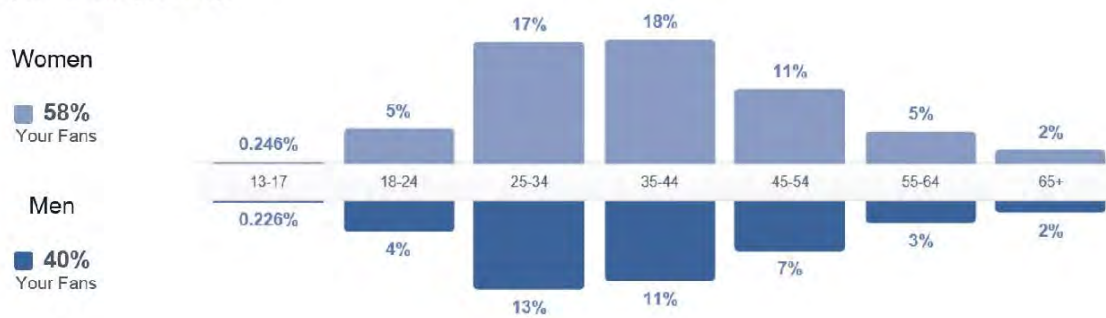
Country	Your Fans
Australia	7,080
Malaysia	2,144
United States of America	111
New Zealand	75
Indonesia	55
United Kingdom	22
Singapore	20
Nepal	14
India	12
Philippines	12

Top 10 Cities

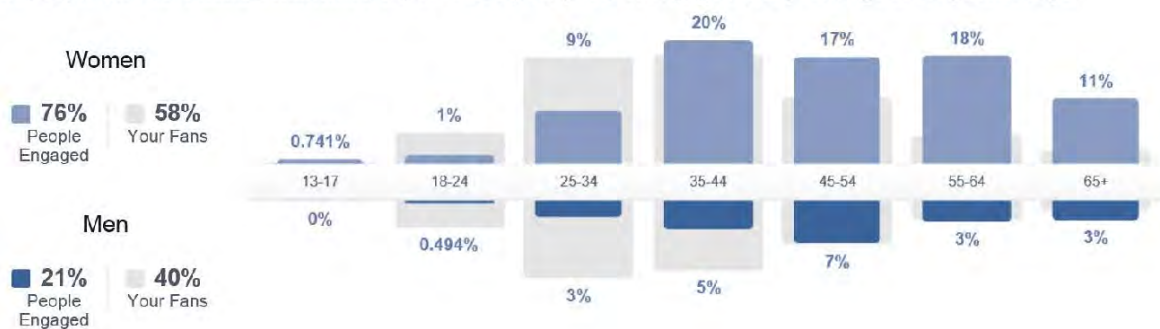
City	Your Fans
Gold Coast, QLD, Australia	1,321
Brisbane, QLD, Australia	1,070
Sydney, NSW, Australia	653
Kuala Lumpur, Malaysia	600
Melbourne, VIC, Australia	347
Tweed Heads, QLD, Australia	249
Byron Bay, NSW, Australia	202
Johor Bahru, Johor, Malaysia	148
Murwillumbah, NSW, Australia	146

DEMOGRAPHIC BREAK DOWN OF FOLLOWERS

The people who like your Page



The people who have liked, commented on, or shared your posts or engaged with your Page in the past 28 days.



The table below demonstrates a comparison of the Destination Tweed Facebook page to similar coastal regional areas:

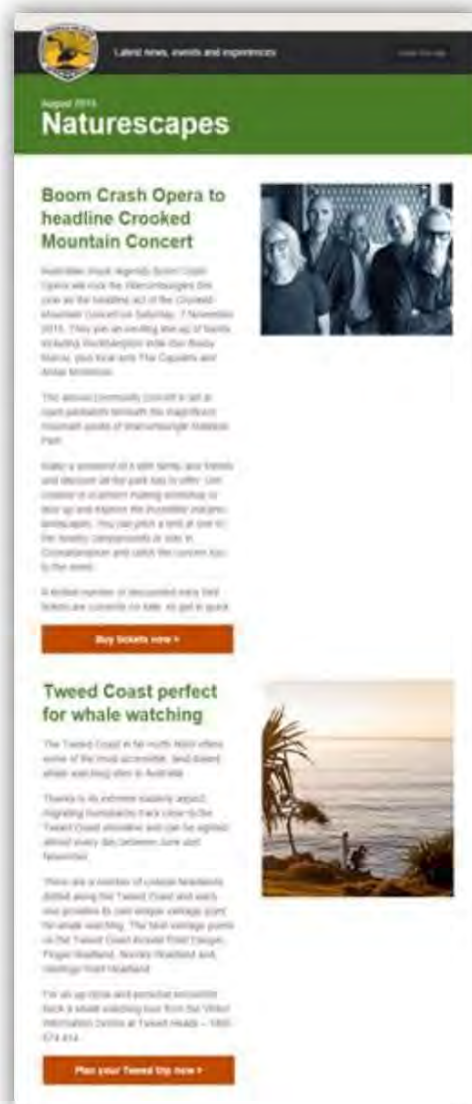
Region	Total Likes to date
<i>Destination Tweed</i>	9 789
<i>Coffs Coast</i>	3 883
<i>Ballina &amp; Hinterland</i>	1 566

## RECENT MARKETING ACTIVITY

### NATIONAL PARKS AND WILDLIFE SERVICE – NATURESCAPES EDM

The Tweed Coast has been featured in the latest National Parks and Wildlife Service email newsletter Naturescapes.

- The EDM went out to a database of 30,000 + subscribers.
- The EDM was distributed as part of Destination Tweed’s participation in a multi-partner campaign with National Parks and Wildlife Service called Wild About Whales.
- The email newsletter promoted the Tweed Coast for Whale Watching experiences in conjunction with other activities.
- This EDM is part of a comprehensive NPWS multi-channel campaign.





TIME TO ROAM MAGAZINE- TWEED TRAVEL FEATURE

- Time to Roam is Australia's most accessible caravan and camping magazine. In conjunction with Tweed Coast Holiday Parks, Destination Tweed ran a special 5-page feature promoting our region to caravan and camping enthusiasts in the August/September magazine.
- Caravan and camping travellers are a key domestic market segment for the Tweed Shire and are often responsible for driving tourism visitation during the off-peak cooler months. The feature was also available digitally.

- Destination Tweed competitions and YouTube video content were promoted via the Time to Roam website and Facebook network.



SIGNAGE RE-FRESH AT THE TWEED AND MURWILLUMBAH VISITOR INFORMATION CENTRES

New signage has been installed on the northward facing wall of the *Tweed Heads Visitor Information Centre* where hundreds of thousands of cars and buses pass by each year. New signage was also installed on the front windows of the Visitor Information Centre at *Murwillumbah Visitor Information Centre* to refresh the entrance and welcome point for visitors. The signage was installed by the local NR Signs.





SOUTH EAST QUEENSLAND HOTEL BOOK - PRINT PUBLICATION

The South East Queensland Hotel Book is the only book that covers Brisbane and Gold Coast three, four and five star hotels. It is “in-room” as opposed to display in a lobby brochure rack and exposes our region to the top-end of the market. Destination Tweed features in a double-page spread in the 2015/16 South East Queensland Hotel Book, a high end coffee table style publication.

**YOUR DAYDREAM IS JUST A DAYTRIP**  
Tweed Valley, Northern NSW  
Only 20km from the Gold Coast and 80km from Brisbane

destinationtweed.com.au | 1800 674 414 | #destinationtweed

**TWEED VALLEY**

you into a magical world of tangled vines and palm glades interspersed with crystal clear creeks and tumbling waterfalls.

Travelling through the Tweed Valley, those same soils give nourishment to acres of emerald green farmland blanketed across gently rolling hills, dotted with a string of quirky villages where the Tweed's eclectic artisans and craftspeople showcase their talents in country galleries and at weekend markets. Friendly bed-and-breakfasts, luxury homestays and hidden cabin retreats offer the ideal base for explorations, while you relax and soak up the serenity.

The other side of this paradise is found along the 37 kilometres of Pacific coastline where an endless stretch of uncrowded surf beaches and calm river inlets are a major drawcard for Australian and international holidaymakers.

Catering for all vacation styles, exclusive beachside resorts offer luxury; 4 and 5-star hotels and motels present affordable accommodation in quiet coastal villages; and beachside camping grounds are a firm favourite with caravan and camping enthusiasts.

Against this idyllic beach-and-bushland backdrop, a wealth of activity options cater for visitors of all persuasions: there's the adrenalin rush of deep-sea fishing charters; the challenge of climbing to the summit of Wellumbin Mt Warning; the thrill of fly-fishing for Australian bass; the excitement of learning to surf; the joy of whale watching from June to November; the simple pleasure of kayaking, cruising or houseboating along the creeks and riverways; and much, much more.

Destination Tweed offer a comprehensive accommodation, activities and touring reservations service, with Visitor Information Centres conveniently located at Tweed Heads, Kingscliff, Hastings Point and Murwillumbah. Phone 1800 674 414 or visit destinationtweed.com.au

58 WHERE GUESTBOOK: GOLD COAST

## CARTOSCOPE MAPS

DT advertised in the Cartoscope maps, web site and brochures, this activity is done both as stand-alone activity as well as cooperative activity with the Tourism Managers Group. This provides DT with the opportunity to raise the profile of the Tweed and to promote the Level 1 Visitor Information Centres'





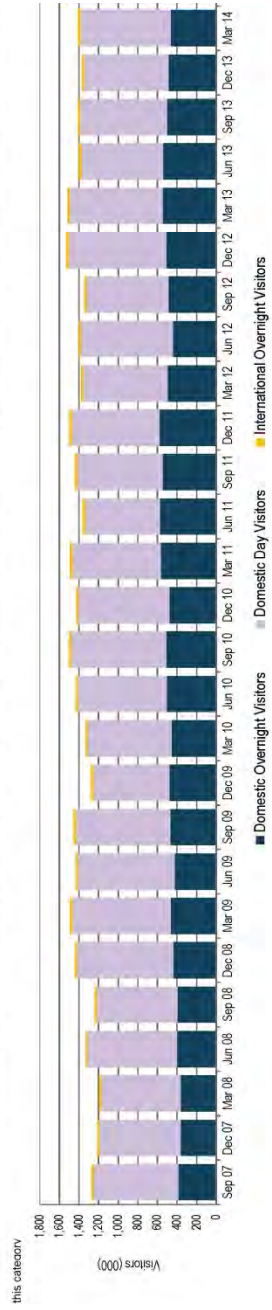
Attachment 1

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Summary

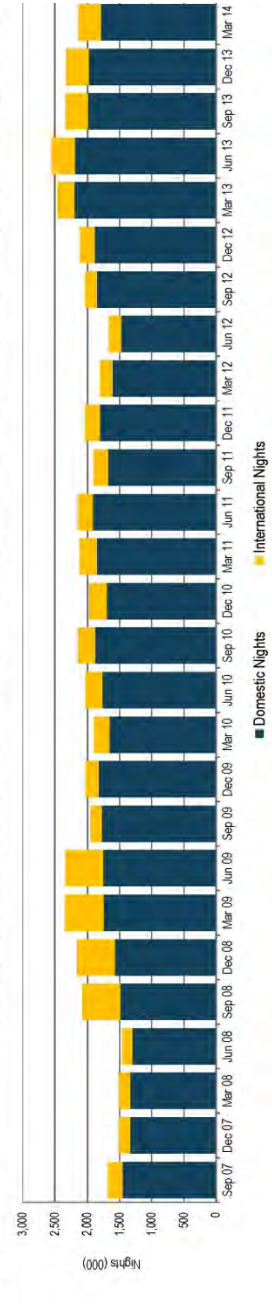
TOTAL VISITOR ESTIMATES (000)

Year ending >	Sep 07	Dec 07	Mar 08	Jun 08	Sep 08	Dec 08	Mar 09	Jun 09	Sep 09	Dec 09	Mar 10	Jun 10	Sep 10	Dec 10	Mar 11	Jun 11	Sep 11	Dec 11	Mar 12	Jun 12	Sep 12	Dec 12	Mar 13	Jun 13	Sep 13	Dec 13	Mar 14
Day Visitors	385	363	363	369	388	438	465	424	469	479	508	476	564	576	550	487	443	490	511	548	540	500	490	500	490	466	466
Day Visitors	867	830	812	917	823	986	1,005	988	965	775	857	903	931	903	866	897	861	940	834	996	948	839	890	857	919	919	
Day Visitors	17	20	20	17	20	19	21	22	21	21	20	19	22	24	23	23	23	20	19	22	21	21	21	24	22	22	23
Day Visitors	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Day Visitors	1,269	1,213	1,195	1,333	1,241	1,443	1,491	1,434	1,455	1,273	1,334	1,432	1,503	1,429	1,364	1,439	1,488	1,378	1,402	1,346	1,528	1,517	1,403	1,412	1,369	1,407	
Day Visitors				3%	21%	21%	28%	6%	18%	9%	-2%	20%	8%	-1%	23%	14%	8%	21%	-12%	-23%	-11%	-12%	10%	22%	2%	-4%	-15%



TOTAL VISITOR NIGHTS ESTIMATES (000)

Year ending >	Sep 07	Dec 07	Mar 08	Jun 08	Sep 08	Dec 08	Mar 09	Jun 09	Sep 09	Dec 09	Mar 10	Jun 10	Sep 10	Dec 10	Mar 11	Jun 11	Sep 11	Dec 11	Mar 12	Jun 12	Sep 12	Dec 12	Mar 13	Jun 13	Sep 13	Dec 13	Mar 14
Day Visitors	1,453	1,336	1,336	1,361	1,467	1,577	1,747	1,759	1,777	1,827	1,881	1,770	1,883	1,703	1,654	1,919	1,679	1,604	1,609	1,476	1,854	1,868	2,194	1,981	1,981	1,792	1,792
Day Visitors	226	180	180	588	582	600	579	202	240	262	256	260	220	232	200	220	200	186	220	256	260	364	354	340	340	340	340
Day Visitors	1,679	1,511	1,511	1,457	1,457	2,075	2,159	2,347	2,338	1,955	2,029	1,901	2,032	1,973	2,114	2,138	1,903	2,036	1,809	1,664	2,040	2,108	2,454	2,558	2,327	2,321	2,133
Day Visitors				2%	16%	31%	35%	20%	10%	-5%	1%	6%	-7%	12%	8%	-11%	6%	-13%	-23%	10%	5%	37%	49%	7%	5%	-18%	



## OPTIONS:

This report to Council presents the quarterly report from Destination Tweed which is required as part of their contract.

Also required under this contract is the submission of an annual work programme. This annual work programme must include Destination Tweed's to establish milestones and performance indicators, for the next 12 months in September each year. The purpose of the quarterly report is to indicate Destination Tweed's progress against the agreed annual work programme. Destination Tweed has not yet submitted to Council an annual work programme for the current year (September 2015). Given this context, Council is unable to endorse this quarterly report however may receive and note the report.

Destination Tweed is also required to make a presentation to a nominated Council Committee meeting in March and September each year in respect of the development and delivery of the work programme. Council has not received presentations from Destination Tweed for the periods March 2015 and September 2015.

1. **Receive and note this Quarterly Report** – In receiving Destination Tweed's Quarterly Report Council acknowledges the work performed by Destination Tweed and agree to process payment of the contract instalment for the October to December 2015 quarter in accordance with AC2010-073 Provision of Services for Economic Development Tourism Promotion contract.

and

Requests that Destination Tweed submit the annual work programme for the 2015/16 year prior to the submission of the October to December 2015 Quarterly Report; or

2. **Do not receive and note this Quarterly Report** - If Council is not satisfied with the progress Destination Tweed has made in achieving the milestones identified in their funding contract and the agreed Business Attraction Marketing Strategy and the Tourism Marketing Strategy then it would be prudent to postpone the endorsement and commence discussions with the Board of Destination Tweed regarding the project.

## CONCLUSION:

It is recommended that Council receives and notes the quarterly report from Destination Tweed for the quarter July to September 2015 and requests the submission of the annual work program for the 2015/16 year prior to the submission of the October to December 2015 Quarterly Report.

## COUNCIL IMPLICATIONS:

### a. Policy:

Corporate Policy Not Applicable.

### b. Budget/Long Term Financial Plan:

This report is submitted by Destination Tweed along with their quarterly invoice for payment under the current funding agreement.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Financial Report October 2015 (ECM 3862599)

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**8 [GM-CM] Destination Tweed - Audited Financial Statements 2014/15**

**SUBMITTED BY: General Manager**

Valid



## **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:**

This report presents the audited financial statements for 2014/2015 for Destination Tweed. This organisation is a separate entity from Council and as such they are responsible for keeping their own books and obtaining independently audited financial statements.

This report recommends that Council receives and notes the 2014/2015 Audited Financial Statements from Destination Tweed.

### **RECOMMENDATION:**

**That:**

- 1. Council receives and notes the 2014/2015 Audited Financial Statements from Destination Tweed.**
- 2. 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:**

As Destination Tweed is an independent organisation from Council their financial statements are provided as 'confidential in confidence'. Subsequently, these statements are attached to this report as a confidential attachment.

**OPTIONS:**

1. Receive and note the audited financial statements for 2014/2015 for Destination Tweed; or
2. Do not receive and note the audited financial statements for 2014/2015 for Destination Tweed.

**CONCLUSION:**

It is recommended that Council receives and notes the audited financial statements for Destination Tweed for the financial year 2014/2015.

**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:**

*(Confidential)* Attachment 1. Destination Tweed Audited Financial Statements 2014/2015  
(ECM 3862600)

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## REPORTS FROM THE ACTING 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.

9 [PR-CM] Future Use of Former Australian Volunteer Coast Guard Association, Kingscliff Flotilla, Training and Boat Storage Facility

SUBMITTED BY: Building and Environmental Health

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:

The Australian Volunteer Coast Guard Association Kingscliff Flotilla vacated both the Kingscliff communications tower at Faulks Park, within Lot 2 DP 1122062 Kingscliff (Crown Reserve 10001008) and also the Kingscliff training facilities and boat storage at Ed Parker Rotary Park located within Lot 287 DP 542598 Kingscliff in November, 2014.

At Council's meeting of 17 September 2015 Council resolved, in relation to the nominated facilities, to take the following actions:

**Kingscliff Training and Boat Storage Facilities at Ed Parker Rotary Park located within Lot 287 DP 542598 Kingscliff.**

1. *Invite expressions of interest for lease arrangements of the training and boat storage facility, and to specifically address selection criteria including, proposed shared use, community benefit and cost recovery; and*
2. *Evaluate the expressions of interest received and report back to Council for a determination of a preferred use.*
3. *Give consideration to negotiate with all parties who wish to use the building for combined use.*

**Kingscliff Flotilla Communications Tower, Faulks Park, located within Lot 2 DP 112062, Crown Reserve 10001008 Kingscliff.**

1. *Note that a further report will be brought back to the Tweed Coast Reserves Trust and Council for the consideration on future operational needs for this facility.*



### **Expressions of interest received:**

Four Expressions of Interest submissions were received for the Training and Boat Storage Facilities and are discussed in this report and attachment. The most advantageous submission was by Surf Life Saving Far North Coast Branch in both maintaining water safety and providing a booking system, for the use of the training facility by others.

The Communications Tower was not considered separately in the expression of interest process, however, during the consultation process, discussions have been held with NSW Marine Rescue, Surf Life Saving Far North Coast Branch and NSW Police Force Local Area Command regarding the best use of this facility.

Officers suggest the Tower be made available for the use of Marine Rescue Pt Danger for operational needs, and a separate report has been prepared for consideration by the Tweed Coast Reserves Trust.

Of the four submissions received, the Surf Life Saving Far North Coast Branch (SLS FNC), St John's Ambulance (SJA) and Marine Rescue Point Danger (MRPD) are accommodated.

Due to inundation by tidal water and the extensive refit that is required for a food shop, the food business (small gelato/drink bar) is not accommodated in recommended arrangements.

The facility will be well used for community based emergency purposes and maintenance will be undertaken by the SLS FNC, for the training facility and MRPD, for the Tower.

### **RECOMMENDATION:**

**That Council:**

1. **Kingscliff Training and Boat Storage Facilities at Ed Parker Rotary Park located within Lot 287 DP 542598 Kingscliff**
  1. **Delegates approval to the Director of Planning and Regulation to further negotiate to agreed lease terms with Surf Life Saving Far North Coast Branch.**
  2. **Advises Marine Rescue NSW that Council is not able to renew their interim 12 month lease, however the training facility will be available for use by Marine Rescue Pt Danger.**
  3. **Advises St John's Ambulance that the training facility will be available for use by St John's Ambulance, as stipulated within their submission.**
  4. **Advises the food business operator that at this time the facility is unable to accommodate their requirements, as the floor is subject to tidal inundation.**
  
2. **Kingscliff Flotilla Communications Tower, Faulks Park, located within Lot 2 DP 112062, Crown Reserve 10001008 Kingscliff**
  1. **With concurrence of the Tweed Coast Reserve Trust, delegates approval to the Director of Planning and Regulation to further negotiate to agreed licence terms with Marine Rescue NSW for the use and maintenance of the Tower.**

## REPORT:

The Australian Volunteer Coast Guard Association (AVCGA) Kingscliff Flotilla vacated both the Kingscliff communications tower at Faulks Park, within Lot 2 DP 1122062 Kingscliff (Crown Reserve 10001008) and also the Kingscliff training facilities and boat storage at Ed Parker Rotary Park located within Lot 287 DP 542598 Kingscliff in November, 2014.

In May 2015, Council officers consulted with community stakeholders to determine the most appropriate future use of the Kingscliff training facility at Ed Parker Rotary Park.

A major theme of the community feedback was an expectation to maintain a connection with the provision of marine safety services and to ensure the facility is used to the fullest extent. Notably there was strong acceptance of Council's objective to achieve cost recovery in the operation of the facility.

### **Some of the other ideas suggested by the community included:**

- Continued presence by water rescue operations (NSW Surf Lifesaving suggested)
- Continued use by community organisations (men's, arts and disability support groups)
- Existing community groups who want to continue (a booking system was proposed)
- Kiosk, coffee cart, recreation hire businesses and a daytime café were mentioned.

At Council's meeting of 17 September 2015 Council resolved, in relation to the nominated facilities, to take the following actions:

#### **Kingscliff Training and Boat Storage Facilities at Ed Parker Rotary Park located within Lot 287 DP 542598 Kingscliff.**

1. *Invite expressions of interest for lease arrangements of the training and boat storage facility, and to specifically address selection criteria including, proposed shared use, community benefit and cost recovery; and*
2. *Evaluate the expressions of interest received and report back to Council for a determination of a preferred use.*
3. *Give consideration to negotiate with all parties who wish to use the building for combined use.*

#### **Kingscliff Flotilla Communications Tower, Faulks Park, located within lot 2 DP 112062, Crown Reserve 10001008 Kingscliff.**

1. *Note that a further report will be brought back to the Tweed Coast Reserves Trust and Council for the consideration on future operational needs for this facility.*

---

**Expressions of Interest - Kingscliff Training and Boat Storage Facilities at Ed Parker Rotary Park**



Calls for Expression of Interest were invited through advertisement in the Tweed Link and with direct notification also to:

Cudgen Headland Surf Life Saving Club  
Salt Surf Life Saving Club  
Salt Village Residents Association  
Kingscliff Ratepayers and Progress Association  
Kingscliff Chamber of Commerce  
Marine Rescue Point Danger  
Marine Rescue NSW  
Surf Life Saving Far North Coast Branch

**The Expressions of Interest were required to meet the following criteria:**

- a. Please state your required use of the facility (including requirements for storage and parking). Please be specific about your requirements including hours of use, days of operation, and possible noise generation.
- b. How you propose to share the facility with rescue organisations, community groups and/or private enterprise?
- c. Where relevant, how this facility will enhance your organisational strategy for providing services within Kingscliff and the broader area?
- d. What services will you be providing to the area?

- e. What is your ability to either generate a profit or show budget measures to allow for the provision of rent over the facility? Note: The rental component may differ between tenants dependant on the type of occupancy and the type of service provided to the community.
- f. What benefit do you provide to the community – please include proposed numbers of members who will utilise your services, especially any vulnerable or disadvantaged members of the community.
- g. Are you proposing to amend or enhance the facility in anyway? If yes, please include a draft estimate of repair costs and how you plan to fund the works. Please also include a timeframe for the works.
- h. Please state your preferred lease arrangement i.e. long term or short term.
- i. Estimated numbers of community members who will access the facility on a daily basis.

**The criteria on which expressions of interest will be assessed include:**

- Provision of continued rescue services to the area;
- Ability for cost recovery;
- Benefit to the community;
- Ability to share the facility;
- Fit for purpose within the existing facility;

**Four expressions of interest were received from:**

1. Surf Life Saving Far North Coast Branch (SLS FNC)
2. Marine Rescue Point Danger (MRPD)
3. St John's Ambulance (SJA)
4. Food Business Operator – Small artisan gelato/drink bar

An evaluation of the submissions received has been provided in Attachment 1.

**Why was Surf Life Saving Far North Coast Branch (SLS FNC) recommended?**

From the consultation process the community wanted ongoing water safety services to be maintained for Cudgen Creek. From the submissions received, Surf Life Saving Far North Coast Branch best achieves this requirement as the appropriate accredited rescue agency within this area. It was also noted that Marine Rescue can't access the creek at all times using current craft and offered no alternative in their submission (they focus on blue water rescue).

Further discussions were also held with Surf Life Saving Far North Coast Branch representatives on site to seek clarity on aspects of their submission.

Discussions were also held with the local area command of the NSW Police Force to ascertain current water rescue operation arrangements in and around the Cudgen Creek.

NSW Police have advised that rescues within Cudgen Creek are within the jurisdiction of the NSW Water Police. Where assistance is required the NSW Police would call upon the assistance of Surf Life Saving.

The outcome of those discussions and in consideration of the expressions of interest criteria it is recommended the following arrangements:

1. Council delegates approval to the Director of Planning and Regulation to further negotiate to agreed lease terms with Surf Life Saving Far North Coast Branch for their training needs and the housing of their craft and equipment and implementation of a community booking system to be managed by the volunteers of the Surf Life Saving Far North Coast Branch.
2. Advise MRPD that Council is not able to renew their interim 12 month lease however the training facility will be available for use by MRPD, as stipulated within their submission, through the community booking system to be managed by the volunteers of Surf Life Saving Far North Coast Branch.
3. Advise SJA that the training facility will be available for use by SJA, as stipulated within their submission, through the community booking system to be managed by the volunteers of Surf Life Saving Far North Coast Branch.
4. Advise the food business operator that at this time the facility is unable to accommodate the requirements of their submission.

### **Communications Tower, Faulks Park, Kingscliff**

On 16 April 2015 Council resolved amongst other matters to:

*The negotiation of a long term licence of the Kingscliff Radio Tower if requested by Marine Rescue NSW;*

Marine Rescue NSW have indicated to Council officers their interest in the long term use of the Tower for operational purposes. It has also stipulated their desire to share the facility with the local surf lifesaving club for surveillance purposes. It is therefore considered, with concurrence of the Tweed Coast Reserve Trust, Council resolves to delegate approval to the Director of Planning and Regulation to further negotiate to agreed licence terms with Marine Rescue NSW for the use and maintenance of the facility.

### **OPTIONS:**

The options available to Council for the future use of the training facility and tower include:

1. Enter into negotiations with SLSFNC Branch for a lease agreement over the Training Facility for housing of their craft and equipment with the facilitation of a wider community use.
2. Enter into negotiations with Marine Rescue NSW for a licence agreement over the Tower for surveillance purposes.

3. Investigate options for Council to redevelop both sites.
4. Demolish the buildings and return each area to public open space.

Option 1 and 2 are recommended.

### **CONCLUSION:**

Following a community consultation process, feedback from the local community is now available to assist Council in the determination of the best use for the former AVCGA training and tower facilities. Following an expression of interest process, four submissions were received and it has been recommended that three of these proposals can be accommodated. These submissions are evaluated in attachment 1.

The feedback from the community has provided Council with a consistent option from both community and emergency service organisations that the training facility is best suited for a mix of occupants and services to the Kingscliff Community and the ongoing use of the tower facility for water safety.

The expectation that the training facilities still retains some aspect of marine rescue services, as well as providing access for community groups was received from all interest groups. These community expectations have been met.

The community also requested some form of kiosk to purchase ice creams and coffee, and one proposal along these lines was submitted: at this stage this cannot be accommodated.

The recommended arrangements will ensure the best possible outcomes for providing community services to the community, ability for rescue organisations to operate, as well as providing further resources and facilities to other groups.

### **COUNCIL IMPLICATIONS:**

#### **a. Policy:**

Corporate Policy Not Applicable

#### **b. Budget/Long Term Financial Plan:**

Option 1 Full cost recovery over the life of the building asset and park surrounds while maintaining continued provision of a facility to the community, at real cost only.

Option 2 There is no current budget allocation for redevelopment.

Option 3 Short term cost required to demolish. No current budget allocation for demolition. Medium to long term financial benefit due to the removal of the asset and therefore no need for maintenance costs to be allocated.

#### **c. Legal:**

Not Applicable.

#### **d. Communication/Engagement:**

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

Council officers have carried out an expression of interest process to determine the needs of the local community. This report tables the needs as submitted during that process and consulted further with appropriate agencies.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1: Strength and Weakness Analysis of EOI Submissions  
(ECM 3875315)

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10 [PR-CM] LEDA Cobaki Special Rate Proposal for Management of Environmental Protection Lands

SUBMITTED BY: Director

Valid



**Civic Leadership**



**Caring for the Environment**

**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
  - 4.1 Protect the environment and natural beauty of the Tweed
  - 4.2 Conserve native flora and fauna and their habitats
- 

**SUMMARY OF REPORT:**

At its meeting of 17 September 2015, Council resolved the following:

***“RESOLVED that Council:***

1. *Acknowledges LEDA Manorstead Pty Ltd's preference in support of a Special Rate Variation to meet condition of consent for the Concept Approval (MP06\_0316), Project Approval (MP08 0200), Development Application 10/0800, and any future Development Applications for the site.*
2. *Prepares, with input from LEDA Manorstead Pty Ltd, a Special Rate Variation application to Independent Pricing and Regulatory Tribunal (IPART).”*

Further to that resolution, by letter dated 8 October 2015, LEDA has written to Council seeking consideration of a draft proposal and Deed of Agreement (prepared on behalf of LEDA by Gadens Lawyers) as the basis for a request to IPART to establish a special rate levy to fund the long term maintenance and management of environmental protection lands within LEDA's Cobaki development.

The letter proposes two main elements:-

- 1) A proposed amount of the Special Rate at \$50 per 450m<sup>2</sup> lot to be applied to the Cobaki development.
- 2) A deed of agreement setting out the type of Special Rate that LEDA will support.

LEDA presented their views to a Councillors Workshop on 29 October 2015.



In further correspondence dated 16 November 2015, LEDA has proposed an annual Special Rate estimate of \$100 per 450m<sup>2</sup> lot.

Copies of LEDA's correspondence are provided as an attachment to this report.

An independent consultant engaged by Council in October 2014 (Ecosure) has estimated the ongoing costs of maintaining the environmental lands to be approximately \$750,000 per annum excluding the initial funds required to restore and revegetate the site. As the Cobaki development is expected to produce around 5,000 lots the \$750,000 equates to \$150 per lot.

LEDA's current proposal of \$100 per lot would generate \$500,000 in income towards ongoing costs of maintaining the environmental lands.

Council's contracted Project Manager for LEDA's Cobaki and Kings Forest, Clare Brown of Urbis, has reviewed the documents of LEDA's special rate levy proposal and by letter dated 27 November 2015 (provided as an attachment to this report) has provided advice to Council. In summary, she concludes that:

- In principle, the imposition of a special rate levy to fund the ongoing management of the environmental lands would satisfy the requirements of the Cobaki Concept Plan, Project Application, and development consents issued by Council; and
- A funding model which allocates a proportionate funding responsibility through both a site specific Special Rate Levy for LEDA's Cobaki site, as well as Council's general funding for all Tweed residents, based on estimated degrees of nexus and benefits is reasonable; however, if Council's general rates are to be used to subsidise the ongoing management it would be necessary to demonstrate the nexus between the works and the public benefit to the broader community.

For any Special Rate levy to be effective from the 2016/17 financial year Council must resolve the amount to be raised, advise IPART by 11 December 2015 of Council's intention to apply for a Special Rate Variation and make application by 15 February 2016 to Independent Pricing and Regulatory Tribunal (IPART).

As a result of the tight timeframe this report only deals with the amount of the Special Rate application and not the deed of agreement dealing with the mechanics of payments, timing etc. These issues involving legal advice will be dealt with separately over the coming months.

#### **RECOMMENDATION:**

**That, in respect of the proposal to apply for a Special Rate Variation application to the Independent Pricing and Regulatory Tribunal (IPART) to fund the long term maintenance and management of environmental protection lands within LEDA's Cobaki development:**

- 1. Council endorses the Special Rate of \$100 average per 450m<sup>2</sup> lot as proposed by LEDA in a letter submitted to Council dated 16 November, 2015, and that an application be submitted to IPART to advance this proposal;**

2. Council adopts the ad valorem rating method for the raising of the special rate on the Cobaki development; and
3. Council and LEDA hold further discussions to address the future funding arrangements for the proposal, and how best to advance a legal agreement to enable the relevant conditions of development approval to be satisfied, and thereby allow the commencement of civil construction works for the initial precincts of the Cobaki development. The outcomes of these discussions shall be reported back to Council in early 2016
4. In conjunction with 3 above a report for Council's consideration be prepared in early 2016 identifying the nexus between the ongoing works funded by Council's general rates and the public benefit to the broader community
5. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

## REPORT:

At its meeting of 17 September 2015, Council resolved the following:

***“RESOLVED that Council:***

- 1. Acknowledges LEDA Manorstead Pty Ltd's preference in support of a Special Rate Variation to meet condition of consent for the Concept Approval (MP06\_0316), Project Approval (MP08 0200), Development Application 10/0800, and any future Development Applications for the site.*
- 2. Prepares, with input from LEDA Manorstead Pty Ltd, a Special Rate Variation application to Independent Pricing and Regulatory Tribunal (IPART).”*

Further to that resolution, by letter dated 8 October 2015, LEDA has written to Council seeking consideration of a draft proposal and Deed of Agreement (prepared on behalf of LEDA by Gadens Lawyers) as the basis for a request to IPART to establish a special rate levy to fund the long term maintenance and management of environmental protection lands within LEDA's Cobaki development.

The letter proposes two main elements:-

- 1) A proposed amount of the special rate to be applied to the Cobaki development.

LEDA comments that:

The first and fundamental position is that the costs which the Special Rate is designed to meet must only be those costs brought wholly or partly by the residents of Cobaki.

Having reviewed the previous recommended costings for the long term maintenance and management for the Cobaki environmental protection lands produced by the firms Boyds Bay Group and Ecosure, LEDA put forward that in their view it is not reasonable for some aspects of the proposed maintenance and management for Cobaki, such as the saltmarsh area, to be paid solely by the future residents of Cobaki, and that a proportionate share of the costs should be by other Tweed ratepayers.

Having given the matter careful consideration, it is LEDA's view that the annual Special Rate should be \$50 per 450m<sup>2</sup> lot.

As per the Local Government Act, the Special Rate would be ad valorem based on unimproved land values. This means that some lots will pay more the \$50 and some will pay less, depending on each lot's unimproved land value. Over time this value will change, and LEDA accepts the amount of the Special Rate would change accordingly.

- 2) A deed of agreement setting out the type of Special Rate LEDA will support.

LEDA comments that:

It is not legally possible for the Council and LEDA to reach a binding agreement on the amount or application of any Special Rate. Accordingly LEDA has prepared a draft deed of agreement setting out the type of Special Rate that LEDA will support.

If the Special Rate is imposed early (ie before Council is responsible for the maintenance of the environmental protection land) the deed provides that an appropriate payment be made by Council to LEDA.

Similarly, if the Special Rate is imposed on LEDA's en globo land, the deed provides for a payment equivalent to the amount paid by LEDA.

LEDA also presented their views to a Councillors Workshop on 29 October 2015.

In further correspondence dated 16 November 2015, LEDA have proposed an annual Special Rate estimate of \$100 per 450m<sup>2</sup> lot, with the other points raised in the letter 8 October still standing.

Copies of LEDA's correspondence are provided as an attachment to this report.

## **Discussion**

An independent consultant engaged by Council in October 2014 (Ecosure) has estimated the ongoing costs of maintaining the environmental lands to be approximately \$750,000 per annum excluding the initial funds required to restore and revegetate the site. As the Cobaki development is expected to produce around 5,000 lots the \$750,000 equates to \$150 per lot.

LEDA's current proposal of \$100 per lot would generate \$500,000 in income towards ongoing costs of maintaining the environmental lands.

Council's contracted Project Manager for LEDA's Cobaki and Kings Forest, Clare Brown of Urbis, has reviewed the documents of LEDA's special rate levy proposal and by letter dated 27 November 2015 (provided as an attachment to this report) has provided advice to Council. In summary, she concludes that:

- In principle, the imposition of a special rate levy to fund the ongoing management of the environmental lands would satisfy the requirements of the Cobaki Concept Plan, Project Application, and development consents issued by Council; and
- A funding model which allocates a proportionate funding responsibility through both a site specific Special Rate Levy for LEDA's Cobaki site, as well as Council's general funding for all Tweed residents, based on estimated degrees of nexus and benefits is reasonable; however, if Council's general rates are to be used to subsidise the ongoing management it would be necessary to demonstrate the nexus between the works and the public benefit to the broader community.

For any Special Rate levy to be effective from the 2016/17 financial year, Council must resolve the amount to be raised, advise IPART by 11 December 2015 of Council's intention to apply for a Special Rate Variation and make application by 15 February 2016 to Independent Pricing and Regulatory Tribunal (IPART).

As a result of the tight timeframe this report only deals with the amount of the Special Rate application and not the deed of agreement dealing with the mechanics of payments, timing etc. These issues involving legal advice will be dealt with separately over the coming months.

Advice received from IPART in relation to a Special Rate Variation application is to re-issue the 2015/16 Integrated Planning and Reporting (IP&R) Delivery Program document with the proposed changes resulting from the special rate and amending the Long Term Financial Plan. Publicly exhibit for 28 days the amended Delivery Program, and engage the community through newsletters, press releases and possibly public meetings.

**OPTIONS:**

That Council:

1. Accept the amount of \$100 per 450m<sup>2</sup> lot OR
2. Continue negotiations with LEDA to come to an agreeable amount. This option would place the application for 2016/17 in jeopardy due to the required timeframes for making application.

Option 1 is recommended.

**CONCLUSION:**

Council and LEDA have been working closely together to advance the Cobaki development. A more recent impetus to advancing this proposal has been the interest shown by the Southern Cross University to establish a new educational campus within the Cobaki site. A key issue that has impacted upon the progress of the Cobaki approvals has been the challenge to gain an agreement between Council and LEDA on how best to fund the long term maintenance and management of environmental protection lands within LEDA's Cobaki development. Both parties have now shown interest in a funding proposal which involves combining both a Special Rate Levy specifically for future Cobaki land owners, as well as a proportionate amount of general rates. The first step in advancing such a proposal is to apply through IPART.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

LEDA's Special Rate Levy proposal will have a major impact on Council's long term financial planning and budget.

**c. Legal:**

Legal advice will need to be obtained by Council for LEDA's Draft Deed of Agreement.

**d. Communication/Engagement:**

**Empower-**We will give the community greater opportunity to participate in a transparent flow of information and feedback to Councillors who have been empowered as the Community representatives to make decisions in accordance with the Local Government Act 1993.

**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.

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

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Correspondence dated 8 October 2015 from LEDA seeking Council consideration of a proposal and Draft Deed of Agreement for a Special Rate Levy for LEDA's Cobaki site. (ECM 3845258)

Attachment 2. Correspondence dated 16 November 2015 from LEDA advising of new proposal for Special Rate. (ECM 3863664)

Attachment 3 Correspondence dated 27 November 2015 from Project Manager Clare Brown of Urbis (ECM 3879054)

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## INDEPENDENT ASSESSMENT OF DEVELOPMENT APPLICATION

### 11 [PR-CM] Development Application DA15/0160 for the Erection of a Shed for Use as a Pottsville Community Men's Shed at Lot 301 DP 1125090, Black Rocks Sports Field, Overall Drive, Pottsville

SUBMITTED BY: GHD Pty Ltd

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:

Council is in receipt of a Development Application to establish a men's shed on a portion of the subject site known as the Black Rocks Sports Field. The proposal includes the construction of a 180m<sup>2</sup> metal clad shed within which to facilitate the proposed use.

This report is submitted for Council's consideration at this time as the next available Planning Committee is not until 4 February 2016.

Due to the sensitive nature of the proposal, Council engaged GHD in May 2015 to undertake an independent assessment of the development application and a representative from GHD Pty Ltd will be in attendance for any discussion on this item.

The development application is being reported to Council in recognition of the sensitive environmental setting and proximity to an existing residential area, the high level of public interest, and to separate Council's interest as both an asset owner and regulator for the site.

The proposed floor plan will allow for functional operational areas within the confines of the shed. Car parking, drainage works and identification signage are associated with the application.

The facility is to be operated by a not-for-profit organisation and monitored by a Shed Manager. It will be exclusively operated to encourage the social and cultural well-being of men within the Pottsville locality.

The applicant states:

*"The Pottsville Community Men's Shed will enhance the well-being, health and quality of life of men by providing a fully equipped workshop and activities, projects and hobbies that they can work on for their own enjoyment or for the benefit of the community at large. Men will share skills and information to enhance adult learning opportunities and help combat isolation and depression."*

The proposed use responds to a recognised demand for such a facility in the Pottsville area.

The proposal is best defined as 'community facility' in accordance with the Tweed Local Environmental Plan 2014 and is permissible with consent in the RE1 Public Recreation zone.

The proposal was required to be placed on public exhibition. The proposal was notified from Wednesday 27 May 2015 to Wednesday 10 June 2015. Any submissions received after these dates were also considered. During this time, a total of 14 submissions were received in regard to the proposal, including a submission of objections with 326 signatures. One letter of support was received following conclusion of the exhibition period. Matters raised within the submissions have been considered in the assessment of the proposal and addressed by the applicant.

GHD's assessment concluded that:

- The application provides sufficient information to adequately assess the proposal in accordance with the provisions of Section 79C of the EP&A Act, including Council's LEP and relevant DCPs/policies and is considered a suitable use of the site.
- The supplementary information identified from submissions and consultation with State agencies and the general public on the SEE was suitably addressed by Council.
- Supplementary information requested from Council was provided and suitably addressed the matters outlined in the report.

It is considered that the application is suitable for approval, subject to the recommended conditions.

## **RECOMMENDATION:**

**That Development Application DA15/0160 for the erection of a shed for use as Pottsville Community Men's Shed at Lot 301 DP 1125090, Black Rocks Sports Field, Overall Drive, Pottsville be approved subject to the following conditions:**

### **GENERAL**

1. **The development shall be completed in accordance with the Statement of Environmental Effects and:**
  - **Concept Drawing (Proposed Floor Plan) of P&DMS Shed on Black Rocks Sports Field prepared Pottsville and District Men's Shed Inc. and dated March 2015.**
  - **Concept Drawing (Proposed Elevations) of P&DMS Shed on Black Rocks Sports Field prepared Pottsville and District Men's Shed Inc. and dated March 2015.**
  - **Drawing No. CMP1 Issue A (Men's Shed – BlackRocks Preliminary Concept Design) prepared by Tweed Shire Council and dated 13 February 2015.**



- **Proposed Management Zones Plan dated March 2015.**  
except where varied by the conditions of this consent. [GEN0005]
- 2. **Additional advertising structures/signs to the building identification sign to be the subject of a separate development application (where statutorily required).** [GEN0065]
- 3. **Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property.** [GEN0135]
- 4. **The development is to be carried out in accordance with Councils Development Design and Construction Specifications.** [GEN0265]
- 5. **The colour of the walls and roof of the shed shall be *Pale Eucalypt* or a similar earthy, muted colour, subject to approval by the General Manager or delegate.** [GENNS01]
- 6. **All landscaping work is to be completed in accordance with the approved plans within 3 months of the date of issue of any occupation certificate.** [GENNS02]

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

- 7. **The car parking area is to be maintained by the P&DMS as per the standards and requirements of a maintenance agreement with Council. Car parking is to be returned to its existing standard following cessation of the lease of the site.**
- 8. **In accordance with Section 109F(i) of the Environmental Planning and Assessment Act 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.** [PCC0285]
- 9. **A detailed plan of landscaping containing no noxious or environmental weed species and with a minimum 80% of total plant numbers comprised of local native species is to be submitted and approved by Council's General Manager or his delegate prior to the issue of a Construction Certificate.**  
**This plan is to include a detailed plant schedule that will suitably screen the entire west and north elevations of the shed. It is also to include a detailed plant schedule to integrate with parking areas. Plantings are to reach a minimum height of 2.6m at maturity.** [PCC0585]
- 10. **At the commencement of building works and in perpetuity the property around the building to a distance of 20 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.**
- 11. **All buildings works are to comply with the National Construction Code Series, Volume One, Building Code of Australia 2015.**

12. All building works shall be designed in accordance with Part B1 of the BCA.
13. The building structure shall be designed to satisfy the requirements of AS 1170.
14. The dimensions of the exit and paths of travel to that exit shall be designed to satisfy Clause D1.6 with an unobstructed height throughout of 2 m except a doorway which may be reduced to 1.98 m, the unobstructed width of the path of travel must be 1 m and the doorway may be reduced to a clear width of 750 mm.
15. In accordance with Clause D2.7 of the BCA, services or equipment (if located within the building) to be enclosed by non-combustible construction or a fire protective covering with doorways suitably smoke sealed.
16. In accordance with Clause D2.20 of the BCA, an exit door to swing in the direction of travel unless it serves a building with a floor area less than 200 m<sup>2</sup> and it is fitted with a device to hold the door in the open position.
17. In accordance with Clause D2.21 of the BCA, the operation of the latch to the exit doorway to be readily openable without a key from the side that faces a person seeking egress by single handed action located between 900 mm and 1.1 m from the floor.
18. Access to the building must be provided for persons with disabilities in accordance with the requirements of AS 1428.1- 2009 from the front allotment boundary through the principal pedestrian entrance and within the building.
19. A path of travel must be maintained with a clear width of 1 m and doorways must have a clear width of not less than 850 mm in accordance with AS 1428.1. Circulation space must also be provided at each doorway in accordance with Clause 13.3.2 of AS 1428.1.
20. Signage and tactile indicators are to be provided in accordance with Clause D3.6 and D3.8 of the BCA.
21. A hearing augmentation system shall be provided where an inbuilt amplification system has been installed within the building in accordance with Clause D3.7 of the BCA.
22. Portable fire extinguishers shall be provided in accordance with Clause E1.6 of the BCA.
23. The building shall be constructed to satisfy stormwater drainage in accordance with AS/NZS 3500.3, by implementing the following:
  - Roof covering in accordance with AS 1562.1
  - The kitchen sink area shall be water-resistant or waterproof in accordance with AS 3740
  - The provision of a vapour barrier to the slab on ground in accordance with AS 2870.

24. Sanitary facilities including a facility for persons with a disability and for ambulatory disabled persons shall be provided in accordance with Clause F2.3 and Table F2.3 of the BCA.
25. Artificial lighting shall comply with AS/NZS 1680.0.
26. Natural ventilation shall consist of windows or doors with an aggregate opening or openable size not less than 5% of the floor area of the room to be ventilated. Alternatively provide a mechanical ventilation or air conditioning system complying with AS 1668.2.
27. The building shall be designed in accordance with Clause NSW G5.2 Protection of the BCA.
28. The external materials of the proposed building are to be non-combustible.
29. All building materials used below Council's adopted design flood level must not be susceptible to water damage.
30. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
31. Subject to the requirements of the local electricity supply authority, all electrical wiring, outlets, switches etc. should, to the maximum extent possible, be located above the Design Flood Level. All electrical wiring installed below the Design Flood Level should be suitably treated to withstand continuous submergence in water and provide appropriate earth leakage devices.
32. The footings, floor slab and frame are to be designed by a practising Structural Engineer after consideration of a soil report from a NATA accredited soil testing laboratory and shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a construction certificate.

[PCC0945]
33. Waste material (soil, concrete, timber, masonry, steel and the like) generated by the development shall be disposed of in accordance with a Waste Management Plan which shall be submitted to and approved by the Principal Certifying Authority PRIOR to the issue of a construction certificate.

The Plan shall specify how the waste is to be treated and/or where the waste is to be disposed of.

[PCC1065]
34. Should imported material be required for development, an assessment of imported material should be undertaken to ensure its suitability for community facility from a contamination perspective. Further, any material onsite requiring offsite disposal should be classified as per NSW EPA (2014) *Waste Classification Guidelines, Part 1: Classifying Waste*.
35. Waste classification in accordance with the NSW EPA (2014) *Waste Classification Guidelines, Part 1: Classifying waste* should be undertaken for waste soil and groundwater requiring disposal offsite during construction.

36. A construction environment management plan (CEMP) should be prepared and implemented during construction. It should include an unexpected finds protocol pertaining to contamination.
37. An updated acid sulfate soil management plan should be prepared which calculates the required liming rate calculated in accordance with the requirements of the Acid Sulfate Soil Management Advisory Committee (ASSMAC) Acid sulfate soil manual.
38. Permanent stormwater quality treatment shall be provided in accordance with the following:
- (a) The Construction Certificate Application shall detail stormwater management for the occupational or use stage of the development in accordance with Section D7.07 of Councils *Development Design Specification D7 - Stormwater Quality*.
  - (b) Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils *Development Design Specification D7 - Stormwater Quality*.
  - (c) The stormwater and site works shall incorporate water sensitive design principles and where practical, integrated water cycle management.
  - (d) Specific Requirements to be detailed within the Construction Certificate application include:
    - (i) Shake down area along the haul route immediately before the intersection with the road reserve.

[PCC1105]

39. A construction certificate application for works that involve any of the following:
- connection of a private stormwater drain to a public stormwater drain
  - installation of stormwater quality control devices
  - erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.

- a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.
- b) Where Council is requested to issue a construction certificate for civil works associated with a subdivision consent, the abovementioned works can be incorporated as part of the construction certificate application, to enable one single approval to be issued. Separate approval under Section 68 of the Local Government Act will then NOT be required.

[PCC1145]

40. Erosion and Sediment Control shall be provided in accordance with the following:
-

- (a) The Construction Certificate Application must include a detailed erosion and sediment control plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*.
- (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".

[PCC1155]

41. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the Local Government Act for any water, sewerage, on site sewerage management system or drainage works including connection of a private stormwater drain to a public stormwater drain, installation of stormwater quality control devices or erosion and sediment control works, prior to the issue of a construction certificate.

[PCC1195]

42. Prior to the issue of a Construction Certificate, the Principal Certifying Authority shall be provided with a list of construction materials for the roof/ceiling, walls, windows and doors including internal walls and doors indicating compliance with the Rw requirements for these materials.

[PCCNS01]

43. Gravitational access to the sewer is required for the building. Details are to be submitted to the General Manager or delegate for approval prior to the issue of a construction certificate.

[PCCNS02]

44. Final building identification signage detail where statutorily required is to be submitted to the satisfaction of the General Manager or delegate prior to the issue of a construction certificate.

[PCCNS04]

#### **PRIOR TO COMMENCEMENT OF WORK**

45. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifying Authority advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.

[PCW0005]

46. The erection of a building in accordance with a development consent must not be commenced until:

- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and

- (b) the person having the benefit of the development consent has:

- (i) appointed a principal certifying authority for the building work, and



- (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
  - (c) the principal certifying authority has, no later than 2 days before the building work commences:
    - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
    - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
  - (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
    - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
    - (ii) notified the principal certifying authority of any such appointment, and
    - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.
- [PCW0215]
47. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least 2 days prior to work commencing.
- [PCW0225]
48. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one closet for every 15 persons or part of 15 persons employed at the site. Each toilet provided must be:
- (a) a standard flushing toilet connected to a public sewer, or
  - (b) if that is not practicable, an accredited sewage management facility approved by the council.
- [PCW0245]
49. Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore recommended that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design.
- [PCW0665]
50. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area, where required. These measures are to be in accordance with the approved erosion and sedimentation control plan and adequately maintained throughout the duration of the development.

In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the Local Government Act is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided.

This sign is to remain in position for the duration of the project.

[PCW0985]

51. All roof waters are to be disposed of through properly jointed pipes to the street gutter, interallotment drainage or to the satisfaction of the Principal Certifying Authority. All PVC pipes to have adequate cover and installed in accordance with the provisions of AS/NZS3500.3.2. Note All roof water must be connected to an interallotment drainage system where available. A detailed stormwater and drainage plan is to be submitted to and approved by the Principal Certifying Authority prior to commencement of building works.

[PCW1005]

52. An application to connect to Council's sewer or carry out plumbing and drainage works, together with any prescribed fees including inspection fees, is to be submitted to and approved by Council prior to the commencement of any building works on the site.

[DUR0005]

53. Detailed plans of associated signage are to be submitted to Council prior to the issue of a construction certificate.

#### **DURING CONSTRUCTION**

54. During construction, all works required by other conditions or approved management plans or the like shall be installed and operated in accordance with the approved conditions or plans.

[DUR0015]

55. Construction and/or demolition site work including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm.

No work to be carried out on Sundays or Public Holidays.

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

56. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

- A. Short Term Period - 4 weeks.

$L_{Aeq, 15 \text{ min}}$  noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

- B. Long term period - the duration.

**L<sub>Aeq, 15 min</sub> noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.**

[DUR0215]

**57. The wall and roof cladding is to have low reflectivity where they would otherwise cause nuisance to the occupants of buildings with direct line of sight to the proposed building.**

[DUR0245]

**58. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).**

[DUR0375]

**59. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.**

[DUR0395]

**60. The Principal Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.**

[DUR0405]

**61. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Work Health and Safety Regulation 2011.**

[DUR0415]

**62. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Work Health and Safety Regulation 2011.**

[DUR0415]

**63. The finished floor level of the building should finish not less than 225mm above finished ground level.**

[DUR0445]

**64. All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Work Health and Safety Regulation 2011. The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.**

[DUR0645]

**65. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited.**

[DUR0815]

66. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate. [DUR0985]
67. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate/Occupation Certificate. [DUR0995]
68. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:
- Noise, water or air pollution.
  - Dust during filling operations and also from construction vehicles.
  - Material removed from the site by wind.
- [DUR1005]
69. The burning off of trees and associated vegetation felled by clearing operations or builders waste is prohibited. Such materials shall either be recycled or disposed of in a manner acceptable to Councils General Manager or his delegate. [DUR1015]
70. Landscaping of the site shall be carried out in accordance with the approved landscaping plans. [DUR1045]
71. Access to the building for people with disabilities shall be provided and constructed in accordance with the requirements of Section D of the Building Code of Australia. Particular attention is to be given to the deemed-to-satisfy provisions of Part D-3 and their requirement to comply with AS1428. [DUR1685]
72. Where access for people with disabilities is required to be provided to a building, sanitary facilities for the use of the disabled must also be provided in accordance with the provisions Part F-2 of the Building Code of Australia. [DUR1705]
73. Pursuant to the provisions of the Disability Discrimination Act, 1992 (Commonwealth) the design of the proposed development shall facilitate access for the disabled in accordance with the relevant provisions of AS1428- Design for Access and Mobility. [DUR1725]
74. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works. [DUR1795]
75. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils Development Design
-

and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.

[DUR1875]

76. The builder must provide an adequate trade waste service to ensure that all waste material is suitably contained and secured within an area on the site, and removed from the site at regular intervals for the period of construction/demolition to ensure no material is capable of being washed or blow from the site.

[DUR2185]

77. Appropriate arrangements to the satisfaction of Council's General Manager or his delegate shall be provided for the storage and removal of garbage and other waste materials.

[DUR2205]

78. During construction, a "satisfactory inspection report" is required to be issued by Council for all s68h2 permanent stormwater quality control devices, prior to backfilling. The proponent shall liaise with Councils Engineering and Operations Division to arrange a suitable inspection.

[DUR2445]

79. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:

- (a) internal drainage, prior to slab preparation;
- (b) water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
- (c) external drainage prior to backfilling.
- (d) completion of work and prior to occupation of the building.

[DUR2485]

80. Plumbing

- (a) A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
- (b) The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the Plumbing Code of Australia and AS/NZS 3500.

[DUR2495]

81. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.

[DUR2505]

82. Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.

[DUR2545]

83. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:

- \* 45°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
- \* 50°C in all other classes of buildings.



A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

[DUR2555]

**PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

84. Prior to issue of an occupation certificate, all works/actions/inspections etc required at that stage by other conditions or approved management plans or the like shall be completed in accordance with those conditions or plans.

[POC0005]

85. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).

[POC0205]

86. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.

[POC0225]

87. **Section 94 Contributions**

Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 94 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

**A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.**

These charges include indexation provided for in the S94 Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

(a) **Tweed Road Contribution Plan:**

7 Trips @ \$844 per Trips (\$815 base rate + \$29 indexation) S94 Plan No. 4 Sector1_4	<b>\$5908</b>
-------------------------------------------------------------------------------------------------	---------------

(b) **Extensions to Council Administration Offices  
& Technical Support Facilities**

0.2166 ET @ \$1860.31 per ET	<b>\$402.94</b>
------------------------------	-----------------

**(\$1759.9 base rate + \$100.41 indexation)  
S94 Plan No. 18**

[POC0395]

88. A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

Prior to the occupation of the building or issue of any Interim or Final Occupation Certificate (whichever comes first), all Section 64 Contributions must have been paid in full and the Certifying Authority must have sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water DSP4:	0.1 ET @ \$12575 per ET	\$1257.50
Sewer Banora:	0.15 ET @ \$6042 per ET	\$906.30

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

**A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT.**

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.

[POC0675]

89. Prior to the issue of an occupation certificate, the applicant shall produce a copy of the "satisfactory inspection report" issued by Council for all s68h2 permanent stormwater quality control devices.

[POC0985]

90. Prior to the occupation or use of any building and prior to the issue of any occupation certificate, including an interim occupation certificate a final inspection report is to be obtained from Council in relation to the plumbing and drainage works.

[POC1045]

91. A flood evacuation plan shall be submitted to Council to the satisfaction of the General Manager or his delegate prior to the commencement of operations. The plan submitted shall have prior approval of the State Emergency Service.

92. Prior to the issue of a final occupation certificate, all conditions of consent are to be met.

[POC1055]

## **USE**

93. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

[USE0125]

94. Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises. [USE0145]
95. The hours of operation of the facility are to be restricted to Monday to Sunday 07:30am to 5:30pm with meetings and social activities on Sunday only (no workshop activities). All deliveries and pickups relating to the facility are to occur within the approved hours. [USE0185]
96. All externally mounted artificial lighting, including security lighting, is to be shielded to the satisfaction of the General Manager or his delegate where necessary or required so as to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises. [USE0225]
97. The use of power tools outside of the building are to be limited to within 5 metres of the building and restricted to operating hours.
98. All commercial/industrial/residential wastes shall be collected, stored and disposed of in accordance with any approved Waste Management Plan or to the satisfaction of the General Manager or his delegate. [USE0875]
99. The kitchen facilities and the premises in general are not to be used for the handling or preparation of food for sale as defined under the provisions of the NSW Food Act 2003. [USENS02]
100. Activities at the premise shall be supervised by suitably qualified staff at all times. [USENS03]
101. No residential accommodation shall be provided to clients at the premise. [USENS04]
102. Adequate provision for the flood free storage for goods and equipment susceptible to water damage should be provided.
103. The P&DMS must ensure that the operation of the Men's Shed does not disturb the Eastern Osprey nest during the active breeding season (July-September) by restricting access within 100m of the nest.
104. Ensure sufficient area is provided for access to the facility by emergency vehicles at all times.

**REPORT:**

**Applicant:** Pottsville and District Men's Shed Inc.  
**Owner:** Tweed Shire Council  
**Location:** Lot 301 DP 1125090, Black Rocks Sports Field, Overall Drive, Pottsville  
**Zoning:** RE1 Public Recreation

**Background:**

Council is in receipt of a development application for the erection of a shed for use as Pottsville Community Men's Shed with associated identification signage, drainage works and car parking on a parcel of land zoned RE1 Public Recreation. The proposal aims to create a suitable, secure facility to offer daytime recreational services to men within the Shire.

The Subject Site

The subject site, comprising both the sports fields and access road has a land area of 4.673 hectares. The subject site was created as part of a residential subdivision known as Stages 13 and 14 of Black Rocks Estate approved by the NSW Minister for Planning (as amended) in 2006 under development application DA 243-10-2004. The subject site was dedicated to Tweed Shire Council (TSC) for the purpose of a sports field pursuant to a deed of agreement between TSC and Black Rocks Estate Pty Ltd dated 5 June 2003. Pursuant to Deposited Plan 1125090 the subject site is a public reserve.

Existing access to the site is via a sealed vehicle road and adjacent pedestrian and bicycle pathway which are equipped with a lockable gate, traffic calming devices and lighting. The site access road connects to Overall Drive in the nearby residential subdivision known as Black Rocks Estate (refer to Figures 1 and 2).

Improvements at the site include maintained fields and cricket pitch, coppers logs fence, amenities facility, shade shelters, irrigation shed and water tank, and informal parking area. The subject site is serviced by existing sub-surface infrastructure including reticulated water and sewer, and electricity.

The subject site is surrounded by land zoned for environmental protection (habitat) purposes pursuant to the TLEP 2000 as a deferred matter (in contrast to current zoning under the TLEP 2014). An ephemeral drain exists to the immediate south of the subject site. The land immediately surrounding the subject site is largely dominated by coastal swamp vegetation communities. More widely, surrounding land in the locality is occupied by low density residential development, including the nearby Black Rocks Estate subdivision to the east, as well as rural and agricultural uses to the south and west.



**Figure 1: Subject site location**



**Figure 2: Aerial photograph of subject site**

### History of Proposal

Selection of a preferred location for a Men's Shed in Pottsville and surrounding suburbs was performed by the Pottsville and District Men's Shed Inc. (P&DMS) in consultation with the NSW Department of Primary Industry - Lands, the State elected member for Tweed and Council.



Based on selection of the Black Rocks Sports Fields as the preferred location for the Men's Shed by P&DMS, Council resolved at its meeting of the 17 July 2014 that Council supports the request to construct and operate a Men's Shed facility at the Black Rocks Sports Fields.

Subsequently, at its meeting of the 21 August 2014 Council resolved that in relation to Council's previously supported position of the request to construct and operate a Men's Shed facility at the Black Rocks Sports Fields that the following also be applied:

1. That in the event that the Pottsville Men's Shed seeks a licence or lease to operate from the site at the Black Rocks Sports Field that Council consider granting a limited use licence to operate the Men's Shed for a maximum term of 5 years at the site
2. Requests that the shed construction be of the type that it can be fully dismantled and reassembled at an alternative site
3. Council officers be requested to continue to pursue alternative sites including future development or appropriately zoned sites that could accommodate the Men's Shed in the longer term on a permanent basis.

As a consequence it was further resolved and subsequently agreed at a Council meeting dated 16 October 2014 that Council prepares and lodges the development application or Part 5 Application (whichever is applicable) for a Men's Shed at Lot 301 DP 1125090 (Black Rocks Sports Field), in accordance with their concept design and the Council resolution of 21 August 2014, whereby the construction be of the type that can be fully dismantled and reassembled at an alternative site.

Further, at its meeting of 11 December 2014 Senior Council staff provided updates regarding the investigation of alternative sites for the Pottsville Men's Shed. In short, Council staff reiterated the outcome of a workshop in which elected members did not support the concept of establishing a Men's Shed at a future industrial estate within Dunloe Park based on cost. In addition, discounting of two sites at Bogangar and Round Mountain for land-use and location reasons respectively was also outlined by Council staff. The choice not to proceed with these two latter sites, namely Camp Wollumbin and Barry Sheppard Sports Fields, is addressed in Table 2.1 of the SEE.

In summary, Council staff stated that as Council officers have not been able to identify an alternative site that meets the support of the elected body, staff would be proceeding with the resolutions of Council dated 21 August 2014 and 16 October 2014 and would prepare a development application for the Men's Shed at Black Rocks Sports Field.

The application was prepared by Council in March 2015.

Due to the sensitive nature of the proposal, Council engaged GHD in May 2015 to undertake an independent assessment of the development application. The assessment included a review of the development application pursuant to section 79C(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) taking into account:

- The plans and documentation lodged with the development application
- Comments received from external referral agencies
- Submissions received during the neighbour notification period

- Applicable planning instruments and development control plans relating to the development.

GHD's Development Assessment Report dated 3 November 2015 is provided as Attachment 3.

### Proposal

The applicant seeks consent for the erection of a shed for use as Pottsville Community Men's Shed. The proposal includes the construction of 18m long x 10m wide x 3.6m high men's shed.

In order to satisfy Council's resolution of the 21 August 2014 the proposed shed would be relocatable. The slab would be likely to be sacrificial, however could be used for future Council structures at the sports fields if required.

The shed is to be used by the community for hobby and social uses and will be operated by a not-for-profit organisation, and monitored by a Shed Manager.

Currently, car parking at the sport fields is provided informally via a grassed hardstand (gravel) area providing space for up to 55 vehicles. A single sealed hardstand accessible car parking space and 3 bicycle spaces would be provided adjacent the connecting pedestrian pathway in proximity to the proposed shed.

No significant vegetation disturbance is proposed and would be limited to ground cover removal for the purposes of establishing the concrete slab and footings. Minor earthworks in the form of excavation would be required for the same purpose (~0.3m depth).

### Summary

Having regard to the site's characteristics, the site history, intended use, proximity of surrounding residential and community development, amenity issues and an assessment against relevant clauses of the Tweed LEP 2014, the proposed erection of a shed for use as Pottsville Community Men's Shed is, on balance, considered suitable for the location and therefore the proposed development is recommended for approval subject to imposition of the recommended conditions of consent.

**DEVELOPMENT/ELEVATION PLANS:**

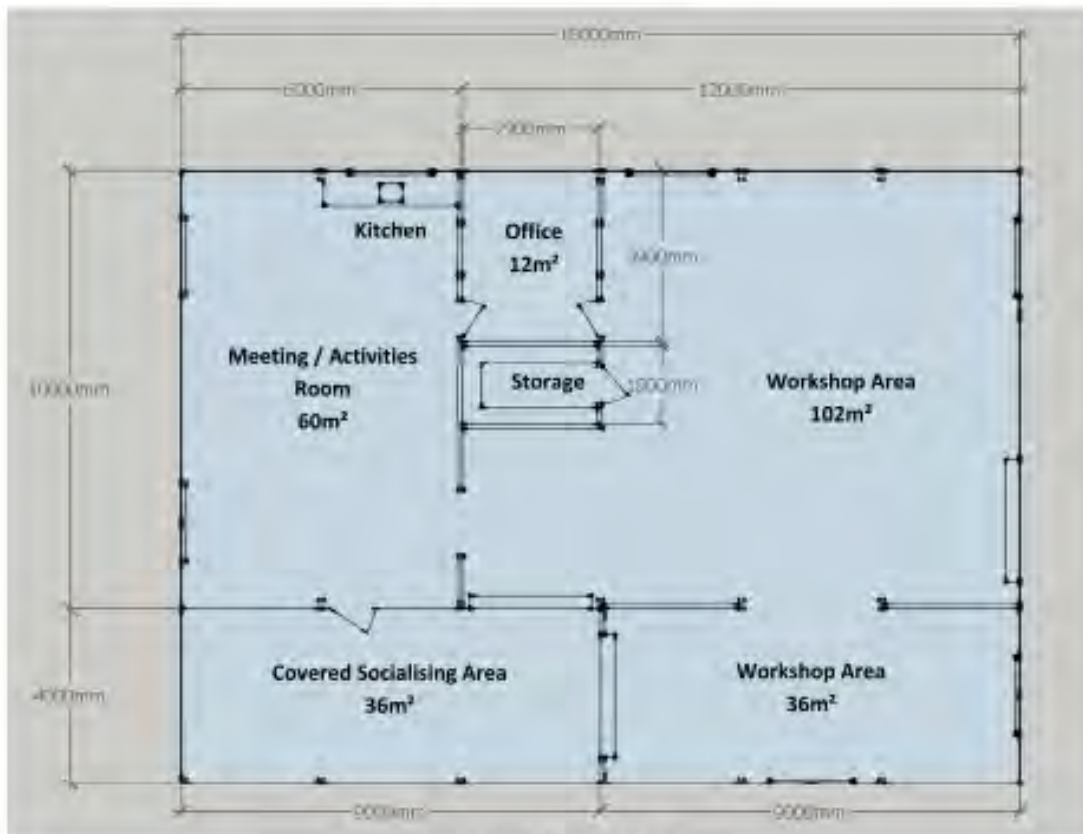
**POTTSVILLE and DISTRICT MEN'S SHED Inc.**



**Concept Drawings of P&DMS Shed  
on Black Rocks Sports Field**



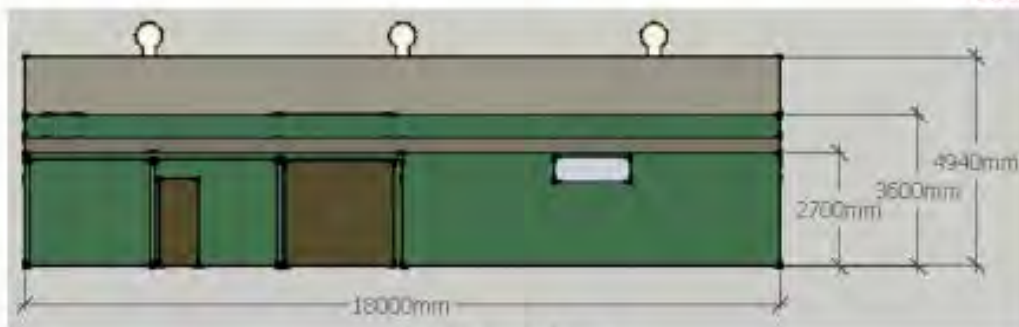
**North Eastern View**



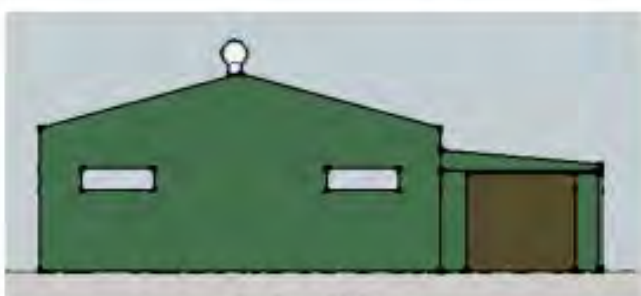
**Proposed Floor Plan**

Address:- P O Box 273 Pottsville NSW 2489  
email:- secretary@padms.org  
Web:- www.padms.org

POTTSVILLE and DISTRICT MEN'S SHED Inc.



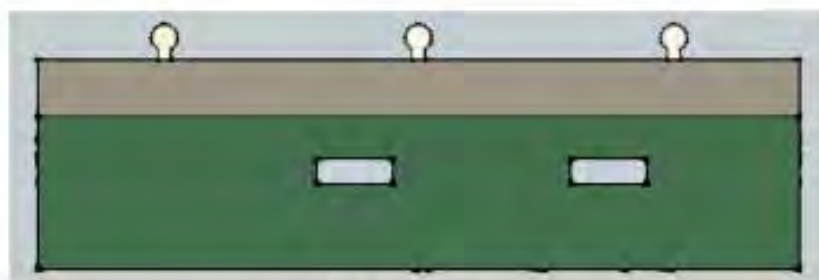
**Northern View**



**Eastern View**



**Western View**



**Southern View**

Address:- P O Box 273 Pottsville NSW 2489  
email:- secretary@padms.org  
Web:- www.padms.org



<b>PRELIMINARY</b>		<b>DESIGN UNIT</b>		<b>PROJECT NUMBER</b>	
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<b>SECURITY ARRANGEMENT DETAILS</b>		<b>DESIGN OFFICER</b>		<b>PROJECT TITLE</b>	
NAME: [ ] TITLE: [ ] ORGANISATION: [ ] ADDRESS: [ ] PHONE: [ ] WEBSITE: [ ]		NAME: [ ] TITLE: [ ] ORGANISATION: [ ] ADDRESS: [ ] PHONE: [ ] WEBSITE: [ ]		SHEET 1 OF 1 ISSUE NO. A	





**Proposed management zones**

Blackrocks Sportsfield, Pottsville

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**Considerations under Section 79c of the Environmental Planning and Assessment Act 1979:**

**(a) (i) The provisions of any environmental planning instrument**

The development application has been assessed against the relevant provisions of the Tweed Local Environmental Plan 2014 (TLEP 2014) and the Tweed Local Environmental Plan 2000 (TLEP 2000). Refer to Tables 2-1 and 2-2 in GHD's Development Assessment Report included as Attachment 3.

TLEP 2000 continues to apply to the part of the subject site identified as a deferred matter (DM) under Clause 1.3(1A) of the TLEP 2014. However, pursuant to Clause 1.8 (2) of the TLEP 2014, all local environmental plans including the TLEP 2000 applying to land to which TLEP 2014 applies and to other land cease to apply to land to which the TLEP 2014 applies. Accordingly, the TLEP 2000 would apply to the part of the development proposed to occur within the part of the site identified as DM (7(l) zone) only.

The submitted development application has been assessed against the provisions of TLEP 2014 and TLEP 2000 and meets those provisions relevant to the development application.

**State Environmental Planning Policies**

The development application has been assessed against the following State Environmental Planning Policies (SEPP), as discussed in Table 2-3 of GHD's Development Assessment Report included as Attachment 3.

**(a) (ii) The Provisions of any Draft Environmental Planning Instruments**

There are no draft environmental planning instruments relevant to this proposal.

**(a) (iii) Development Control Plan (DCP)**

**Tweed Development Control Plan 2008**

The relevant matters of the Tweed Development Control Plan 2008 (Tweed DCP) are considered in Table 2-5 of GHD's Development Assessment Report included as Attachment 3.

**(a) (iv) Any Matters Prescribed by the Regulations**

**Clause 92(a) Government Coastal Policy**

The subject land is affected by the coastal policy. The proposed development is not considered to be in conflict with the policies and strategies of the policy.

**Clause 93 Fire Safety Considerations**

The building satisfies the provisions of the Building Code of Australia in relation to fire safety considerations.

- (a) (v) **Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)**

**Tweed Shire Coastline Management Plan 2005**

This Plan applies to the Shire's 37 kilometre coastline and has a landward boundary that includes all lands likely to be impacted by coastline hazards plus relevant Crown land. The Tweed Shire Coastline Management Plan 2005 is not applicable to the proposed development.

**Tweed Coast Estuaries Management Plan 2004**

This Plan relates to the Cudgen, Cudgera and Mooball Creeks and is therefore not applicable to the proposed development.

**Coastal Zone Management Plan for Cobaki and Terranora Broadwater (adopted by Council at the 15 February 2011 meeting)**

This plan relates to the Cobaki and Terranora Broadwater and is therefore not applicable to the proposed development.

- (b) **The likely impacts of the development and the environmental impacts on both the natural and built environments and social and economic impacts in the locality**

**Context and Setting**

The proposed scale of the Men's Shed is appropriate for the site and surrounding landscape.

**Earthworks**

Minor earthworks in the form of excavation would be required for the same purpose (~0.3m depth).

**Stormwater Quality Management**

The proposed shed would incorporate suitable stormwater infrastructure including gutters and downpipes that would direct rainfall onto surrounding land areas for ground infiltration. This is consistent with existing buildings at the site and therefore, following construction, the water quality of surrounding waterways would be expected to be comparable to the current environment.

**Waste**

Waste generation is expected to be negligible.

**Noise**

The proposal's SEE identified that adverse impacts from aspects such as traffic and noise are expected to be negligible. Refer to section 2.5.4 and Appendix F of the SEE.

#### Operation Times

The operating times would be 7:30am to 5:30pm Monday to Sunday which align with the current opening and closing times of the Koala gate.

To ensure daytime operation of the proposal only, a recommended condition will outline operating hours for the proposal.

#### Traffic Generation

Currently, car parking at the sport fields is provided informally via a grassed hardstand (gravel) area providing space for up to 55 vehicles. In addition, a set of gates installed at the end of the access road to the sports fields require people to park their vehicles on the northern side of, and parallel with, the access road.

The car parking area is to be maintained by the P&DMS as per the standards and requirements of a maintenance agreement with Council.

The proposal's SEE identified that adverse impacts from aspects such as traffic and noise are expected to be negligible. Refer to section 2.5.4 and Appendix F of the SEE.

### **(c) Suitability of the site for the development**

The proposed development satisfies the zone objectives of the RE1 Public Recreation zone and is considered suitable for the site and its surroundings.

The site is currently serviced by essential infrastructure including water, sewer and electricity. The development footprint would be located within an area of cleared land devoid of significant vegetation, ensuring minimal impacts to the natural environment. The site is accessible via a range of transport modes including public and private transport, bicycles and walking ensuring active use by P&DMS members and other visitors.

Adverse amenity impacts to surrounding residents from noise and traffic will be minimal. The proposed development would complement the recreational and community use of the sports field and would utilise existing infrastructure while providing additional infrastructure and management scenarios suitable for future development of the site.

The submitted development application appears to provide sufficient information for Council to adequately address the requirements of section 79C (1) (c).

### **(d) Any submissions made in accordance with the Act or Regulations**

Public:

The proposal was notified from Wednesday 27 May 2015 to Wednesday 10 June 2015. Any submissions received after these dates were also considered. During this time, a total of 14 submissions were received in regard to the proposal, including a submission of objections with 326 signatures. One letter of support was received following conclusion of the exhibition period.

Matters raised within the submissions objecting to the development include:

- Direct and indirect impacts on the Koala and other threatened species by the construction and operation of the facility
- Mitigation measures will be ineffective in ensuring the recovery of Koalas
- The isolated location of the facility poses a serious risk of fire and explosion
- The DA states there are lockable gates to the grounds for security, yet Council has just approved removal of those gates
- Activities may generate industrial noise which would create a serious disturbance to resident wildlife
- The location is in a high bushfire risk area and an area known to be regularly targeted by thieves and vandals
- The proposal has been incorrectly assessed as it should have been categorised as a Special Fire Protection Purpose
- Imposes unnecessary costs on both the organization and the public
- Black Rocks sports oval should be revegetated to help Koalas and threatened species
- No regulations to limit future activities
- Pottsville does not need two Mens' Sheds
- Location remote and not in walking distance of Pottsville
- Noise and vibration only addresses impact on the nearby residents at Black Rocks and excludes koalas.

Key objector comments:

- *The proposed development has a direct and indirect negative impact on Koalas and other threatened species, putting already endangered wildlife at greater risk of extinction by increasing incompatible human activity in the area, creating noise that will upset native animals, and encouraging vehicle movement on the Access Road which cuts directly through a koala corridor and which koalas have often been seen walking across.*
- *The significant incidence of Koala illness and death due to the stress-related disease Chlamydia at or adjacent to the Black Rocks sports field site, which is likely to have manifested as a result of the ongoing disturbance associated with human-related Koala-impact activities.*
- *The isolated location of the Men's Shed in the middle of a Koala corridor, which poses a serious risk of fire and explosion if a workplace accident occurs or vandals/ thieves access the flammable commodities stored within.*

- *On 17 occasions in this documentation reference was made to this gate being in place to provide Koala protection. However, this gate is set to be replaced with a Koala grid.*
- *Activities may generate industrial noise which would create a serious disturbance to resident wildlife and may encourage their movement out of the area to quieter locations.*
- *The location is in a high bushfire risk area and also an area known to be regularly targeted by thieves and vandals.*
- *The development approval appears to be for a temporary facility only, while an alternate and more suitable site is identified. This imposes unnecessary costs on both the organization and the public.*
- *Black Rocks sports oval should be revegetated to help koalas, threatened species in NSW and nominated as endangered on Tweed Coast, who are struggling to survive after the Xmas fire that burned 20A ha of Pottsville wetlands.*
- *Pottsville does not need two Mens' Sheds, money has not been spent wisely.*
- *Council needs to confirm if the Men's Shed at Black Rocks is temporary.*
- *Noise and Vibration only addresses impact on the nearby residents at Black Rocks and excludes koalas living in the corridor adjacent who are highly impacted by noise and manifest chlamydia as a result of resulting stress.*

GHD has addressed the submissions in section 4 of GHD's Development Assessment Report included in Attachment 3.

#### Council assessment of submissions

Supplementary information requested by GHD in order to address the results of GHD's independent assessment and community submissions was provided by Council on 09 October 2015. This information is summarised in Table 4-11 of GHD's Development Assessment Report provided in Attachment 3.

A review of the supplementary information provided concludes the information meets the requirements of the specialist studies, consultation undertaken and submissions received on the proposal.

It is recommended that the proposal is approved subject to reasonable and relevant conditions. These conditions are provided in the conditions report in section 5 of GHD's Development Assessment Report provided in Attachment 3.

#### **Letters of support**

One letter of support was received following conclusion of the exhibition period (02 August 2015) from 27 May 2015 to 10 June 2015.

Sentiments apply to the granting of approval for the shed in general based on a positive impact within the community. The letter of support provides positive statements about general activities planned within the shed and social/cultural benefits to community members. It does not discuss serious planning matters or refer to the impacts of locating the shed within a public reserve.

**(e) Public interest**

The proposed development, generally consistent with the applicable environmental planning instruments and the Tweed Development Control Plan, is considered to be in accordance with public interest, with no significant impacts anticipated for surrounding residential uses and the local community in general subject to application of the recommended conditions of consent.

**OPTIONS:**

1. Approve the development application in accordance with GHD's recommendation; or
2. Refuse the development application with reasons.

GHD recommend Option 1.

**CONCLUSION:**

The proposed erection of a shed for use as Pottsville Community Men's Shed is generally consistent with the applicable environmental planning instruments, the Tweed Development Control Plan and policies. The proposal will not result in adverse cumulative impacts provided the imposed conditions of development consent are satisfied. It is considered that the site is suitable for the development.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

**b. Budget/Long Term Financial Plan:**

Not applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

GHD Development Assessment Report dated 19 November 2015 (ECM 3874979)

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## REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

### 12 [CNR-CM] Council Aquatic Facilities

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

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### SUMMARY OF REPORT:

At the Ordinary Council Meeting held on 17 September 2015, Council resolved as follows:

*"That Council officer's provide a report on the three Aquatic Facilities including but not limited to the following:*

- 1. Practical options to reduce hours across all three facilities from the first of May each year to the beginning of September including a reduction of no less than twenty (20) hours per week at each facility and no more than thirty (30) hours per week over this May to September timeframe each year; and*
  - Full costing of any and all options;*
  - The benefits and detriments to any and all options;*
- 2. All pools are to remain open seven (7) days per week, excluding the standard historical pool closures;*
- 3. At least a two (2) year history of how many persons attend squads over the peak swimming season and a comparison to the off season;*
- 4. A two (2) history of any and all swim programs (learn to swimming classes, school carnivals, regional carnivals conducted at all pools);*
- 5. A list of all other user groups from each centre and information of how this data is gathered (a season ticket holder, casual entry, etc.);*
- 6. The possibility of supplying vending machines (self-serve only) at the centres and removing all food and beverage sales by aquatic staff and or reception staff, (Café at Murwillumbah an exception);*

7. *A detailed list of all merchandising sold including the cost of all merchandising and sales of same;*
8. *A confidential report on any and all security breaches over the past two (2) years including Break and Enter, Theft, Malicious Damage, Graffiti and Council's response to and costs of these matters;*
9. *Detailed cost of all repairs and maintenance conducted at each pool over the past two (2) years, all new assets and costs for same over the same period; and*
10. *Consideration to a tendering process for the Murwillumbah Pool Café to a not for profit incorporated association.*

*The report is to be an item on the Ordinary Agenda no later than December 2015; it is to be conducted in open Council, other than any economic information that may give competing businesses an economic advantage, which will be managed in confidential council; and*

*Any and all changes are to be implemented as of 1 May 2016 after consultation with residents and users of these facilities."*

This report responds to this resolution.

**RECOMMENDATION:**

**That:**

1. **Council notes the options presented in this report and endorses their inclusion in the development of an Aquatic Facilities Business Plan in 2016.**
2. **The Aquatic Facilities Business Plan 2016 be prepared for a future Council meeting.**

**REPORT:**

At the Ordinary Council Meeting held on 17 September, 2015 Council resolved as follows:

*"That Council officer's provide a report on the three Aquatic Facilities including but not limited to the following:*

1. *Practical options to reduce hours across all three facilities from the first of May each year to the beginning of September including a reduction of no less than twenty (20) hours per week at each facility and no more than thirty (30) hours per week over this May to September timeframe each year; and*
  - *Full costing of any and all options;*
  - *The benefits and detriments to any and all options;*
2. *All pools are to remain open seven (7) days per week, excluding the standard historical pool closures;*
3. *At least a two (2) year history of how many persons attend squads over the peak swimming season and a comparison to the off season;*
4. *A two (2) history of any and all swim programs (learn to swimming classes, school carnivals, regional carnivals conducted at all pools);*
5. *A list of all other user groups from each centre and information of how this data is gathered (a season ticket holder, casual entry, etc.);*
6. *The possibility of supplying vending machines (self-serve only) at the centres and removing all food and beverage sales by aquatic staff and or reception staff, (Café at Murwillumbah an exception);*
7. *A detailed list of all merchandising sold including the cost of all merchandising and sales of same;*
8. *A confidential report on any and all security breaches over the past two (2) years including Break and Enter, Theft, Malicious Damage, Graffiti and Council's response to and costs of these matters;*
9. *Detailed cost of all repairs and maintenance conducted at each pool over the past two (2) years, all new assets and costs for same over the same period; and*
10. *Consideration to a tendering process for the Murwillumbah Pool Café to a not for profit incorporated association.*

*The report is to be an item on the Ordinary Agenda no later than December 2015; it is to be conducted in open Council, other than any economic information that may give competing businesses an economic advantage, which will be managed in confidential council; and*

*Any and all changes are to be implemented as of 1 May 2016 after consultation with residents and users of these facilities."*

**Background:**

Tweed Shire Council owns three aquatic facilities situated at Murwillumbah, Kingscliff and Tweed Heads. In 2007/08 Council redeveloped the Murwillumbah Swimming Pool (now Tweed Regional Aquatic Centre or TRAC) as the region's main aquatic centre.

When reopened in November 2008 Murwillumbah TRAC was initially operated under a short term contract arrangement which was engaged to establish the necessary venue business and management systems, staff delivery and training requirements and commissioning advice for the new centre. This management approach was adopted initially to enable Council to critically observe the initial operating and financial performance of the centre, thereby enabling an informed decision on the long term management requirements for the new facility.

An Aquatic Facilities Business Plan 2011-2015 was subsequently developed and has been implemented over the past 5 years. The main deliverables of the business plan have been the in-house development and delivery of integrated learn to swim and coaching programs (previously outsourced), the integration of programming and marketing across the three facilities and the implementation of an appropriate organisational structure to deliver the business plan.

Over this period, the learn-to-swim numbers (Murwillumbah) have grown from 5,664 to 13,219 per year and the coaching from 5,394 to 6,534 per year. The level of recovery for operational costs across the three centres has increased from 47% (2010/2011) to 57% (2014/2015). Attendance (Murwillumbah) has increased from 58,837 to 70,510. Other programs (Aqua aerobics, gentle exercise) have increased from 5,053 to 6,406.

There are currently a number of issues under development which will impact the aquatic facilities operating costs including:

- Tweed - The Future is Ours. The results of the community engagement may influence the levels of service provided through the aquatic facilities including entry fees, programs delivered and hours of operation. It will be important to consider the broader community expectations for future levels of service prior to implementing changes.
- Industrial negotiations that have been instigated regarding the development of an enterprise agreement for the aquatic facilities which may impact the way in which the facilities are managed and realise significant cost savings to Council.
- Investigation into capital works which may provide significant energy savings across the facilities (with the introduction of new equipment Council has already saved approximately \$40,000pa at the Tweed Pool. Council anticipates saving of at least \$20,000pa at Murwillumbah with the conversion to variable speed drive pumps)

The intent is to undertake a thorough review of TRAC in 2016 through a business plan process which will achieve an appropriate balance of financial sustainability with community needs and expectations.

The 2016 business plan process will include a review of:

- Staffing structure
- Impacts of the Enterprise Agreement
- Fees and charges
- Operating hours based on consultation with users

- Target markets to achieve an appropriate balance of financial sustainability with community needs and expectations
- Target markets
- Capital works and maintenance priorities

**Attendance Records**

This section addresses points 3, 4 and 5 in the above Council resolution.

Detailed attendance records for the last two years across the three facilities are included as an attachment to this report.

The following graphs illustrate the monthly attendance at each pool including a break-up of reason for attendance, plus the attendance by day.

**Murwillumbah**

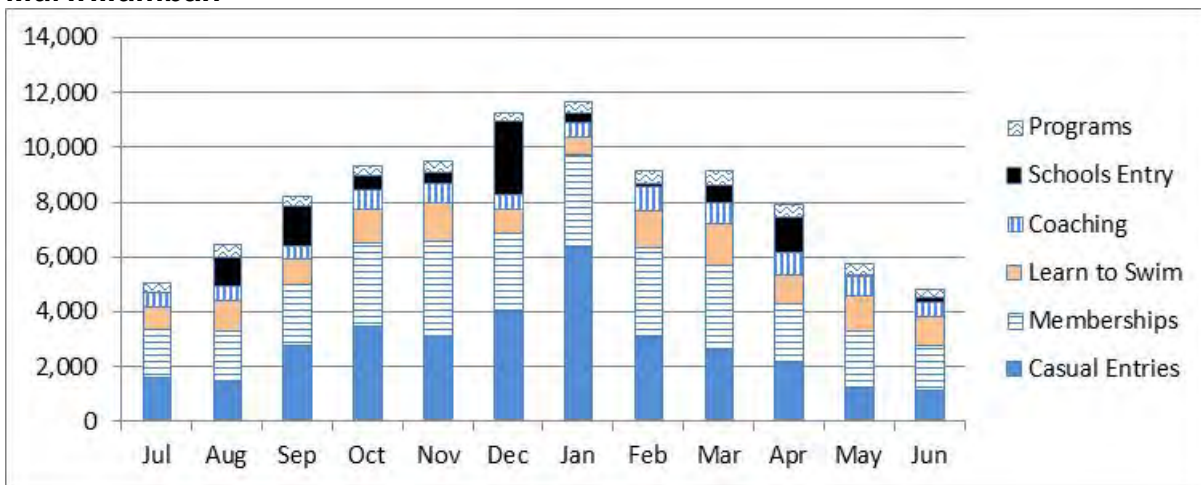


Figure 1: 2013/2014 monthly attendance figure for Murwillumbah TRAC

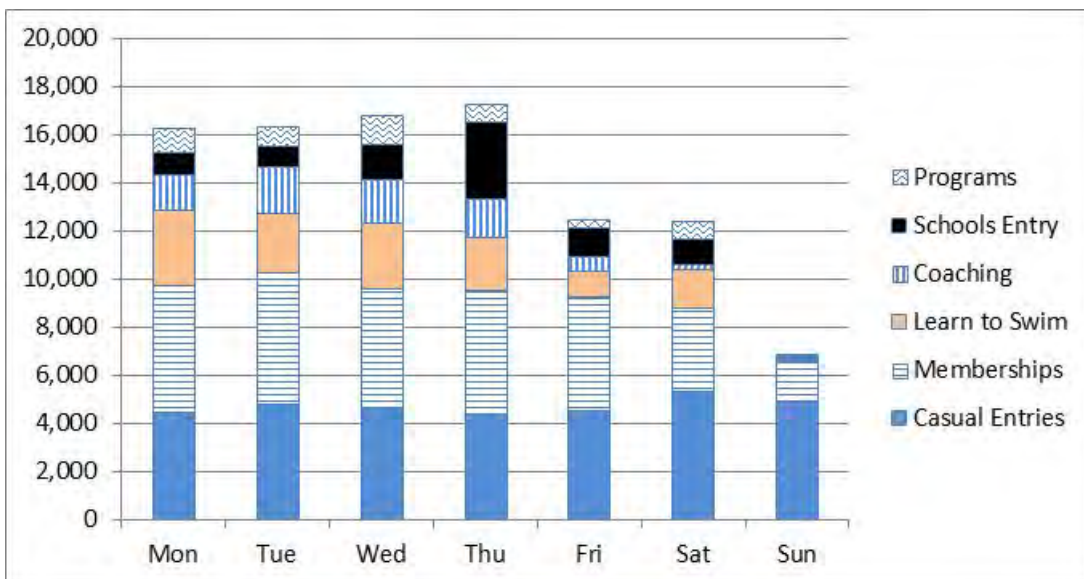


Figure 2: 2013/2014 attendance figures per day for Murwillumbah TRAC

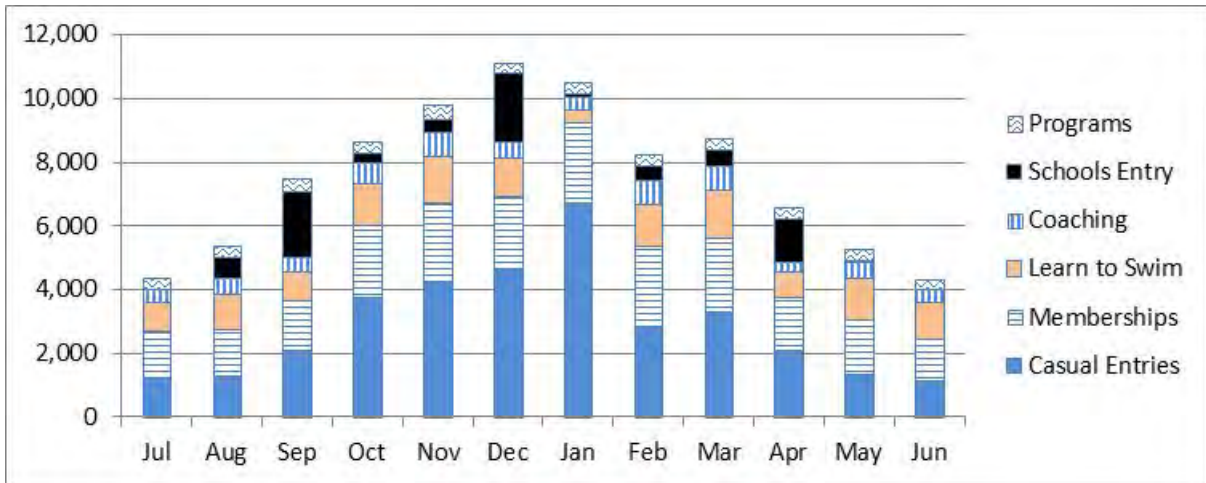


Figure 3: 2014/2015 monthly attendance figures for Murwillumbah TRAC

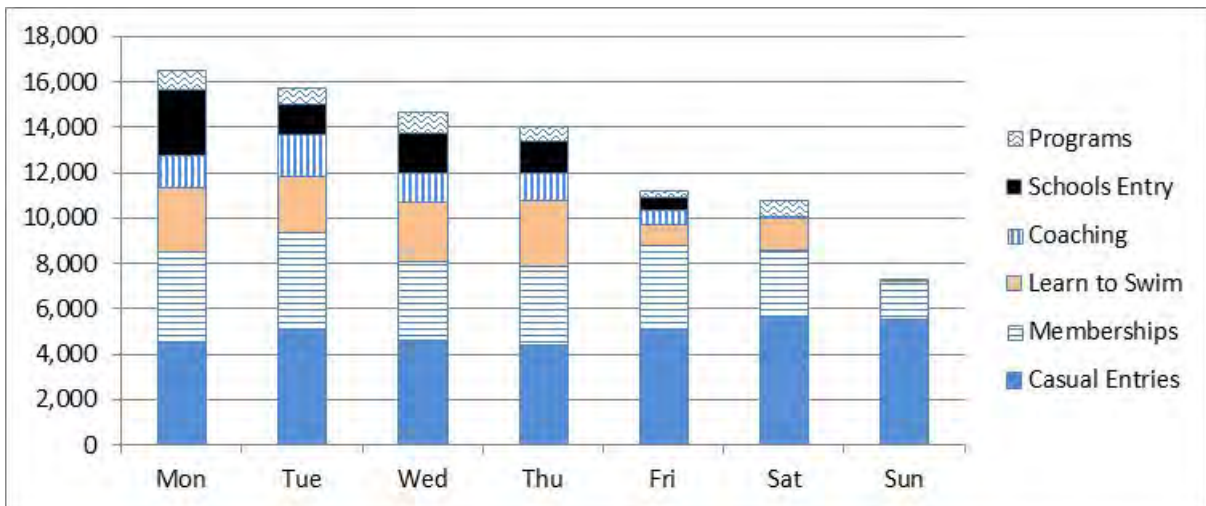


Figure 4: 2014/2015 attendance figures per day for Murwillumbah TRAC

### Tweed Heads

From July 2014 the point of sale platform at the Tweed Heads pool was converted to the LINKS software. The data available is considered representative of historic trends.

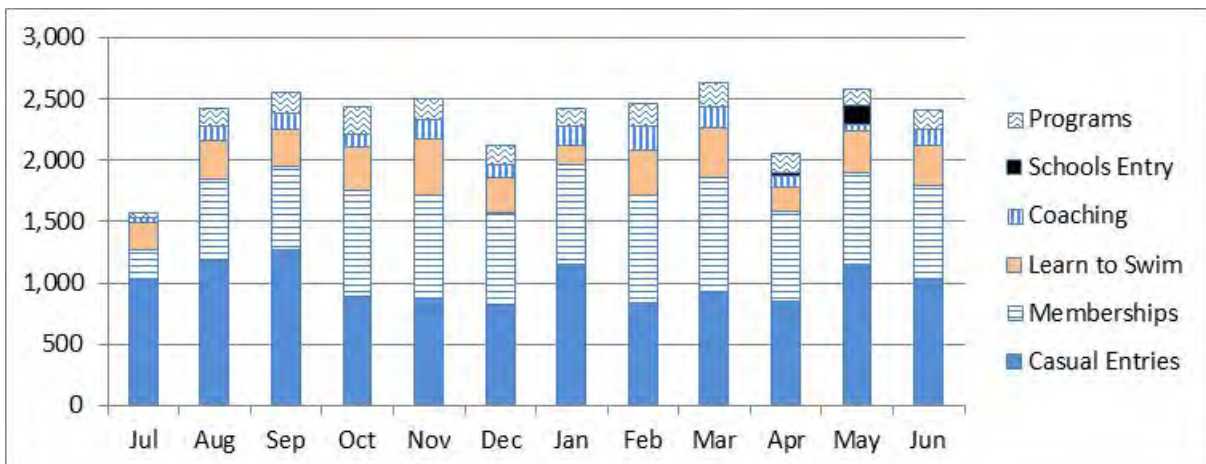


Figure 5: 2014/2015 monthly attendance figures for Tweed TRAC



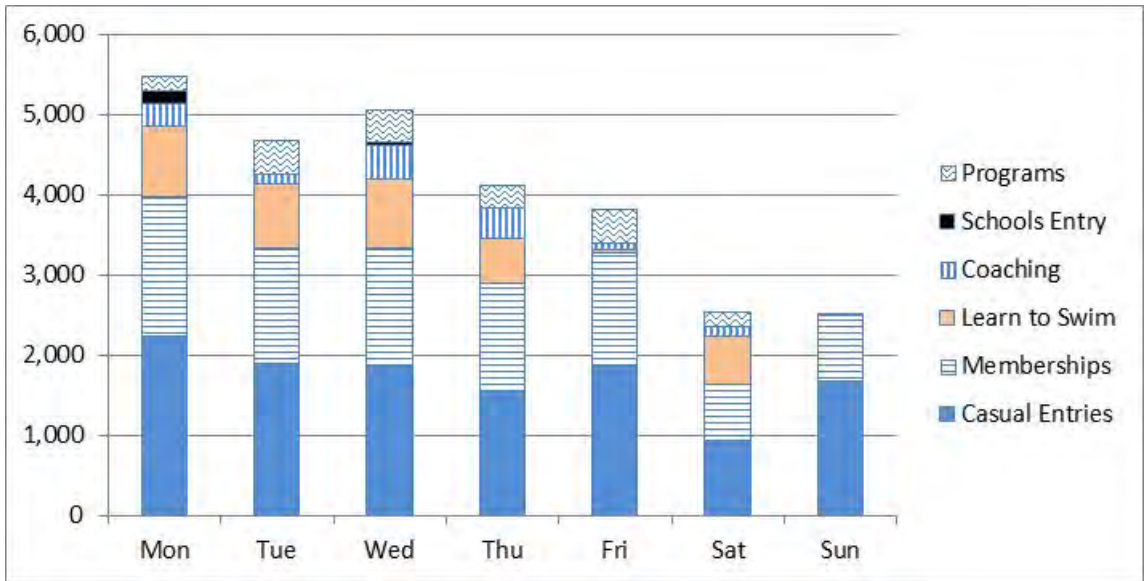


Figure 6: 2014/2015 attendance figures per day for Tweed TRAC

**Kingscliff**

From July 2014 the point of sale platform at the Tweed Heads pool was converted to the LINKS software. The data available is considered representative of historic trends.

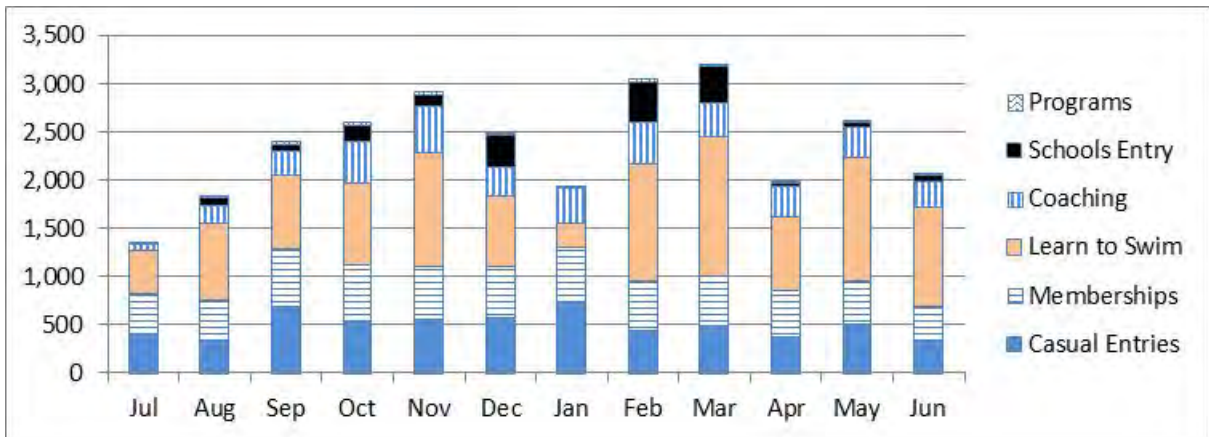


Figure 7: 2014/2015 monthly attendance figures for Kingscliff TRAC

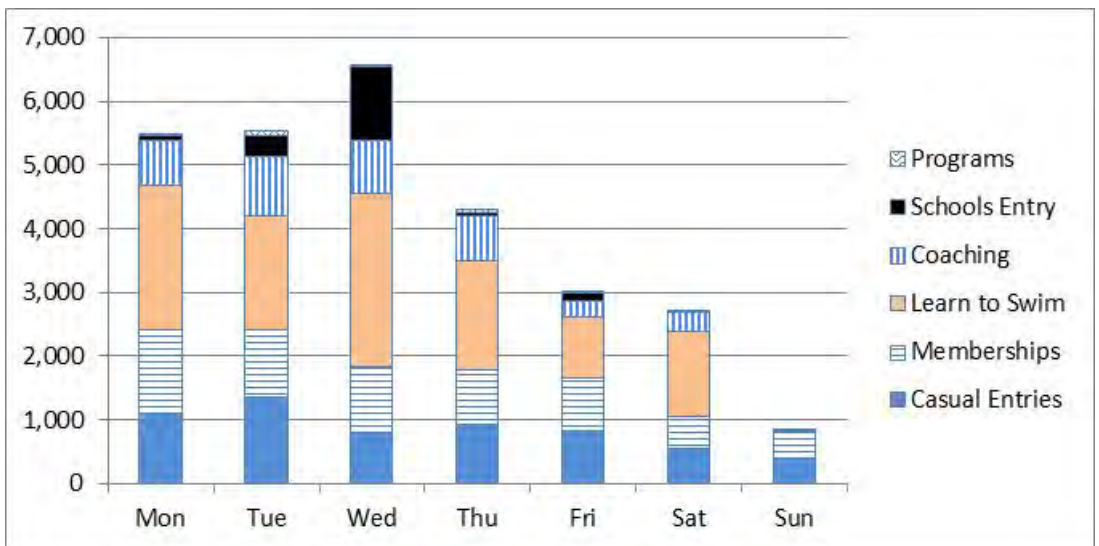


Figure 8: 2014/2015 attendance figures per day for Kingscliff TRAC

## **Discussion**

From the above statistics, it is apparent that the weekends have the lowest attendance numbers. However, it should be recognised that many weekend users may not have an option of using the pool during the week. Currently this is also the time when Council incurs the highest staffing cost due to the application of penalty rates. It should be noted that penalty rates will be included as part of the negotiation of the Enterprise Agreement.

The attendance data is collected through the LINKS point of sale system. The learn to swim and coaching programs have used a manual system that is later entered into the LINKS system to avoid congestion at the entry counter at these times.

Council recently undertook an internal audit into the collection of LINKS Attendance data to identify potential improvements. The audit made a number of recommendations to increase the accuracy of learn to swim and squad attendance recording by closing 'control gaps' in the current process. The audit also makes recommendations regarding debtor management and improvements to the use of the LINKS software to allow for greater consistency and depth in reporting practices.

### Reductions on operating hours

This item addresses points 1 and 2 in the above Council resolution.

While there are multiple options for reducing operating hours (in accordance with the resolution), each will have direct impacts on different user groups; therefore it will be important to undertake thorough consultation to fully understand these impacts prior to any decisions about reducing hours.

Options for reduced operating hours across the pools include:

1. Reducing the hours of operation at all three centres as per conditions set out in the Council resolution.
2. Reducing the hours of operation at all three centres but not fully in accordance with conditions set out in the Council resolution.
3. A variation in hours of operation to reduce one or two centres to a level that meets the Council requested reduction across all centres.
4. Closure of one centre for three months outside of peak season to achieve the yearly hourly reduction and a saving across the aquatic centres.

Current peak season opening hours are as follows:

	Murwillumbah	Kingscliff	Tweed Heads
Monday to Thursday	5.30am - 7.00pm	5.30am - 6.30pm	5.30am - 7.00pm
Friday	5.30am - 7.00pm	5.30am - 6.00pm	5.30am - 6.00pm
Saturday	5.30am - 6.00pm	5.30am - 2.00pm	8.00am - 4.00pm
Sunday	10.00am - 5.00pm	9.00am - 12 noon	10.00am - 4.00pm
Public Holidays	10.00am - 5.00pm	9.00am - 12 noon	10.00am - 4.00pm
Anzac Day, Christmas Day and Good Friday	Closed	Closed	Closed

Opening hours are currently reduced during the cooler months to the following:

	Murwillumbah	Kingscliff	Tweed Heads
Monday to Friday	5.30am - 7.00pm	5.30am - 6.00pm	5.30am - 6.00pm
Saturday	6.00am - 4.00pm	6.00am - 2.00pm	8.00am - 4.00pm
Sunday	10.00am - 4.00pm	9.00am - 12 noon	10.00am - 4.00pm
Public Holidays	10.00am - 4.00pm	9.00am - 12 noon	10.00am - 4.00pm

**Option 1 – Reducing the opening hours at all three centres as per conditions set out in the Council resolution**

Murwillumbah Opening Hours (May to August)

Monday to Friday: 5:30am to 11:00 am and 2:00pm to 6:00pm

Saturday: 6:00am to 3:00pm

Sunday: 10:00am to 3:00pm

This amendment to opening times would provide a reduction of 22 hours per week (on current off peak operating times) with a cost saving of approximately \$1,560 per week or \$26,520 for the four month period.

Tweed Opening Hours (May to August)

Monday to Friday: 6:00am to 11:00am and 2:00pm to 6:00pm

Saturday: 7:00am to 11:00am

Sunday: 11:00am to 4:00pm

This amendment to opening times would provide a reduction of 22.5 hours per week (on current off peak operating times) with a cost saving of approximately \$1,050 per week or \$17,850 for the four month period.

Kingscliff Opening Hours (May to August)

Monday to Friday: 6:00am to 11:00 and 2:30pm to 6:00pm

Saturday: 7:00am to 11:30am

Sunday: 9:00am to 12:00 noon

This amendment to opening times would provide a reduction of 24 hours per week (on current off peak operating times) with a cost saving of approximately \$1,100 per week or \$18,700 for the four month period.

Total reduction in opening hours under this option will be 68.5 per week or 1,164.5 for the four month period.

Total net savings for the four month period for this option is approximately \$63,070. Note that this figure is based solely on savings in labour costs; it does not include consideration of potential loss of income through casual entries or lost memberships.

Advantages of Option 1:

- This option complies with the resolution and would realise savings of approximately \$63,070.
- Provides an opportunity to carry out maintenance during the closure period, although this would decrease the figure for potential saving.

Disadvantages of Option 1:

- Greater potential for customer dissatisfaction with midday closures and the requirement to clear the pools for the closure.
- The most disadvantaged group with this option are recreational swimmers as the operating hours largely cater for programs.
- Split shift will be required due to pools closing through the middle of the day.
- Murwillumbah TRAC is utilised extensively by Council staff and local workers for lunch time exercising. The loss of this opportunity is likely to result in a reduction of memberships reducing the actual savings.

**Option 2 – Reducing the opening hours at all three centres but not fully in accordance with conditions set out in the Council resolution as the hours are not evenly spread across the three facilities**

Murwillumbah Opening Hours (May to August)

Monday to Friday: 7:00am to 5:00pm

Saturday: 7:00am to 3:00pm

Sunday: 10:00am to 3:00pm

This amendment to opening times would provide a reduction of 20.5 hours per week (on current off peak operating times) with a cost saving of approximately \$1,250 per week or \$21,250 for the four month period.

Tweed Opening Hours (May to August)

Monday to Friday: 6:00am to 3:00pm

Saturday: 6:00am to 12:00 noon

Sunday: 10:00am to 4:00pm

This amendment to opening times would provide a reduction of 19.5 hours per week (on current off peak operating times) with a cost saving of approximately \$850.00 per week or \$14,450 for the four month period.

Kingscliff Opening Hours(May to August)

Monday to Friday: 12:00 noon to 6:00pm (learn to swim pool to remain open for normal operating hours)

Saturday: 11:00am to 3:00pm

Sunday: Closed

This amendment to opening times would provide a reduction of 39.5 hours per week (on current off peak operating times) with a cost saving of approximately \$1,650 per week or \$28,050 for the four month period.

Total reduction in opening hours under this option will be 79.5 per week or 1,351.5 for the four month period.

Total net savings for the four month period for this option is approximately \$63,750. Note that this figure is based solely on savings in labour costs; it does not include consideration of potential loss of income through casual entries or lost memberships.

Advantages of Option 2:

- This option realise savings of approximately \$63,750.
- Advantage over option 1 is availability of pools for the midday period.

Disadvantages of Option 2:

- Later opening of the pools will create difficulty with the provision of lane availability as morning programs and lap swimming will need to be condensed into a shorter time frame. This is particularly a problem at Murwillumbah as the outdoor pool is not heated and closed during these months making the small indoor pool more congested.
- Greater potential for customer dissatisfaction with reduced availability of lanes in the early morning period.
- Kingscliff pool would not be able to offer morning coaching sessions or access for morning lap swimmers.

**Option 3 - A variation in hours of operation to reduce one or two centres to a level that meets the council requested reduction across all centres. This option is not fully in accordance with the Council resolution as the hours are not evenly spread across the three facilities**

This proposal adjusts the opening hours at the South Tweed and Kingscliff Centres with these centres opening later and closing earlier as well as a reduction in weekend hours and no change to Murwillumbah.

Murwillumbah Opening Hours (May to August)

(no change to off peak times)

Tweed Opening Hours (May to August)

Monday to Friday 7am to 12pm

Saturday 8am to 12 noon

Sunday 10am to 4pm

This amendment to opening times would provide a reduction of 41.5 hours per week (on current off peak operating times) with a cost saving of approximately \$2,000 per week or \$34,000 for the four month period.

This would also result in a reduction in programs income estimated to be \$4,000 for the period, providing a net saving of \$30,000.

Kingscliff Opening Hours (May to August)

Monday to Friday: 12 noon to 6pm

Saturday 11am to 3pm

Sunday: Closed

This amendment to opening times would provide a reduction of 39.5 hours per week (on current off peak operating times) with a cost saving of approximately \$1,650 per week or \$28,050 for the four month period.

Total reduction in opening hours under this option will be 81 per week (1,377 for the four month period).

Total net savings for the four month period for this option is approximately \$58,050. Note that this figure is based solely on savings in labour costs; it does not include consideration of potential loss of income through casual entries or lost memberships.

Advantages of Option 3:

- This option would realise savings of approximately \$58,050.00.
- The main centre at Murwillumbah remains available for use at current levels.
- Midweek opening times at Kingscliff and Tweed complement each other so access to one of these facilities is available from 7am to 6pm.

Disadvantages of Option 3:

- Kingscliff pool would not be able to offer morning coaching sessions or access for morning lap swimmers.
- Tweed Pool would not be able to offer afternoon programs.

**Option 4 - Closure of one centre for three months outside of peak season (and minor changes to hours at the other two pools) to achieve the yearly hourly reduction and a saving across the aquatic centres.**

This option involves a targeted closure of the main pool at Kingscliff during May, June, July and August with the teaching pool remaining open to cater for the very successful learn to swim program.

This option is considered the most effective in generating savings across the section as it generates saving in operating costs other than wages only, including heating of the outdoor pool during the winter period. This option still provides access to the Murwillumbah and Tweed indoor facilities on a year round basis.

A recent review of the management structure of a number of other local government areas on the north coast highlighted that Tweed Shire Council is the only Council of those reviewed to keep all facilities open year round as detailed below:

- Coffs Harbour City Council: 1 pool opened year round, 3 pools closed May to September.
- Port Macquarie Hastings: Port Macquarie pool is open 11 months of the year and other 3 pools closed May to September.



- Kempsey: Kempsey pool open year round, 3 pools closed May to September
- Great Lakes: All 4 pools closed May to September

Murwillumbah Opening Hours (May to August)

Monday to Friday: 6am to 7pm

Saturday: 7am to 3pm

Sunday: 10am to 2pm

This amendment to opening times would provide a reduction of 6.5 hours per week (on current off peak operating times) with a cost saving of approximately \$400 per week or \$6,800 for the four month period.

Tweed Opening Hours (May to August)

Monday to Friday: 6am to 7pm

Saturday: 8am to 4pm

Sunday: 10am to 4pm

(no change to off peak times)

Kingscliff Opening Hours(May to August)

Closed.

This amendment to opening times would provide a reduction of 73.5 hours per week (on current off peak operating times).

The approximate savings for closing the Kingscliff pool during this period is \$100,000.

Total reduction in opening hours under this option will be 80 per week (1,360 for the four month period).

Total net savings for the four month period for this option is approximately \$106,800.

Advantages of Option 4:

- This option would realise savings of approximately \$106,800.
- The closure of the Kingscliff outdoor heated pool during this period results in a significant reduction in energy consumption.
- Access to at least one aquatic facility at current hours is maintained

Disadvantages of Option 4:

- Kingscliff heated outdoor pool would be unavailable for the four month period.
- The delayed morning opening hours at Murwillumbah may create difficulty with the provision of lane availability as morning programs and lap swimming will need to be condensed into a shorter time frame.

**Options summary**

Option	Reduction in hours/week	Annual savings estimate (\$)
1	68.5	60,870
2	79.5	61,850
3	81	58,050
4	80	106,800

**Figure 9: Summary of impact of options to reduce off peak hours of operations**

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**Other potential cost saving options****Fee Structure:**

The current fee structure and entry pass policy represents significant reductions on income in order to provide concessions on entries and reduced costs for families with multiple children attending squads.

Figure 9 shows that in the 2014/2015 financial year \$99,852 in income was foregone through the provision of concession entries with \$52,910 provided through the recently introduced disability concession entry.

Description	Murwillumbah (\$)	Tweed (\$)	Kingscliff (\$)	Total (\$)
Single Entry discount	5,992	2,410	672	9,074
Discount TSC Individual 12 months	2,520	0	0	2,520
Discount TSC Individual 6 months	335	0	0	335
Gold 12 month concession	6,240	5,330	0	11,570
Bronze 12 month concession	3,000	1,190	1,500	5,690
Bronze 6 month concession	570	690	60	1,320
Bronze 6 month disability	37,203	11,757	3,950	52,910
School Entry	14,522	193	1,718	16,433
<b>Total</b>	<b>70,382</b>	<b>21,570</b>	<b>7,900</b>	<b>99,852</b>

**Figure 10: Cost of concession entries for the 2014/2015 financial year**

The internal audit noted that the bulk visit squad passes are not limited to an individual. A customer may buy a 60 visit squad pass and share the passes between multiple individuals. For example a family with three children may purchase a 60 visit squad pass for \$414 and split this between three children. This leads to a saving of \$96 when compared to buying 3 x 20 visit squad passes (\$510). This option provides families with multiple swimmers an entry at a reduced cost, but represents a significant loss in potential income. It may be worth considering limiting the multi visit passes to one individual.

A review of entry and membership options considering reducing concessions is another option Council may wish to consider to increase income across the pools as part of the 2016 Business Plan process.

**Staff**

Since the reopening of Murwillumbah TRAC, the pools have been staffed utilising a base number of Council employed staff with a large percentage engaged on a casual basis through a labour hire contract. The rationale of this approach is to respond to seasonal staffing requirements and allow Council flexibility in options for its preferred management model.

Council is currently holding discussions with the United Services Union where it is proposed to engage in the Cooperative Employment relations model for the negotiation of a proposed Aquatic Centre Enterprise Agreement. It is proposed that this will take place through the NSW Industrial Relations Commission and is anticipated to be finalised during 2016.

An enterprise agreement may result in the transfer of a number of the labour hire positions to Council employees under an agreement that will result in operational savings to Council.

### **Sustainability upgrades**

Upgrades to the pools plant and equipment which significantly reduce electricity costs are on-going as funds allow. Over the last twelve months this has included replacement of the heat pump and dehumidifier systems at the Tweed pool which has realised a 50% reduction in energy use and an annual saving in order of \$40,000. Council is also in discussions with Griffith University and other organisations to explore options for a solar array with the aim of having the Tweed pool run completely on renewable energy.

Variable speed drive pumps were recently installed at Murwillumbah TRAC which will increase efficiency and represent anticipated savings of approximately \$20,000/pa. Options for solar systems at the Murwillumbah TRAC are also being explored.

### **Café and Merchandising**

This item is intended to address points 6, 7 and 10 in the above Council resolution.

The detailed cost and income for merchandising are included in the attachment to this report. Figure 10 provides a summary of merchandising across the three pools.

<b>Centre</b>	<b>Income</b>	<b>Cost of Goods</b>	<b>Net Profit</b>
Murwillumbah	48,593.82	24,122.93	24,479.49
Tweed	5,475.12	2,603.05	2,840.74
Kingscliff	6,119.88	3,054.57	3,058.49
<b>Combined</b>	<b>60,188.82</b>	<b>29,780.55</b>	<b>30,408.27</b>

Figure 11: Summary of merchandising costs and income

The current situation with the three facilities is that point of sale reception offers a limited range of swimming aids, drinks and food stuffs that are sold by staff members on duty. The sale of swimming aids at a pool is an expected service that needs to be maintained and it does not require the employment of extra staff. Stock for all centres is ordered and controlled by senior reception staff in Murwillumbah.

The only difference is in Murwillumbah, where a more comprehensive menu is available at the Starting Block Café. The cafe is currently being managed by Council staff at an operating loss. The tender to operate the café closed in October 2015 with no submissions received. Council has previously licenced the operation of this cafe but the licensee did not take an option to extend the agreement as the business profitability is marginal.

Previous experience with food and drink vending machines at the pools has shown them to be unreliable in a humid and chlorinated atmosphere such as South Tweed Indoor Pool and the condition of machines deteriorated rapidly. The machines were problematic in the service they provided to customers with staff continually required to report service issues to the vending machine owner. The level of income derived from the agreement was also very low.

Another cause for concern was that the machines were a causal factor for break and enter crimes due to the stock and cash held inside the machine.

Discussions with vending machine suppliers indicate that the return to Council is 10% of sales. Current average margin for goods sold across the counter that may be supplied through a vending machine is 60%.

**Capital and Maintenance Expenditure**

This item addresses points 8 and 9 in the above Council resolution.

Capital Expenditure over the 2013/14 and 2014/15 financial years is outlined below:

**2013/14**

Location	Description	Amount
Tweed Heads	Heat Pump & Dehumidifier – Indoor Pool	285,581
Kingscliff	Pool Shade Structure	13,825
Kingscliff	Chemical Dosing System – LTS Pool	7,999
Kingscliff	Chemical Dosing System – Main Pool	9,848
		<b>317,253</b>

**2014/15**

Location	Description	Amount
Murwillumbah	Infinity Pool Start System	2,005
Murwillumbah	Portable PA and Microphone system	2,000
Kingscliff	2 x Thermal Pool blankets with accessories	4,660
		<b>8,665</b>

As discussed in a previous section, the significant expenditure item being the replacement of the heat pump and dehumidifier at the Tweed Pool which has realised a 50% reduction in energy costs.

Repairs and maintenance conducted at each pool over the past two years, all new assets and costs for same over the same period are outlined below:

**2013/14**

Description	Murwillumbah	Tweed	Kingscliff
Cleaning	20,402	5,841	2,092
Maintenance	8,301	3,257	749
Air Conditioning Maintenance	1,080	0	0
Building Maintenance/Repairs	31,369	39,190	23,282
Grounds Maintenance	9,815	540	2,106
Vandalism Repairs	2,305	0	0
Electrical Repairs & Maintenance	4,311	224	390
Automatic Door Maintenance	673	875	307
Pool Plant Maintenance	23,416	4,341	4,417
Miscellaneous Materials	2,178	129	170
Waste Removal	3,523	1,107	1,988
Café Equipment Maintenance	3,242	0	428
Equipment Maintenance	8,561	400	374
	<b>119,176</b>	<b>55,904</b>	<b>36,303</b>

**2014/15**

Description	Murwillumbah	Tweed	Kingscliff
Cleaning	20,864	7,907	1,949
Maintenance	16,699	1,567	181
Air Conditioning Maintenance	5,938	0	0
Building Maintenance/Repairs	40,838	48,007	18,688
Grounds Maintenance	10,185	772	4,792
<b>Vandalism Repairs</b>	<b>508</b>	<b>3,000</b>	<b>0</b>
Electrical Repairs & Maintenance	1,486	1,000	523
Automatic Door Maintenance	788	1,540	0
Pool Plant Maintenance	10,481	5,082	1,400
Miscellaneous Materials	1,070	168	4,878
Waste Removal	3,943	1,175	2,112
Café Equipment Maintenance	5,072	630	0
Equipment Maintenance	4,948	3,564	1196
	<b>122,820</b>	<b>74,412</b>	<b>35,719</b>

**Security Breaches**

Costs of vandalism repairs have been separately included in the above maintenance costs.

Following are details of insurance claims made since 1 July, 2013 in relation to break-ins/vandalism at the aquatic centres.

Location	Date	Comments	Cost to TSC	Paid by Insurance
Tweed Heads South	8/2/2015	Vandalism - The glass entry doors were smashed and the automatic door was damaged by heavy objects thrown.	\$2,253.90 \$4,234.00	\$3,899
Kingscliff	20/9/2015	Vandalism - a pipe that runs from the filter to the drain had been broken and water was spraying out. Awaiting paperwork to submit claim.	Estimate \$10,000.00	\$0.00

Other incidents that did not involve insurance claims include:

10 December 2014	Glass panel broken at Tweed Pool	\$1,000
16 February 2015	Large plate window at Tweed Pool	\$2,049
31 May 2014	Break into café Murwillumbah	\$2,305
11 July 2014	Boundary fences cut in several places at Murwillumbah	\$507
18 September 2014	Break into Café Murwillumbah resulting in requirement to change all facility locks	\$5,945

**OPTIONS:**

1. Select one of the four options presented in this report and implement for 2015/2016 season.
2. Determine an alternative option.
3. Note the options presented in this report and include for consideration in the development of an aquatic facilities business plan in 2016.

**CONCLUSION:**

There are currently a number of issues under development which will impact the aquatic facilities operating costs including:

- Tweed - The Future is Ours. The results of the community engagement may influence the levels of service provided through the aquatic facilities including entry fees, programs delivered and hours of operation.
- Industrial negotiations that have been instigated regarding the development of an enterprise agreement for the aquatic facilities which may impact the way in which the facilities are managed and realise significant cost savings to Council.
- Investigation into capital works which may provide significant energy savings across the facilities.

Additionally, current membership and bulk visit pass holders purchased their passes based on current advertised operating hours. Significant changes to the operating hours of the pools will need to consider potential compensation to those impacted or implement the changes after all current passes have expired.

As referred to in the background section, the intent is to undertake a thorough review of TRAC in 2016 through a business plan process which will achieve an appropriate balance of financial sustainability with community needs and expectations.

Through the development of the business plan, options for changes to operating hours can be considered within the context of the other influences of the aquatic facilities.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Nil.

**b. Budget/Long Term Financial Plan:**

Dependent upon option chosen.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*Confidential* Attachment 1. Detailed attendance figures for the aquatic facilities and detailed merchandise cost and income report (ECM 3872812)

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## 13 [CNR-CM] Concept Plans and Estimates - South Murwillumbah

**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:**

At its meeting held 21 August 2014, Council resolved:

1. *Council prepares concept plans and cost estimates for the following:*
  - a) *Removal of the South Murwillumbah car park, located on the corner of River Street and Alma Street and replacement with a park; and*
  - b) *The establishment of a park on the Council owned vacant land located in River Street, South Murwillumbah (opposite Holstons Lane) including a small unsealed car park.*
2. *The concept plans and cost estimates are to be reported back to Council for consideration.*

This report responds to the resolution.

#### **RECOMMENDATION:**

**That:**

1. **Council receives and notes this report on the Concept Plans and Estimates - South Murwillumbah.**
2. **The stakeholders affected by the three options contained within this report to be consulted through the community engagement process for "Tweed - the Future is Ours".**
3. **A further report be prepared on the outcome of the consultation process.**

## REPORT:

At its meeting held 21 August 2014, Council resolved:

1. *Council prepares concept plans and cost estimates for the following:*
  - a) *Removal of the South Murwillumbah car park, located on the corner of River Street and Alma Street and replacement with a park; and*
  - b) *The establishment of a park on the Council owned vacant land located in River Street, South Murwillumbah (opposite Holstons Lane) including a small unsealed car park.*
2. *The concept plans and cost estimates are to be reported back to Council for consideration.*

Three options are provided:

Option 1 Includes the complete removal of the existing carpark and conversion into a park at a cost estimate of \$65,500.

Option 2 Retains some of the existing carpark with the removal of five spaces to cater for additional tree plantings and creation of a green buffer at a cost estimate of \$57,500.

Option 3 The status quo remains.



**Option 1: Conversion of existing carpark into a park and construction of a small carpark opposite Holston Lane. Cost estimate \$65,000**





**Option 2: Removal of five spaces in existing carpark to cater for addition tree plantings and creation of a green buffer and construction of a small carpark opposite Holston Lane. Cost estimate \$57,500**

**OPTIONS:**

1. Includes the complete removal of the existing carpark and conversion into a park at a cost estimate of \$65,500.
2. Retains some of the existing carpark with the removal of five spaces to cater for additional tree plantings and creation of a green buffer at a cost estimate of \$57,500.
3. Status quo remains.
4. Consider other options.

**CONCLUSION:**

The options presented in this report attempt to provide a balance between car parking needs and softening the visual impact of the existing car park.

Amendments to either of the areas referred to in this report may potentially have significant impacts for the surrounding businesses and accordingly, were Council to consider proceeding with changes to current usage it would be prudent to engage with the local business prior to proceeding.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Option 1: \$65,000

Option 2: \$57,500

Option 3: Nil

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult** - A consultation plan will need to be developed to engage key stakeholders prior to any works commencing.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## 14 [CNR-CM] Decorative Lighting

**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:**

Council is receiving requests from various community based organisations such as Chambers of Commerce to allow the installation of decorative lighting on Council owned assets such as street and park trees.

To enable a consistent response to these requests and provide clarity on Council's position with regard to ownership and maintenance responsibilities, this report discusses the issues and recommended approach for consideration.

#### **RECOMMENDATION:**

**That where Council receives proposals for the installation of decorative lighting on Council assets, the following shall apply:**

- **The suitability of installation is to be assessed in terms of environmental and social impacts.**
- **Where assessed as appropriate, Council will allow lights to be installed on Council assets at the cost of the proponent.**
- **Where installations are using electricity from a supply that is Council's responsibility, Council will pay the electricity costs.**
- **Council will not accept ownership, maintenance responsibility or responsibility for replacement of the lights.**

## **REPORT:**

Council is receiving requests from various community based organisations such as Chambers of Commerce to allow the installation of decorative lighting installations on Council owned assets such as street and park trees.

The expectation for Council support varies, but the most common approach is that the proposing organisation will fund the purchase and installation of the lights, with requests that ownership and maintenance then revert to Council.

If Council was to support this approach, the cumulative costs for the possible multiple locations may be significant. As an example, Council have been discussing a proposal to install lights in 18 Norfolk Island trees in the Salt Central Park carpark. The capital costs of the lights and installation is approximately \$40,000. The expectations are that once installed Council will take over the ownership and ongoing maintenance of the lights. The lights come with a five year warranty, but this obviously does not cover damage due to vandalism or other severe weather events.

While the potential cost to Council is difficult to quantify, based on an assumption that the life of the lights is five years (warranty period), the capital cost is \$40,000 and they will need an additional \$5,000 per year for reactive maintenance, the annual cost estimate is \$13,000 for this proposal.

As there is potential that Council will receive similar requests from other locations within the Shire, Council needs to consider whether it is willing to accept these assets and under what circumstances.

Currently there is no budget allocation for the maintenance and replacement of decorative lighting. In the absence of a dedicated annual budget, the following approach is recommended:

- The suitability of installations be assessed in terms of environmental and social impacts.
- Where assessed as appropriate, Council will allow lights to be installed on Council assets at the cost of the proponent.
- Where installations are using electricity from a supply that is Council's responsibility, Council will pay the electricity costs.
- Council will not accept ownership, maintenance responsibility or responsibility for replacement of the lights.

## **OPTIONS:**

1. As per the recommendation.
2. Council accepts responsibility for ownership, maintenance and replacement of approved decorative lights and allocates a commensurate annual budget.

## **CONCLUSION:**

The installation of decorative lights in the Shire's towns and villages is growing in popularity. The lights are generally installed on Council assets (mainly trees) and Council's position with regard to ownership, maintenance and replacement of the lights needs to be considered so as to provide a consistent response and allow proponents to plan with an understanding of Council's position.



**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Potential cost to accept ownership and maintenance of lights will vary depending on scale.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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15 [CNR-CM] RFP2015-129 Murwillumbah Library Pond Upgrade

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:

This report provides an update on the action taken in relation to the proposed Murwillumbah Library Pond upgrade and recommends a way forward following the recent tender process.

The tenders received exceed the available budget. Consistent with Local Government Regulation 2005 Clause 178, it is recommended that Council declines to accept any of the tenders, that the tendering process for RFP2015-129 be closed and that tenderers are notified of Council's decision.

ATTACHMENT A be treated as **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would likely be 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.

### RECOMMENDATION:

That:

1. Council declines to accept any of the Tenders received for RFP2015-129 Murwillumbah Library Pond Upgrade, as no tender offer represents value for money.
2. Council enters into direct negotiations, in accordance with Local Government Regulation 2005 Clause 178(4) and the Independent Commission Against Corruption (ICAC) Guidelines, with the lowest tenderer, D'Bah Enterprises Pty Ltd, for the work including the potential efficiencies of Council redesigning some components of the project and subcontracting other components to other

entities to ensure project timeframes are met and to provide best value for money within the available budget.

3. **ATTACHMENTS 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

This tender was called to engage a suitably qualified and experienced organisation to provide construction services to redevelop the pond area adjacent to the Murwillumbah Library and the main stairs to Tweed Shire Council office.

The work was originally put out to tender under RFP2015-077 Murwillumbah Library Pond Upgrade but no tenders were accepted by Council due to budget constraints. Refer Council meeting minutes.

The project design was amended and tenders called under tender reference RFP2015-129 Murwillumbah Library Pond Upgrade.

### Tender Advertising

The Tender RFP2015-129 was officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.

The Tender was advertised on 13 October 2015 in The Sydney Morning Herald, the Brisbane and Gold Coast papers on 10 October 2015 as well as the Tweed Link issued 12 October 2015. Tenders closed on Wednesday 26 October 2015.

### Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4:00PM (local time) on 4 November 2015 in the Tender Box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Tender submissions were recorded at the Tender Box opening as follows:

Tenderer	ABN	Tendered Amount (incl GST)
D'Bah Enterprises (Greenwoods)	66 110 478 807* 61 850 361 870 <sup>†</sup>	Confidential Information
CBD Landscape Construction	49 169 298 177	

\*Company ABN as per Australian Business Register website (ABN Lookup)

<sup>†</sup> ABN shown on tenderers submission schedules

### Evaluation Summary

Despite the previous actions to decline to accept tenders for RFP2015-077 and redesign the scope to reduce risk to the tenderers, the tender prices received for RFP2015-129 were still above the available budget allocation from Recreation Services.

Whilst both tenderers are capable and well regarded, there are potential savings to Council by declining to accept all tenders and negotiating the scope with the lowest tenderer D'Bah Enterprises Pty Ltd or other entities for the remaining components of the project.

### Recommendation

As per Local Government Regulation 2005 Clause 178, it is recommended that:

- Council declines to accept any of the tenders as no tender offer represents value for money.
- the tendering process for RFP2015-129 be closed and tenderers notified of Council's decision.

Clause 178 of the Local Government Regulation 2005 provides the actions available to Council and it is intended to pursue the matter in accordance with Clause 178(1)(b) to decline the tenders and sub-clause (3)(e) to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract with that person/s or party/ies to complete the construction and fit outs for the project.

A direct negotiation process has been chosen rather than re-inviting fresh tenders for applications to achieve project timeframes and to ensure the process produces the best value for money.

Direct negotiations shall be undertaken in accordance with Independent Commission Against Corruption (ICAC) guidelines as required by the Local Government Regulation 2005.

**OPTIONS:**

1. Council endorses the recommendations of this report.
2. Council does not endorse the recommendations of this report.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.6.

**b. Budget/Long Term Financial Plan:**

\$28,000 Library Contribution

\$50,000 Roads and Stormwater - kerbing and footpaths

Balance - Civic Centre and park assets

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Tender Evaluation Report (ECM 3872119)

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16 [CNR-CM] Refugee Welcome Zone

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:

At its meeting held on 17 September 2015, Council resolved:

*That Council joins the initiative of the Refugee Council of Australia in making a declaration that Tweed be identified as a Refugee Welcome Zone.*

The purpose of this report is to provide Council with an update.

### RECOMMENDATION:

**That Council notes the contents of this report and confirms its support for the event on 7 February 2016.**



## REPORT:

Following a Notice of Motion Council resolved at its meeting held on 17 September 2015:

*That Council joins the initiative of the Refugee Council of Australia in making a declaration that Tweed be identified as a Refugee Welcome Zone.*

The Refugee Welcome Zone is an initiative of the Refugee Council of Australia and began in June 2002 as part of Refugee Week celebrations which coincides with the United Nations World Refugee Day on 20 June each year.

To become a Refugee Welcome Zone, Council is required to sign the Refugee Welcome Zone Declaration which is "*a commitment in Spirit to welcoming refugees into our community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in our community*".

For Tweed Shire, becoming a Refugee Welcome Zone is a community relations initiative rather than a service provision initiative.

To mark the occasion of Tweed Shire becoming a Refugee Welcome Zone, an event featuring the screening of *Mary Meets Mohammad* together with the official signing of the Refugee Welcome Zone Declaration will be held on Sunday 7 February 2016 at 2.00pm at the Regent Theatre, Murwillumbah.

An invitation has been extended to the Refugee Council of Australia for a representative to attend the event.

The Regent Theatre has a capacity of approximately 250 people. The event will be free, with no entrance fee charged for the screening. Publicity in relation to the screening and signing of the Refugee Welcome Zone Declaration is being prepared and will be released closer to the date of the event. The Community and Cultural Services Unit is working collaboratively with Communications and Customer Service - Communications Officer in relation to the event.

*"Mary Meets Mohammad"* is a documentary by Heather Kirkpatrick.

### **Short synopsis**

*Tasmania's first detention centre opens and local knitting club member Mary, a staunchly Christian pensioner, is not welcoming of the 400 male asylum seekers mostly from Afghanistan. Mohammad is a 26 year old Muslim asylum seeker detained inside the centre and an unlikely friendship develops between Mary and Mohammad after her knitting club donates woollen beanies to the asylum seekers. Mary finds many of her prior beliefs are challenged as her relationship with Mohammad deepens.*

The Refugee Council of Australia's website indicates that Lismore City, Coffs Harbour City and Port Macquarie-Hastings Councils are Refugee Welcome Zones.

Within Tweed Shire there are two community initiatives, the Uki Refugee Support Project and Pottsville Refugee Support Group. These groups comprise of local people welcoming refugees as a friendship and awareness building program.

**OPTIONS:**

1. That Council notes the report and supports the signing of the Refugee Welcome Zone Declaration and event to be held on 7 February 2016.
2. That Council does not support the signing of the Refugee Welcome Zone Declaration and event to be held on 7 February 2016 and requests more information.

**CONCLUSION:**

To mark the occasion of Tweed Shire becoming a Refugee Welcome Zone, an event featuring the screening of *Mary Meets Mohammad* together with the official signing of the Refugee Welcome Zone Declaration will be held on Sunday 7 February 2016 at 2.00pm at the Regent Theatre, Murwillumbah.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

**b. Budget/Long Term Financial Plan:**

\$400 will be allocated from the Community and Cultural Services budget for hiring of the Regent Theatre and purchase of the DVD.

**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.

Media promotion including flyers advertising the event will be undertaken closer to the date of the screening.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**17 [CNR-CM] Tweed Regional Museum Service Agreement 2016-2017 and related Licences**

**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
  - 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
- 

### SUMMARY OF REPORT:

A comprehensive review of the 2004 Memorandum of Understanding between Council and the Historical Societies of Murwillumbah, Tweed Heads and Uki and South Arm in relation to development of the Tweed Regional Museum was completed in 2015. This process involved extensive consultation with the Museum Advisory Committee and Historical Society members.

A new agreement, in the form of the Museum Service Agreement (2016-2017) has been developed to guide the next two years of cooperation between Council and the Societies in relation to the Tweed Regional Museum (TRM). Representatives of the three Societies formally signed the Museum Service Agreement on 10 November 2015. The Agreement was subsequently signed by the General Manager on behalf of Council.

Individual licences between Council and the Murwillumbah Historical Society, and Council and the Tweed Heads Historical Society regarding each Society's occupation and use of Council premises have also been developed. The Murwillumbah Historical Society has signed the licence relating to use of the research centre within the Tweed Regional Museum Murwillumbah. Negotiations with the Tweed Heads Historical Society regarding the licence for premises at Kennedy Drive Tweed Heads West are ongoing.

The Museum Service Agreement 2016-2017 and the associated licences come into effect from 1 January 2016. Both the Service Agreement and licences will be reviewed in 2017 in line with Council's strategic and business planning cycles.

**RECOMMENDATION:**

**That Council notes that:**

- 1. The Museum Service Agreement 2016-2017 between Council and the historical societies of Murwillumbah, Tweed Heads and Uki & South Arm has been signed.**
- 2. A licence between Council and the Murwillumbah Historical Society for use of premises within the Tweed Regional Museum Murwillumbah has been signed.**
- 3. Negotiations regarding a licence with Tweed Heads Historical Society for premises at Kennedy Drive, Tweed Heads West are ongoing.**

## **REPORT:**

### **Background**

The inaugural agreement (a Memorandum of Understanding) (MOU) between Council and the Historical Societies of Tweed Heads, Murwillumbah and Uki & South Arm, which lead to establishment of the Tweed Regional Museum (TRM), was signed in 2004.

Since 2004 Council has delivered significant outcomes anticipated in the MOU including: construction of a dedicated Museum collection storage facility, a significantly expanded and refurbished Museum facility at Murwillumbah; employment of professional staff (in 2015 three full-time employees), and provision of annual operational support for the TRM, which incorporates direct support to the Historical Societies.

### **Current situation**

A new agreement, in the form of a Museum Service Agreement (2016-2017), has been developed to guide the next two years of cooperation between Council and the Societies in relation to the Tweed Regional Museum. Representatives of the three Societies formally signed this Agreement on 10 November 2015. The Agreement was subsequently signed by the General Manager on behalf of Council.

Separate licences between Council and the Murwillumbah and Tweed Heads Historical Societies regarding the Societies occupation and use of Council premises have also been developed. The Murwillumbah Historical Society has signed a licence for use of space within the Tweed Regional Museum Murwillumbah. Negotiations with the Tweed Heads Historical Society regarding occupancy of premises at Kennedy Drive, Tweed Heads West are ongoing. The Uki and South Arm Historical Society lease premises directly from the Uki Hall Trust. Under the terms of the Museum Service Agreement, Council will continue to meet costs associated with that Society's occupancy of Trust property.

The Museum Service Agreement 2016-2017 and the associated licences come into effect from 1 January 2016. Both the Agreement and licences will be reviewed in 2017 in line with Council's strategic and business planning cycles.

## **OPTIONS:**

1. That Council notes the execution of a Museum Service Agreement (for the period 1 January 2016 to 31 December 2017) between Council and the three historical societies of Murwillumbah, Tweed Heads, and Uki & South Arm and that the Murwillumbah Historical Society has signed a licence (for the period 1 January 2016 to 31 December 2017) relating to the Society's occupancy of space within the Tweed Regional Museum Murwillumbah.
2. That Council requests further information regarding the Museum Service Agreement and occupancy of the Murwillumbah Historical Society within the Tweed Regional Museum Murwillumbah.

## **CONCLUSION:**

Significant milestones have been achieved for the Tweed Regional Museum since the inaugural Memorandum of Understanding (MOU) between Council and the Historical Societies was developed in 2004. Following extensive redevelopment of the Tweed

Regional Museum between 2012 and 2014, and a comprehensive review of the MOU during 2015, a Museum Service Agreement detailing operational arrangements, and associated licences for Society occupancy of Council buildings have been established. These agreements set out Council's commitment to the Historical Societies on the basis of their contribution to ongoing development of the Tweed Regional Museum.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

**b. Budget/Long Term Financial Plan:**

To be met from existing Tweed Regional Museum operational budget.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

Extensive consultation with members of the Museum Advisory Committee (MAC) and the Historical Societies has been undertaken during 2015 in relation to Museum facilities and resources as part of the review of the 2004 Memorandum of Understanding and development of a new Museum Service Agreement 2016-2017. Development of licences for occupancy of Council premises was also undertaken in consultation with the Murwillumbah and Tweed Heads Historical Societies.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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18 [CNR-CM] Access and Inclusion Plan 2014-2015 Progress Report One

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 *Tweed Access and Inclusion Plan 2014-2018* (the Plan) is Council's four-year integrated plan which links to Council's Community Strategic Plan, the four-year Delivery Program, the annual Operational Plan and associated Budget. The Plan addresses the access and inclusion barriers identified by the community that will help Council to deliver its vision for an inclusive community.

The purpose of this report is to provide a progress update on the implementation of the Plan since its adoption on 19 August 2014.

### RECOMMENDATION:

**That Council receives and notes the Access and Inclusion Plan 2014-2015 Progress Report One.**

## REPORT:

The *Access and Inclusion Plan* was adopted on 19 August 2014 and it was resolved in part to:

3. *Bring a status report and update to a future Council meeting after 12 months of operation.*

The *Access and Inclusion Plan* is based on the concepts of access and inclusion to ensure that all people who live in or visit Tweed Shire can live their lives and be involved in the community no matter what their circumstances or abilities. It identifies various sections of Council responsible for the implementation of the plan to ensure a whole-of-Council response to identified access barriers. Attachment 1 provides a summarised version of the *Access and Inclusion Plan* with a status update for each action provided by the Unit of Council identified as 'Leader'.

The *Access and Inclusion Plan* contains five strategic outcomes to address the issues raised during the community consultation. Some actions identified in the Plan are dependent on access to grant funding and have not proceeded (at this stage) where funding was unavailable. It should be noted that in general there have been sweeping changes to the funding landscape making it far more difficult to source grants to support initiatives.

Highlights from the first year of implementation include:

### **Strategic Outcome 1 - Organisational culture demonstrates understanding and commitment to the principles of universal access and social inclusion**

*Action 2: Provide accredited training to identified specialist staff.*

Training was provided to 53 staff nominated by Directors and Managers in Engineering, and Planning and Regulation Divisions. The training was provided by the Institute of Access Training Australia (IATA) between 2 and 6 February 2015. A report on the outcome of the Access Training for Council staff with recommendations for maintaining the knowledge and good practice was submitted to the Executive Management Team (EMT). As a result of one of these recommendations Engineer-Projects is completing the Certificate IV in Access Consulting delivered by IATA. This will provide in-house expertise on Access Standards and Guidelines. A further outcome is the formation of the cross-divisional Access Standards and Guidelines Working Group.

### **Strategic Outcome 2 - physical infrastructure and essential services are provided and maintained in line with the principles of universal access and social inclusion**

*Action 1: Engage consultant to undertake access audit of all Council owned and/or managed buildings accessed by the public.*

The Tender was prepared in the first quarter of 2015 and advertised in April 2015. The Tender was awarded to Access Audits Australia with audits undertaken between 24-28 August. Access Audit Reports will be submitted in November 2015. Buildings being Part A of the Tender will be audited in phases with the first phase including Murwillumbah Civic Centre, Library and Aquatic Centre, Banora Point Community Centre, Pottsville Beach Neighbourhood Centre, Kingscliff Library and Aquatic Centre, South Tweed Hall, Community Services Centre and Aquatic Centre.

Five parks, being Part B of the Access Audit Tender were selected for access audit. These included Jack Evans Boat Harbour, Old Boat Harbour Fingal, Faulks Park Kingscliff, Salt

Central and Ambrose Brown Pottsville. These parks were chosen because they have been recently upgraded with the audit providing advice on current design and construction methods.

*Action 6: Develop and confirm concept design of All Access Playground*

A Tender for the Concept Design was advertised in May 2015. Fifteen applications were received and the Tender was awarded to Plummer and Smith Landscape Design. The Draft Concept Design has been completed. Final consultation with Council staff will occur in November 2015 and the Concept Design will be submitted to Council for approval in early 2016.

**Strategic Outcome 3 - regulatory functions and responsibilities to follow protocols and procedures that include the principles of universal access and social inclusion**

*Action 1: Review development approvals process for the appropriate and timely inclusion of access requirements.*

The Access Standards and Guidelines Working Group identified the need to engage the participation of the Development Assessment Unit in discussing possible changes to current procedures and processes.

*Action 2: Provide training on access and inclusion to private Building Certifiers who operate in Tweed Shire.*

This has been identified as important by the Access Standards and Guidelines Working Group. A forum for external construction consultants was identified as the first priority.

**Strategic Outcome 4 - partnerships and collaborative projects support and promote the principles of universal access and social inclusion**

*Action 1: Work with business councils/chambers of commerce and industry to raise awareness about the importance of providing accessible facilities and inclusive service.*

A number of presentations have been delivered to business forums in Tweed Shire. Presentations have been delivered by Council's Community Development Officer-Ageing and Disability and the winner of the 2014 Tweed Shire Access and Inclusion Award, Melissa James on the benefits of developing accessible businesses with a focus on tourism through her website [cangoanywhere.com](http://cangoanywhere.com). Presentations have been delivered to Tweed Heads Chamber of Commerce and Industry, Kingscliff Chamber of Commerce, Murwillumbah District Business Chamber. Information provided was on accessible retail outlets, Tradies Guide to Good Access and the Access & Inclusion Awards.

In 2015 the Access and Inclusion Awards linked with the Business Excellence Awards Tweed Shire with joint nominations for the Most Accessible and Inclusive Tweed Business Awards at both events

**Strategic Outcome 5 - the principles of universal access and social inclusion are promoted across the community**

*Action 2: Celebrate International Day of People with Disability annually through Tweed Shire Access and Inclusion Awards and other appropriate events*

The second annual Awards were held in 2014 with the Awards Planning Committee including Equal Access Advisory Committee (EAAC) members, Lifestyle Solutions, Lifebridge, Blind Citizens Australia, Alzheimer's NSW, Northern Rivers Social Development Council (NRSDC) with Tweed Byron Ballina Community Transport and Accessible Arts NSW as partners. Twenty four nominations were received and four nominations for the

Belonging Award sponsored by NRSDC. Judging was carried out by EAAC community members.

In 2015 Ability Links, Northcott and Shaping Outcomes have joined the Planning Committee. An Awards Patron, Para-Olympics triathlete Bill Chaffey has been appointed. Twenty seven nominations were received with seven qualifying for the Belonging Award.

**OPTIONS:**

1. That Council receives and notes Access and Inclusion Plan Progress Report One.
2. That Council seeks further information on Access and Inclusion Plan Progress Report One.

**CONCLUSION:**

The *Access and Inclusion Plan* is an important strategic document that informs the way Council plans for and develops an accessible and inclusive community and fulfils legislative and policy obligations at all tiers of government as well as internationally. The Community and Cultural Services Team are on track to deliver all funded actions as scheduled.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Access and Inclusion v1.0.

**b. Budget/Long Term Financial Plan:**

*Access and Inclusion Plan* funding sources are drawn from the Long Term Financial Plan (LTFP) which provides the budget for the *Community Strategic Plan 2013-2023* (CSP) and includes:

- Access and Inclusion Plan Funding - the Long Term Financial Plan allocated \$43,137 in 2014-2015, with an annual CPI increase of 3% for 2015/2016;
- Aged and Disability Community Development - the Long Term Financial Plan allocates an annual salary for the CDO-Ageing and Disability, responsible for the implementation of the *Access and Inclusion Plan* across Council;
- Access Reserve – is one of Council's internally restricted cash reserves designated to specific projects to improve access and promote social inclusion across the Shire.
- External funding - to be sought via application as grants become available, is another potential source of funding.

**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.

The Equal Access Advisory Committee will continue to take an active role in overseeing the implementation of the *Access and Inclusion Plan*.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.                      Access and Inclusion Plan Action Tables Update for Progress  
Report One (ECM 3870438)

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**19 [CNR-CM] Tweed Coast Koala Study 2015**

**SUBMITTED BY: Community and Natural Resources**

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
  - 4.2.2 Encourage and promote rehabilitation and management of native vegetation and wildlife habitat in Tweed Shire
- 

### **SUMMARY OF REPORT:**

#### **Tweed Coast Koala Study 2015**

Council resolved in February 2015 to adopt the Tweed Coast Comprehensive Koala Plan of Management. One of the priority actions of the Plan is the reassessment of the status of the Tweed Coast koala population. Field work and data analysis for the 2015 Koala Study is complete, and a technical report has been prepared describing the methods, results and implications of the survey.

Results of the study suggest that the koala population has continued to decline, most notably around Cudgen Nature Reserve and the Round Mountain area, west of Bogangar. In contrast, it appears that koala occupancy and activity levels are relatively stable in the areas of habitat between Koala Beach and Black Rocks.

These findings justify and reinforce the need to continue implementation of recovery actions as per the Tweed Coast Comprehensive Koala Plan of Management.

#### **Black Rocks**

Due to the pre-existing commitment to undertake the 2015 Tweed Coast Koala Study, a study of the Black Rocks koala population requested by Council resolution in May 2015 was integrated to the 2015 koala study and the results are reported herein.

In addition, a separate report relating to hooning behaviour within the Black Rocks Sports Field has been prepared..

### **RECOMMENDATION:**

**That Council receives and notes the Tweed Coast Koala Study 2015.**

## REPORT:

### **Tweed Coast Koala Survey 2015 - Summary**

At its meeting on 21 May 2015 Council resolved to adopt the Tweed Coast Comprehensive Koala Plan of Management (TCKPoM). The reassessment of the koala population on the Tweed Coast is one of the initial actions of the Tweed Coast Comprehensive Koala Plan of Management, which has now been completed by Council staff. This work was necessary in order to:

- track the effectiveness of the Plan in achieving the recovery of the Tweed Coast koala population; and
- update and respond to current knowledge on the status of the Tweed Coast koala population.

The aim of the study was to determine current occupancy rates and assess changes in the distribution and levels of koala activity since the Koala Habitat Study was released in 2011.

Surveys were carried out between June and September 2015 and involved resampling a large proportion of those sites surveyed during the 2011 Habitat Study, utilising identical methodology. Seventy-two sites on Council owned and managed land, private land and Nature Reserve were surveyed. Records of koala sightings were also collated from various sources.

Koala activity remains widespread throughout the study area, however substantially less of the available habitat is currently occupied by resident koala populations than was reported in 2011. Occupancy throughout the Tweed Coast remains well below the optimal rate of 50%. Koala activity levels have declined significantly overall, and indicate ongoing decline of the Tweed Coast koala population as a whole. Decline is most notable in the north of the study area, between Kings Forest and Koala Beach including within Cudgen Nature Reserve. It is likely that ongoing vehicle-related mortality as well as the longer-term effects of wildfire and habitat fragmentation are still impacting these populations. As a result, it is possible that further decline will be recorded before any upward trend is detected. As a result of these findings Council staff, in conjunction with the National Parks and Wildlife Service, will consider what else can be done to improve the prospects for koalas in this area.

In contrast the results of this study suggest that koala populations are relatively stable in the areas of habitat between Koala Beach and Black Rocks. The Pottsville Wetlands/Black Rocks resident population continues to persist and activity levels in this area remain consistent with, and in some cases are higher than, those reported during the 2011 Habitat Study. Sightings of koalas including breeding females have been reported to Council from the vicinity of the wetlands, rural properties to the west of the wetlands, Pottsville Waters residential area and habitat surrounding the Black Rocks sports field.

The continued reduction in occupancy and general decline in activity levels throughout the northern part of the study area indicates that the situation remains severe for the Tweed Coast koala population. The stability of the southern populations however, along with ongoing observations of females with young and the use of new food tree plantings by koalas is encouraging. It is also noted that koala population growth is a slow process and that there will be a time lag between the halt of population decline and the beginning of population recovery, should this occur. Currently, the Tweed Coast koala population remains at high risk of extinction.



The technical report contains a number of recommendations aimed at continuing and building on the management actions contained in the Koala Plan of Management. It is important that Council and the broader community continue working together to reduce threats and plan for the future expansion of the koala population to a more sustainable level.

### **Black Rocks**

At its meeting of 21 May 2015 it was resolved that Council:

1. *Commissions a study using the methodology contained in the currently exhibited Comprehensive Koala Plan of Management to obtain baseline data on koala numbers in the Black Rocks Sports Field precinct. To complete the study without delay, the General Manager is authorised to accept the assistance offered by the Office of Environment and Heritage by letter dated 19 February 2015.*
2. *Replaces the gates at the entrance to the Black Rocks Sports Field with a koala grid to prevent koalas entering the nearby urban environment. The gates should not be replaced with a koala grid until the study referred to in paragraph 1 is complete.*
3. *Brings a report to a future Council Meeting with recommended options to address the impacts of "hooning" behaviour on the entrance road to the playing fields."*

Due to the pre-existing commitment to undertake the 2015 Tweed Coast Koala Study, the study requested by this resolution was integrated with the 2015 koala study. This ensured consistency of methods and resulting data with that of previous studies and the approach taken by the NSW Office of Environment and Heritage and other councils throughout NSW.

Koala populations within Pottsville Wetlands/Black Rocks areas appear to be well connected, and can be managed as a single unit. As reported above, outcomes of the Koala Study 2015 indicate that koala activity levels and occupancy rates within the Pottsville Wetlands/Black Rocks koala population are relatively stable, in contrast with the declines recorded in the north of the study area. According to the recent survey, resident koala populations continue to occupy the majority of available habitat in these areas, as they did in 2011. Koala sightings occur frequently around the sports field and wetlands, including females with young.

It is known that koalas also utilise habitat to the south and west of Black Rocks sports field, however access these properties was not granted by landowners for the recent koala study. The status and distribution of koalas in these areas remains poorly understood as a result, however there is likely to be some interaction with the Black Rocks population.

Koala habitat restoration, community engagement, fire management and vertebrate pest monitoring works are all currently underway in and around Pottsville Wetlands/Black Rocks in order to contribute to the management of threats in the area. It is important that the TCKPoM be fully implemented and also that measures are in place to minimise risks to these resident koala populations.

The koala study has confirmed the continued presence of significant koala activity and indicates the relative stability of the koala population in this locality, despite ongoing decline elsewhere.

### **Trial of Drones for Koala Survey**

At the meeting of 19 March 2015 Council resolved as follows:

*"as part of its preparations to resurvey the Tweed Coast Koala population, investigates and reports the possible use of drone technology, similar to that recently employed by researchers from Queensland University of Technology, to establish the size and distribution of the Tweed Coast koala population."*

Council, in partnership with the University, will undertake a trial of drones for koala survey work. The total cost of this project is \$54,000 with Council contributing \$18,000.

The purpose of the trial is to determine if this technology is cost effective and suitable for future surveys. The trial is subject to the signing of a partnering agreement and it is proposed that all survey work and analysis will be completed by December 2016. It was not feasible to utilise this technology for the recent study as the methodology was not established, hence the need for this trial.

### **OPTIONS:**

This report is to be received and noted only.

### **CONCLUSION:**

The Tweed Coast Koala Study 2015 is complete, with results of the study suggesting that the koala population has continued to decline. The most obvious decline occurred around Cudgen Nature Reserve and the Round Mountain area, west of Bogangar. Further consideration will be given to what else can be done to improve the prospects for koalas in this area.

In contrast it appears that koala occupancy and activity levels are relatively stable in the areas of habitat between Koala Beach and Black Rocks.

These findings reinforce the need to prevent increasing risk to existing koala populations and to continue implementation of recovery actions as per the Tweed Coast Comprehensive Koala Plan of Management.

### **COUNCIL IMPLICATIONS:**

#### **a. Policy:**

Tweed Coast Comprehensive Koala Plan of Management.

#### **b. Budget/Long Term Financial Plan:**

Not Applicable.

#### **c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

Completing the Tweed Coast Koala Study 2015 is a high priority action of the Tweed Coast Comprehensive Koala Plan of Management, adopted by Council in 2015. Engaging with the community regarding koala management and recovery is identified as a critical element of the whole of community response required to meet the significant challenge of koala conservation. Sharing the outcomes of this study with the community will be undertaken in accordance with a communications plan. In addition to this report and the technical report attached, activities including stakeholder briefings, frequently asked questions information sheets, maps and other general supporting information will be provided to the community.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Tweed Coast Koala Study 2015 (ECM 3872015)

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20 [CNR-CM] Black Rocks Sports Field

SUBMITTED BY: Community and Natural Resources

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:

At its meeting of 21 May 2015 it was resolved that Council:

- "1. ...
2. ...
3. *Brings a report to a future Council Meeting with recommended options to address the impacts of "hooning" behaviour on the entrance road to the playing fields."*

### RECOMMENDATION:

**That Council installs additional bollards between the speed hump and existing bollard fence at the Black Rocks Sports Field.**

**REPORT:**

**Hooning Behaviour at Block Rocks Sports Field**

A local resident has reported evidence of a number of incidents of 'hooning' on the Black Rocks Sports Fields access road in an email received in September this year. The photographic evidence supplied is predominantly of wheel ruts from vehicles driving on the wet grass road verge and not the circular pattern and level of damage generally associated with 'hooning'. It appears these may be motivated to a degree by vehicles avoiding the traffic calming devices (speed humps) installed on the access road. This may be alleviated by placing a row of bollards between the speed hump and the existing bollard fence separating vehicles from the bushland, thus removing the opportunity to go around the speed hump.

In May of this year there was an instance of 'burnouts' on the sports field that occurred during the day as Council staff was working at the site. The staff left the site temporarily, leaving the field access gate open for their return. The burnouts occurred in the short period they left the field unattended. 'Hooning' or similar on Council sports fields is not uncommon, and generally speaking the damage is superficial and relatively easy to repair. The general approach to managing hooning at sports fields is to manage vehicular access to the fields.

**OPTIONS:**

1. Council installs additional bollards between the speed hump and the existing bollard fence at the sports field.
2. Council considers other measures to address the impacts of "hooning" behaviour on the entrance road to the playing fields."

**CONCLUSION:**

Council officers do not have records of hooning on the Koala Beach access road as the wheel rutting was not considered hooning. It appears the wheel ruts may have been created to a degree by vehicles avoiding the traffic calming devices (speed humps) installed on the access road. This may be alleviated by placing a row of bollards between the speed hump and the existing bollard fence separating vehicles from the bushland, thus removing the opportunity to go around the speed hump.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy. Not Applicable.

**b. Budget/Long Term Financial Plan:**

Cost to supply and install bollards approximately \$600 available in Sports Field Asset Management budget.

**c. Legal:**

Not applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS FROM THE DIRECTOR ENGINEERING

### 21 [E-CM] Lease to Tweed Community Support Inc T/as Meals on Wheels, Kingscliff - Part Lot 4 in DP1179360 at Kingscliff

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:

Tweed Community Support Inc. trading as Meals on Wheels Kingscliff have been operating from premises known as the Kingscliff Meals on Wheels Kitchen located on Lot 4 in DP 1179360 at Turnock Street Kingscliff for the last thirteen (13) years under lease agreements with Council for a peppercorn rent in recognition as a non-profit organisation which provides a community service to residents within the Tweed Shire area.

The Lease expired on 2 October 2015 and Tweed Community Support Inc. has indicated to Council that they would like to continue with a new lease of the premises for a further period.

It is recommended that Tweed Community Support Inc. be offered a one (1) year lease with three one (1) year options for continuance.

### RECOMMENDATION:

That Council;

1. Enters into a lease agreement with Tweed Community Support Inc. over the premises known as the Kingscliff Meals on Wheels Kitchen located on Lot 4 in DP1179360 at Turnock Street, Kingscliff for a term of one (1) year with three one (1) year options;
2. All necessary documents be signed under the Common Seal of Council.

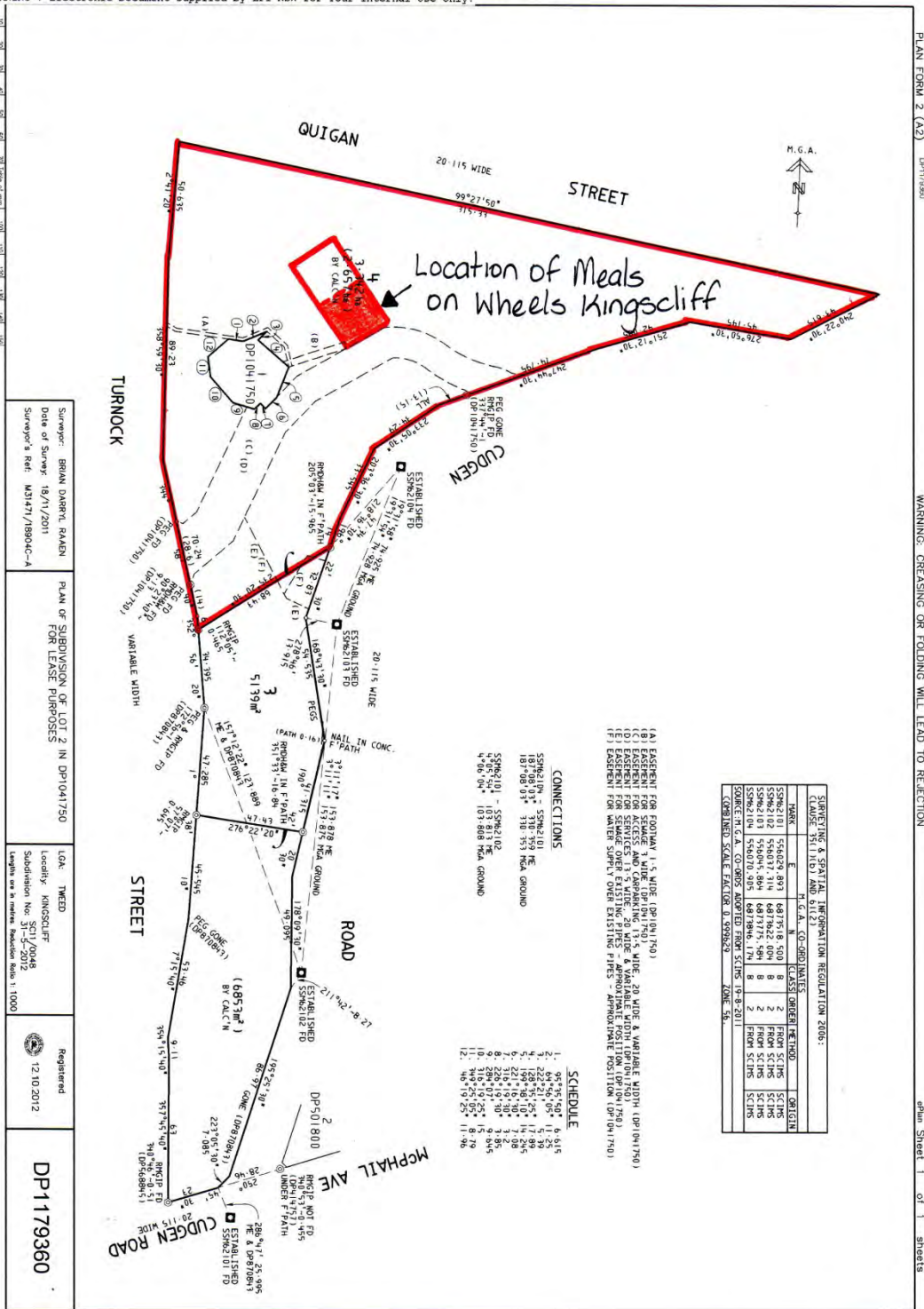


**REPORT:**

Tweed Community Support Inc. trading as Meals on Wheels Kingscliff have been operating from premises known as the Kingscliff Meals on Wheels Kitchen located on Lot 4 in DP 1179360 at Turnock Street Kingscliff for the last thirteen (13) years under lease agreements with Council for a peppercorn rent in recognition as a non-profit organisation which provides a community service to residents within the Tweed Shire area.

Diagram 1 – DP1041750 showing the location of Kingscliff Meals on Wheels.

Box:e-DeX /Doc:DP 1179360 P /Rev:12-Oct-2012 /Sta:SC.OK /Prt:13-Oct-2012 01:34 /Pgs:ALL /Seq:1 of 2  
 WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.



The most current lease expired on 2 October 2015. Tweed Community Support has recently extended the freezer space to cater for increased volumes and as such they have indicated to Council that they would like to continue with a new lease of the premises for a further period.

Council Community and Cultural Services buildings are being reviewed as part of the Community Infrastructure Framework and leases are being issued on a short term basis only pending the outcomes of the network planning.

**OPTIONS:**

1. Council enters into a one (1) year lease with three one (1) year options with Tweed Community Support Inc for the use of the Kingscliff Meals on Wheels Kitchen located at Turnock Street Kingscliff.
2. Council does not enter into a lease with Tweed Community Support Inc for the use of the Kingscliff Meals on Wheels Kitchen located at Turnock Street Kingscliff.

**CONCLUSION:**

The Tweed Community Support Inc. group have been exemplary tenants of the premises and it is recommended that Council continue to lease the premises to them for the recommended period.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Council will not be required to fund ongoing maintenance for the lease term.

**c. Legal:**

Involves entering into a legally binding lease between Tweed Shire Council and Tweed Community Support Inc. for up to four (4) years.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

Upon approval of Council a lease document will be drawn up and offered to The Tweed Community Support Inc.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**22 [E-CM] Alteration of Locality Boundary between Duroby and North Tumbulgum**

**SUBMITTED BY: Design**

**FILE REFERENCE: GG2/1 Pt 6**

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:

During 1994 and 1995 Council was involved with the ratification of the locality boundaries within the Tweed Shire in conjunction with the NSW Geographical Names Board.

The final plan of locality boundaries was endorsed by Council on 17 October 1995 and submitted to NSW Geographical Names Board for advertising and subsequent gazettal on 13 December 1996.

Council was recently advised by a local resident that several properties nominated as being within the locality of Duroby can only be accessed via Cranneys Road at North Tumbulgum and have no physical access from any formed road networks within Duroby. The resident has requested that the locality boundary be amended from Duroby to North Tumbulgum to reflect this fact.

All affected land owners have been notified of the proposed change to the locality boundary and were provided with the opportunity to comment on the amendment and all land owners provided their concurrence to the amendment to the locality boundary.

Where an existing extent of locality boundary is proposed to be amended an application is required to be made to the Geographical Names Board. The Board then follows the process outlined in Sections 8, 9 and 10 of the *Geographical Names Act 1966*, except in the case of minor amendments.

A minor amendment can be notified under the delegated authority of the Secretary (Geographical Names Board) where it affects less than ten (10) cadastral parcels. In this instance it was determined that no more than five (5) cadastral parcels are affected.

It is recommended that Council makes application to the Geographical Names Board to alter the Locality Boundary between Duroby and North Tumbulgum as shown on the plan in the body of this report.

**RECOMMENDATION:**

**That Council makes application to the Geographical Names Board to alter the Locality Boundary between Duroby and North Tumbulgum as shown in Diagram 3 in the body of this report.**

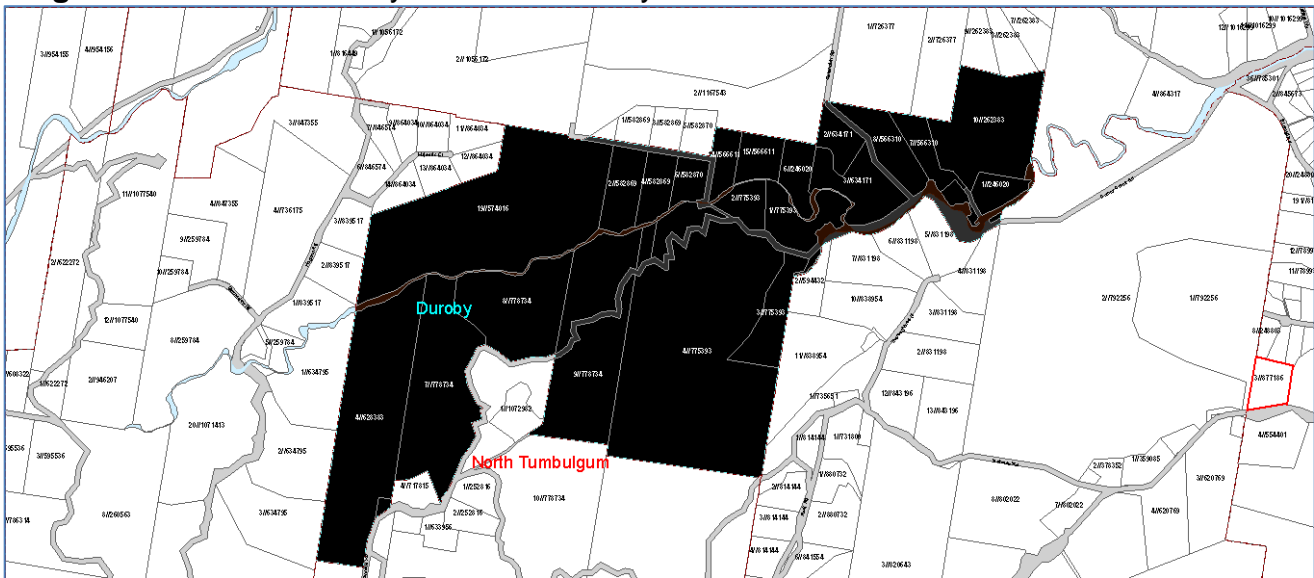
**REPORT:**

During 1994 and 1995 Council were involved with the ratification of the locality boundaries within the Tweed Shire in conjunction with the NSW Geographical Names Board.

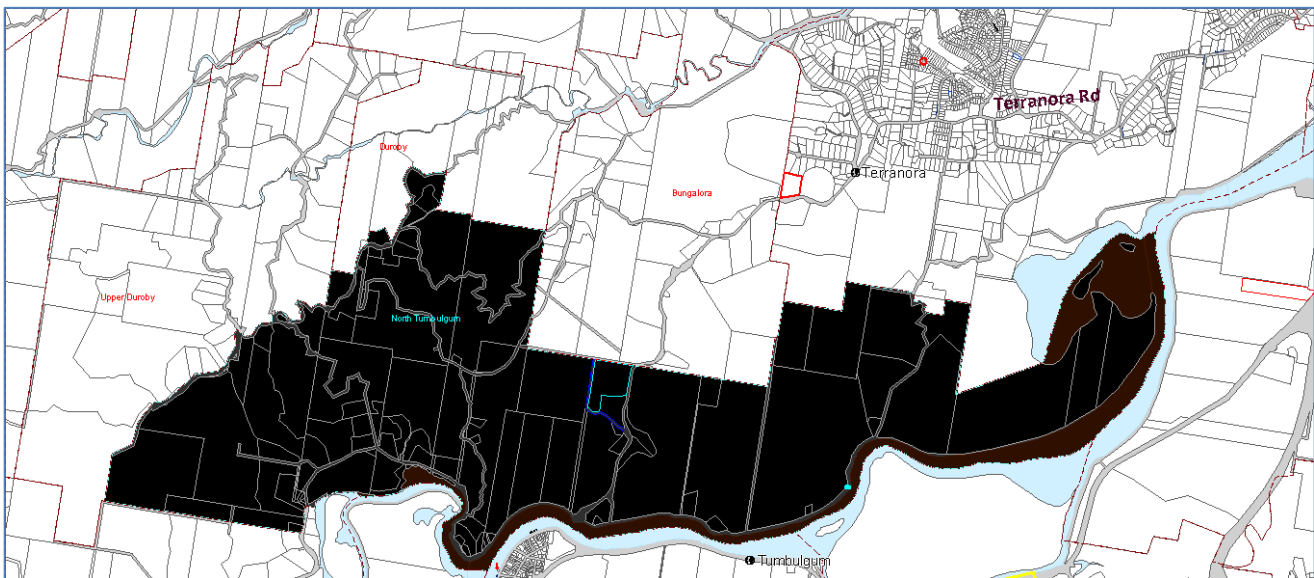
The final plan of locality boundaries was endorsed by Council on 17 October 1995 and submitted to NSW Geographical Names Board for advertising and subsequent Gazettal on 13 December 1996.

An anomaly has since been discovered between the localities of Duroby and North Tumbulgum. Diagrams 1 and 2 shows the current locality boundaries of the two suburbs.

**Diagram 1 – Current locality outline of Duroby**



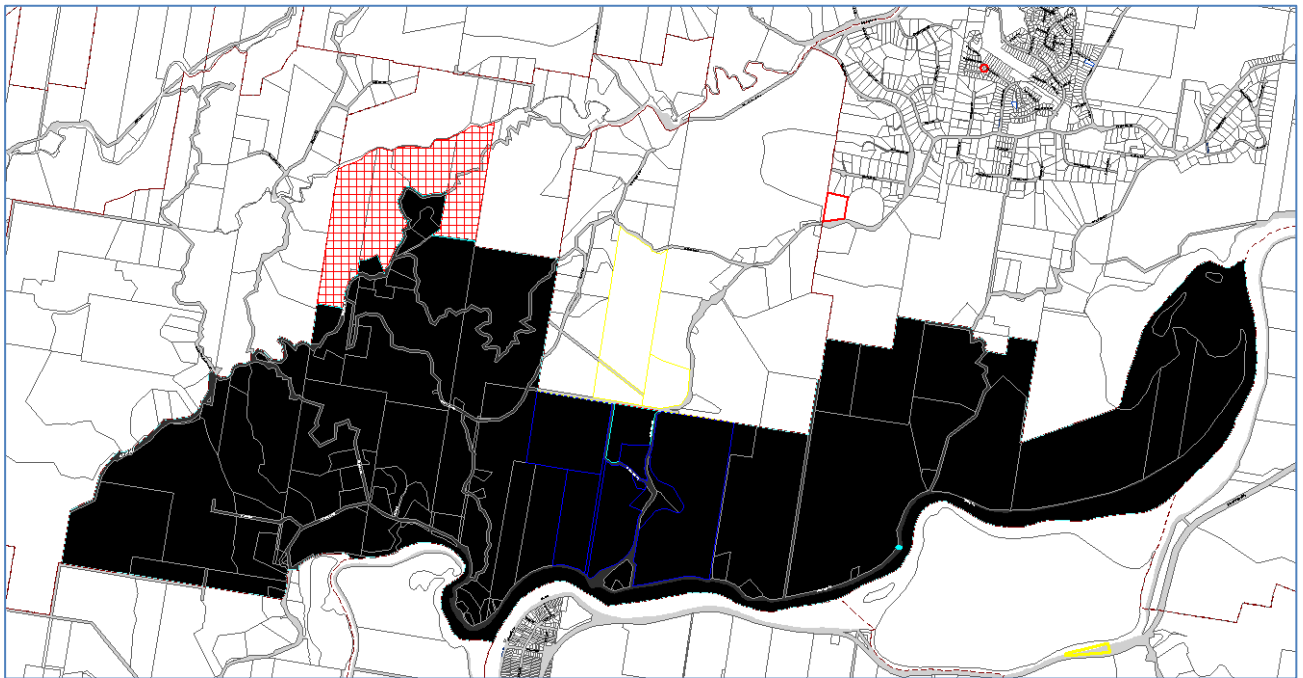
**Diagram 2 – Current locality outline of North Tumbulgum**



It was recently brought to the attention of Council that several properties nominated as being within the locality of Duroby can only be accessed via Cranneys Road at North Tumbulgum and have no physical access from any formed road networks within Duroby. One of these

property owners has requested that the locality boundary be amended from Duroby to North Tumbulgum to allow for ease of location for emergency services, Australia Post and other utility providers, a copy of the correspondence is attached. Diagram 3 shows the affected properties and the proposed change to the locality boundary.

**Diagram 3** – shows the suburb of North Tumbulgum shaded black and the affected properties within the area proposed to be removed from Duroby and included in North Tumbulgum as hatched.



The affected properties are as follows

Lot 4 DP 628383, Lot 1 DP 589015, Lot 7 DP 778734, Lot 8 DP 778734 and Lot 9 DP 778734.

Each land owner has been notified of the proposed change to the locality boundary and provided with the opportunity to comment on the amendment. All of these land owners have provided their concurrence to the amendment to the locality boundary.

Where an existing extent of locality boundary is proposed to be amended an application is required to be made to the Geographical Names Board. The Board then follows the process outlined in Sections 8, 9 and 10 of the *Geographical Names Act 1966*, except in the case of minor amendments.

A minor amendment can be notified under the delegated authority of the Secretary (Geographical Names Board) where it affects less than ten (10) cadastral parcels. In this instance it was determined that no more than five (5) cadastral parcels are affected.

#### **OPTIONS:**

1. Council makes application to the Geographical Names Board to amend the locality boundary between Duroby and North Tumbulgum as per the body of the report.

2. Council accepts the ratified boundary as has already been gazetted between Duroby and North Tumbulgum.

**CONCLUSION:**

It is recommended that Council makes application to the Geographical Names Board to alter the Locality Boundary between Duroby and North Tumbulgum as shown on the plan in the body of this report.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.  
Geographical Names Act 1966.

**b. Budget/Long Term Financial Plan:**

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.

Upon resolution of Council an application will be made to NSW Geographical Names Board to approve under delegated authority an alteration to the locality boundary between Duroby and North Tumbulgum. If approved by the Board it will be advertised for a period of one (1) month seeking submissions to the proposal. If no relevant submissions are received the Board will publish a notice in the Government Gazette amending the boundary locality and advise Council accordingly.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Correspondence requesting the alteration of the locality boundary between Duroby and North Tumbulgum (ECM 3780886).

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23 [E-CM] RFO2015126 Provision of Manual Traffic Control Teams for Council Works

SUBMITTED BY: Infrastructure Delivery

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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#### SUMMARY OF REPORT:

Request for Offer had been called for the Supply of Manual Traffic Control Teams for Council Works. The contract will be for a twelve (12) month period commencing 1 January 2016 with a possible two (2) by twelve (12) month extension options.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 4 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**. A summary of the Selection criteria is also included in the body of this report.

#### RECOMMENDATION:

**That in respect to Contract RFO2015126 Provision of Manual Traffic Control Teams for Council Works:**

- 1. Council awards the contract to JHA Recruitment & Staff @ Work Pty Ltd, (ABN 77 100 120 474) for the Provision of Manual Traffic Control Teams for Council Works for a twelve month period commencing 1 January 2016 with a possible two (2) by twelve (12) month extension option.**
- 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.**
- 3. ATTACHMENTS 1 and 2 are 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:

### Offer Background

Request for Offer RFO2015126 was called for the Provision of Manual Traffic Control Teams for Council Works.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 4 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### Request For Offer Advertising

As per the requirements of the Local Government Regulation 2005, offers were officially advertised for RFO2015126 Provision of Manual Traffic Control Teams for Council Works on Tuesday 13 October 2015 in the Sydney Morning Herald. The offer was also advertised in the Tweed Link.

### Offer Addendums

There was one Notice to Bidders issued before close of offer.

Notice to Bidders No. 1 was issued to provide bidders with information to questions raised prior to the closing date.

### Offer Submissions

As per the requirements of Tweed Shire Council Procurement Protocol 1.8, offer submissions closed at 4.00pm (local time) on Wednesday 4 November 2015 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Eleven (11) submissions were recorded at the Tender Box opening and their details are as follows:

<b>Bidder</b>	<b>ABN</b>
Allstate Linemarking Services Pty Ltd	98 109 627 652
Altus Traffic Pty Ltd	84 102 768 061
Besafe a division of Falbury Pty Ltd as trustee for the KG Wallace Discretionary Trust	77 640 068 488
Consec Traffic Management Services Pty Ltd	51 601 309 148
Evolution Traffic Control Pty Ltd	64 109 656 233
JHA Recruitment & Staff @ Work Pty Ltd	77 100 120 474
K & D Traffic Management Pty Ltd t/as Lack Group	43 123 149 539
Nortec Staffing Solutions	88 129 092 280
Traffex (Aust) Pty Ltd	15 151 902 751
Verifact Pty Ltd (CAN 120 091 590) as trustee to Verifact Unit Trust	59 708 957 461
Workforce Road Services Pty Ltd	36 136 999 374

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering. The details of the price and non-price evaluation are shown on the attached Offer Evaluation Report.

<b>Criterion</b>	<b>Weighting (%)</b>
Comparison of offered schedule rates received	60
Level of appropriate resources	10
Contractor's team and experience	10
Demonstrated capability to perform the services as specified	10
Local Content	10
Total	100

An Offer Assessment Plan was developed based on the premise that competitive offers were to be received and scored against specific selection criteria in order to select the best value offer.

The Offer Evaluation Panel consisting of Manager Infrastructure Delivery, Acting Operations Coordinator Infrastructure Delivery, Senior Engineer Contracts and Administrative Officer Contracts conducted the offer assessment.

A copy of the Offer Evaluation Plan Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

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

**OPTIONS:**

1. Accept the recommendation to award the Contract to JHA Recruitment & Staff @ Work Pty Ltd.
2. Award the Contract to an alternate bidder Verifact Pty Ltd (CAN 120 091 590) as trustee to Verifact Unit Trust.
3. Not accept any offers received for RFO2015126.

**CONCLUSION:**

To maintain the continuity of Council's operations it is essential to ensure that Council has a contract in place with a qualified Contractor for the provisions of traffic control services.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.6.

**b. Budget/Long Term Financial Plan:**

No direct budget implications. All works requiring Traffic Control personnel are programmed and pre budgeted maintenance or construction activities.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Offer Evaluation Report (ECM 3877499).

*(Confidential)* Attachment 2. Offer Evaluation Scoring Sheet (ECM 3877130).

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24 [E-CM] RFO2015116 Banora Point Reservoir Rehabilitation

SUBMITTED BY: Water and Wastewater

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:

Offer RFO2015116 Banora Point Reservoir Rehabilitation was called to engage a suitably qualified and experienced organisation to provide structural and protective coatings rehabilitation works to the Banora Point Reservoir (corner of Terranora Road and Banora Hills Drive) in accordance with the Specifications and Drawings.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4pm (local time) on Wednesday 11 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Recommendations have been formulated based on the Selection Criteria which is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**.

### RECOMMENDATION:

That in respect to RFO2015116 Banora Point Reservoir Rehabilitation:

1. Council awards the contract to Engineering Applications Pty Ltd (ABN 93 135 980 111) for the amount of \$783,887.27 (exclusive of GST).
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.

3. **ATTACHMENTS 1 and 2 are 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.**
  - (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:****Offer Background**

Offer RFO2015116 Banora Point Reservoir Rehabilitation was called to engage a suitably qualified and experienced organisation to provide structural and protective coatings rehabilitation works to the Banora Point Reservoir (corner of Terranora Road and Banora Hills Drive) in accordance with the Specifications and Drawings

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4pm (local time) on Wednesday 11 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Banora Point Reservoir was originally constructed in the 1960s. The structure is steel plate walls and floor, and has an access stairway attached to the wall. Being over 50 years old, a full rehabilitation is now required to extend the useful life of the reservoir, which includes replacement of access stairs.

**Offer Advertising**

As per the requirements of the Local Government Regulation 2005, offers were officially advertised for RFO2015116 Banora Point Reservoir Rehabilitation on Tuesday 20 October 2015 in the Sydney Morning Herald. The offer was also advertised in the Brisbane Courier Mail, Gold Coast Bulletin and Tweed Link.

**Offer Addendums**

There were no addendum (Notice to Bidders) issued before close of offers.

**Offer Submissions**

As per the requirements of the Local Government Regulation 2005, Offer Submissions closed at 4pm (local time) on 11 November 2015 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Twelve (12) Offer Submissions were recorded at the Tender Box opening and their details are as follows:

<b>BIDDER</b>	<b>ABN</b>
Aquatec Maxcon Pty Ltd	45 002 250 482
Australian Prestressing Structures	49 146 713 671
Brice Engineers Pty Ltd	73 006 468 300
Contract Resources Pty Ltd	63 113 182 504
Engineering Applications Pty Ltd	93 135 980 111
FCS Concrete Repairs Pty Ltd	68 602 061 709
McElligotts (Qld) Pty Ltd	15 069 263 770
Pensar Building Pty Ltd	44 111 529 278
Pensar Building Pty Ltd	44 111 529 278
QIC Protective Coatings (Aust) Pty Ltd	35 072 049 417
Tranzblast Coating Service Aust	86 603 143 513
Vertical Services Pty Ltd	58 058 903 674



The details of the price and non-price evaluation are shown on the attached Offer Evaluation Report.

An Offer 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 Offer Evaluation Panel consisting of Engineer - Projects, Senior Engineer – Capital Works and Engineer – Contracts conducted the offer evaluation.

A copy of the Offer Evaluation Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

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

The information identifies the Bidder in relation to the offer price and the evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Bidder 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 Offer.

#### **OPTIONS:**

1. Council endorses the recommendations of this report.
2. Council does not endorse the recommendations of this report.

#### **CONCLUSION:**

Council awards the Contract for RFO2015116 to **Engineering Applications Pty Ltd (ABN 93 135 980 111)** for **\$783,887.27** (exclusive of GST) as detailed in the Offer Evaluation Report confidential **Attachment 1** for the Banora Point Reservoir Rehabilitation.

#### **COUNCIL IMPLICATIONS:**

##### **a. Policy:**

In accordance with Procurement Policy v1.8 and Local Government (General) Regulations 2005.

##### **b. Budget/Long Term Financial Plan:**

Funds are available from the 2015/16 Water Fund.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. RFO2015116 Offer Evaluation Report (ECM 3872313)

*(Confidential)* Attachment 2. RFO2015116 Offer Evaluation Scoresheet (ECM 3872193)

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**25 [E-CM] RFO2015143 Supply and Delivery of Road Pavement Material for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur**

**SUBMITTED BY: Infrastructure Delivery**

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

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### SUMMARY OF REPORT:

Offer RFO2015143 Supply and Delivery of Road Pavement Materials for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur was called to engage a suitably experienced supplier of road pavement material for the reconstruction of this section of Kyogle Road.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 11 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Recommendations have been formulated based on the Selection Criteria which is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENT 1**.

### RECOMMENDATION:

**That in respect to Contract RFO2015143 Supply and Delivery of Road Pavement Materials for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur**

- 1. Council awards the contract to Boral Resources (Qld) Pty Ltd (ABN 46 009 671 809) for the schedule of rates amount of \$33.60 per tonne (extended sum \$174,720.00 exclusive of GST).**
- 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.**

3. **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.**
  
  - (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:

### Offer Background

Offer RFO2015143 Supply and Delivery of Road Pavement Materials for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur was called to engage a suitably experienced supplier of road pavement material for the reconstruction of this section of Kyogle Road.

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 11 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### Offer Advertising

As per the requirements of the Local Government Regulation 2005, Offers were officially advertised for RFO2015143 Supply and Delivery of Road Pavement Materials for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur on Tuesday 20 October 2015 in Sydney Morning Herald. The Offer was also advertised in the Tweed link.

### Offer Addendums

There were no addendums (Notice to Bidders) issued before close of Offer.

### Offer Submissions

As per the requirements of the Local Government Regulation 2005, Offer submissions closed at 4.00pm (local time) on 11 November 2015 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Only one Offer was recorded at the Tender Box opening and the details are as follows:

<b>Tenderer</b>	<b>ABN</b>
Boral Resources (Qld) Pty Ltd	46 000 671 809

The Offer was evaluated based on the criteria noted in the table below which was also listed in the Conditions of Offering.

<b>Criterion</b>	<b>Document Reference</b>	<b>Weighting (%)</b>
Value for Money (Normalised Tender Price)	Schedule 3	70
Quality of Materials (Nata Certificates)	Schedule 4	15
Local content	Schedule 5	15
	<b>Total</b>	<b>100</b>

A detail of the price and non-price evaluation scoring was not carried out as there was only one submission from Boral Resources (QLD).

A review of the submission from Boral Resources (Qld) was carried out as per Council's Procurement Policy and their submission was found to be compliant in terms of quality of material with prices considered to be very competitive with current rates that are being offered for other projects within the Shire.

A copy of the Offer Evaluation Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

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

The information identifies the Bidder in relation to the Offer price and the evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Bidder 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 Offer.

**OPTIONS:**

- 1 Council accepts the recommendations made in this Council Report.
- 2 Council does not accept the recommendations made in this Council Report.

**CONCLUSION:**

As per the Offer Evaluation Report recommendation, it is recommended that Council awards the contract to Boral Resources (Qld) Pty Ltd (ABN 46 009 671 809) for the schedule of rates amount of \$174,720.00 (exclusive of GST).

Boral Resources (Qld) Pty Ltd (ABN 46 009 671 809) is considered to be realistic and competitive in line with the scope of works and budget and is therefore deemed as the most advantageous option for Council.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.8

In accordance with Local Government (General) Regulations 2005.

**b. Budget/Long Term Financial Plan:**

Funded from 2015/2016 Road Rehabilitation Programme.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Offer Evaluation Report (ECM 3866497).

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**26 [E-CM] Variation to Contract No. EQ2014-159 Tweed Heads Library & Precinct Upgrade Project**

**SUBMITTED BY: Infrastructure Delivery**

Valid



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## 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

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In April 2015 Council appointed the Architect, Complete Urban, after a competitive quotation process which was conducted in accordance with Councils Procurement Protocol V1.8. The scope of the brief was to engage users, prepare briefs and develop concept plans and construction estimates for the Tweed Heads Library and Precinct upgrade. The brief was awarded to Complete Urban and approved under delegation by the Director Community and Natural Resources as the contract did not exceed \$150,000. The concept design is now complete and the project is ready to enter the next stage of development.

This report deals with the continued engagement of the architect for the completion of the project. The procurement method will be Design and Construct (D&C) whereby the Contractor will be engaged to complete the detailed design, construct the works, commission and handover to Council.

Complete Urban, have an intrinsic understanding of the project given they have developed the design to this stage. The engagement of others through a competitive Tendering process would present the following risks:

- A possible change in ideas that have presently been agreed by Library user and Staff leading to increased cost.
- An extension to Design and tendering periods which are outlined in the body of this report.
- A risk of an increase in the Tendered cost of the package due to builders engaging separate Architects.
- An increase in staffing time to manage this process.
- Loss of design integrity if an alternative architect was appointed.

Section 55 (3)(i) of the Local Government Act 1993 allows a Council to award a contract without calling Tenders in extenuating circumstances.

This report recommends to approve this Variation to Contract No. EQ2014-159 to the value of \$70,740 (exclusive of GST). This will vary the value of this contract from \$124,582 to \$195,322 (exclusive of GST).

**RECOMMENDATION:**

**That Council:**

- 1. Approves the engagement of Complete Urban as the Project Architect to complete the Architectural Design as detailed in this report for the Tweed Heads Library and Precinct upgrade under Section 55 (3)(i) of the Local Government Act 1993 due to extenuating circumstances being that the Consultant holds intrinsic knowledge of the design and a satisfactory result would not be achieved by reinviting tenders for these works.**
- 2. Approves the lump sum Variation to Contract EQ2014-159 to the value of \$70,740 (exclusive of GST).**
- 3. Grant delegated authority to the General Manager to approve appropriately deemed variations to this contract and those variations be reported to Council at the end of this Contract.**
- 4. 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:**

In April 2015 Council appointed the Architect, Complete Urban, after a competitive quotation process, which was undertaken in accordance with Councils Procurement Protocol V1.8. This Contract EQ2014-159 was approved by the Director Community and Natural Resources under delegated authority as the value of the contract did not exceed \$150,000 Inclusive of GST.

The Tender EQ2014-159 was advertised on Saturday 18 October 2014 in the Brisbane Courier Mail and the Gold Coast Bulletin. Tenders closed in the Tender box at 4pm on Wednesday 5 November 2014 at the Murwillumbah Civic Centre Tumbulgum Road Murwillumbah. There were 8 submissions received and following review the Tender Panel recommended that Complete Urban be awarded the contract to prepare concept plans for the Tweed Heads Library and Precinct upgrade. This engagement required the preparation of a functional brief and the development of concept plans and estimates for the Tweed Heads Library and Precinct upgrade to ensure the best outcome for the Tweed Heads Library whilst engaging and giving consideration to existing users.

The concept design is now complete and the project is ready to enter the next stage of development. The procurement method for this phase will be Design and Construct (D&C) whereby the Contractor will be engaged to complete the detailed design, construct the works, commission and handover to Council. The detailed design will encompass the entire precinct however construction will be limited to the Library and associated works required to make the Library functional.

The Tender process to engage a suitable contractor will be through Early Tender Involvement (ETI) where the selected tenderers will each be paid a nominal fee of \$10,000 to develop the design to a stage ready for submission of Tenders.

The proposed outline of dates for the tender periods is as follows:

Expressions of Interest close:	Dec-2015
Outcomes reported to Council	Jan -2016
Prospective Tenderers notified:	Jan -2016
Draft RFT Documents and Draft Contract Risk Allocation Register (DCRAR) issued:	Jan - 2016
Site inspection and first ETI workshop:	Feb - 2016
Detailed development of the design with Prospective Tenderers and Project Architect :	Feb/ Mar 2016
Prospective Tenderers advised who will be invited to submit a priced tender:	Mar - 2016
Final RFT Documents issued:	Mar - 2016
Tenders close:	April – 2016

Report to Council

May- 2016

Contract awarded:

May -2016

To further develop this design to a consistent and suitable standard and coordinate a successful ETI process, it is proposed to extend the existing contract with the Architect Complete Urban who has an intrinsic understanding of the project. This understanding has been developed through Complete Urban's initial engagement to complete the Concept Design. Thus the engagement of another architect through a competitive Tendering process presents the following risks and thus Council would not achieve a satisfactory result if these works were to go out to tender;

- A possible change in ideas that have presently been agreed by Library user and Staff leading to increased cost
- An extension to Design and tendering periods which are outlined in the body of this report
- A risk of an increase in the Tendered cost of the package due to builders engaging separate Architects.
- An increase in staffing time to manage this process.
- Loss of design integrity if an alternative architect was appointed.

Complete Urban were requested to submit a price to Architectural service for the next phases of the project. A copy of the relevant correspondence is a confidential attachment to this report. The amount of the variation is \$70,740 (exclusive of GST).

#### **OPTIONS:**

1. Extend the Contract of Complete Urban to undertake the Architectural design for the remainder of the Tweed Heads Library and Precinct upgrade project.
2. Call tenders for the architectural design of the Tweed Heads Library and Precinct upgrade project.

#### **CONCLUSION:**

The Architect engaged to undertake the conceptual design of the Tweed Heads Library and Precinct upgrade has intrinsic knowledge of the project. It is recommended that Council vary this engagement to maintain the design integrity under Section 55 (3)(i) of the Local Government Act 1993 to allow Complete Urban to continue as the Architect for the remainder of the project.

#### **COUNCIL IMPLICATIONS:**

##### **a. Policy:**

Procurement Policy v1.6

**b. Budget/Long Term Financial Plan:**

The total estimate to complete the next phase of the project including Detailed Design of the entire precinct and construction of the Library component is \$1,422,097 (exclusive of GST). To date expenditure for preconstruction activities has been \$124,582 with \$70,000 being funded from CP11 and \$54,582 being funded from the SCU Building Tweed Heads Budget.

The variation of \$70,740 to contract EQ2014-159 proposed in this report will be funded from CP11. Funding for the remainder of the project is yet to be determined, but will primarily come from CP11.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Correspondence from Complete Urban (ECM 3879551).

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27 [E-CM] Tweed Coastal Creeks Floodplain Risk Management Study and Plan

**SUBMITTED BY: Roads and Stormwater**

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 17 September 2015 meeting, Council resolved to exhibit the draft Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P). The draft documents were exhibited for six (6) weeks from 6 October to 17 November 2015.

Council officers undertook extensive stakeholder engagement during the exhibition period with representatives of:-

- Cudgen Drainage Union
- Mooball Crabbes Creek Drainage Union
- NSW Canegrowers
- NSW Sugar Milling Cooperative
- TSC - Tweed River Committee
- TSC - Tweed Coastal Committee
- Public Workshop - Burringbar Hall
- Public Workshop - Cabarita Sports Club Hall - Les Burger Field
- Follow up onsite Meetings with Individuals (2) from Burringbar Hall Workshop

Five (5) submissions were received from the following stakeholders:

- Wooyung Beach Holiday Park
- Pottsville Community Association
- Pottsville Community Association Inc
- Individual submissions (x 2)

The items raised have been addressed and reported to the Floodplain Management Committee (FMC). Issues included insurance premium impacts, identification and location of flood affected properties, dredging of Cudgera Creek and Coastal Creek outlets to the ocean, upstream detention systems, flood relief drainage outlets to the ocean, warning systems and road evacuation routes.

Minor amendments to the exhibited documents have been included to address the submissions by the consultant BMT WBM and are to be considered by the Floodplain Management Committee (FMC) on 4 December 2015. It is recommended that the FMC will adopt the updated Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P). Confirmation of the outcome from the FMC meeting will be provided at the council meeting.

**RECOMMENDATION:**

**That, subject to the endorsement of the Floodplain Management Committee, Council adopts the Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P).**



## REPORT:

At the 17 September 2015 meeting, Council resolved to exhibit the draft Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P). The draft documents were exhibited for six (6) weeks from 6 October to 17 November 2015.

This report outlines what has occurred since the September Council meeting.

### **Community/Stakeholder Engagement Undertaken**

Extensive Community/Stakeholder Engagement was undertaken during the six week exhibition period. The engagement included briefing sessions and discussions as documented below :-

- Briefing Session - Agricultural Stakeholders - 2 October 2015 - Representatives of:-
  - Cudgen Drainage Union
  - Mooball Crabbes Creek Drainage Union
  - NSW Canegrowers
  - NSW Sugar Milling Cooperative
- Briefing Session - TSC - Tweed River Committee - 14 October 2015
- Briefing Session - TSC - Tweed Coastal Committee - 14 October 2015
- Briefing Session - Burringbar Hall - Public Workshop - 26 October 2015
- Briefing Session - Cabarita Beach Sports Club Hall - Public Workshop - 27 October 2015
- Onsite Inspection - Burringbar Creek Mooball - 6 November 2015
- Onsite Meeting - Mooball Village - 6 November 2015

### **Submissions received:-**

Five (5) submissions were received from the following stakeholders:

Wooyung Beach Holiday Park  
Pottsville Community Association  
Pottsville Community Association Inc.  
Individual submissions (x 2)

Issues raised in the submissions are summarised as:-

- Opportunities to incorporate upstream detention systems to alleviate downstream flows and flooding on the Wooyung Floodplain
- Consider installation of flood relief ocean outlets to relieve flood waters in the Wooyung region
- General support of Warning systems - recommend local village/ Flood Watch network system be adopted

- Concerns that the Study & Plan did not sufficiently take into consideration regions of Yelgun and Crabbes Creek or special events in the vicinity ( Splendour in the Grass/Falls Festival) or Wooyung Beach Holiday Park in respect to flooding
- Concerns that Flood inundation periods and routes have been underestimated in the Wooyung / Crabbes Creek / Mooball region
- General endorsement and support for improvements and installation of Rainfall and Stream Gauges in the region
- Concerns about nominated evacuation routes in the Wooyung / Crabbes Creek region
- Concerns about the flood impacts on existing villages from sediment build up in the vicinity of the coastal creeks to the ocean
- Concern about development on the floodplain and acceptable impacts from cumulative development

These submissions have been addressed and presented to the Floodplain Management Committee (FMC). Minor amendments to the exhibited documents have been included to address the submissions by the consultant BMT WBM. Amendments include updating and correcting the inundation duration mapping and road closure points in the vicinity of Wooyung.

There has been no significant changes to the findings and recommendations of the updated Study and Plan.

The Study and Assessment has explored a number of flood risk management strategies to mitigate adverse impacts to existing and future residents within the Coastal Creeks catchment area.

The strategies included:

- Flood Modification Measures including dredging Mooball Creek and modifying the Pottsville Waters weirs. Neither option met assessment objectives and was found not to be viable.
- Emergency Response Modification Measures were investigated and 18 are recommended for adoption. Measures include community education awareness programs, installing rain and stream gauges within the catchment to enhance emergency warning and prediction. Currently there is limited gauge data to assist flood prediction and emergency response, especially in flash flood prone upper catchment areas.
- Property Modification Measures include a combination of voluntary house purchase, some house raising and updating land use planning and development controls for existing and future developments.
- Scope for filling of the remaining rural floodplain outside of high flow areas is limited and requires specific development controls.
- Need for community education on flood risks and emergency response measures.

The outcome from investigation of these strategies is 25 recommendations which include a combination of emergency response modification and property modification measures.

The updated reporting will be considered by the Floodplain Management Committee (FMC) on 4 December 2015. It is recommended that the FMC will adopt the updated Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P). Confirmation of the outcome from the FMC meeting will be provided at the council meeting.

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.

**OPTIONS:**

1. The recommended option is that Council endorses the recommendation of the Floodplain Management Committee to adopt the Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P).
2. That Council does not adopt the Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P).

**CONCLUSION:**

That Council adopts the Tweed Coastal Creeks Floodplain Risk Management Study and Plan (TCCFRMS&P)

**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:**

This project is jointly funded by the NSW State government (\$60,000) and Tweed Shire Council (\$30,000). The state contribution is administered through the Ministry for Police and Emergency Services (Office of Environment and Heritage). The State government funding expires at the end of 2015.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

Community engagement undertaken to date included a Community Survey, Stakeholder input from business, community and resident associations, State Emergency Services and agricultural industries such as the NSW Canegrowers, NSW Sugar and Mooball Crabbes Creek Drainage Union.

The exhibition period included Public Workshops at Burringbar/Crabbes Creek and Bogangar. Subsequent onsite meetings were conducted with two individuals who attended the Burringbar Workshop. In addition a stakeholder workshop was conducted with the agricultural industry, in this case NSW Canegrowers Association, NSW Sugar, Mooball Crabbes Creek Drainage Union and Cudgen Drainage Union. Finally separate briefing sessions and presentations were made to both the Tweed River Committee and the Tweed Coastal Committee. A subsequent briefing session was conducted internally with the Mayor and staff representatives of Community and Natural Resources.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Tweed Coastal Creeks Floodplain Risk Management Study  
(ECM 3878325).

Attachment 2. Tweed Coastal Creeks Floodplain Risk Management Plan  
(ECM 3878424).

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## REPORTS FROM THE DIRECTOR CORPORATE SERVICES

### 28 [CS-CM] Rotary 9640 District Conference - 7-9 May 2016

**SUBMITTED BY:** Acting Events and Festivals Officer

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:

In December 2014 the Rotary Club of Mt Warning AM (Murwillumbah) Inc. approached the Major Events and Film Officer about holding the 2016 Rotary District 9640 Conference in Murwillumbah. Discussions were held regarding the Club's proposal, with a formal application to hold a small to medium community event being made to Council by the Club on 16 October 2015.

These annual District Conferences attract between 400-500 delegates. Rotary's choice of Murwillumbah as a potential conference location will have a positive impact on the local economy, particularly for accommodation, retail and tourism.

To gain a clearer understanding of the requirements for the event, the Acting Events and Festivals Officer met with representatives of the Club on two occasions. Their request includes the use of the Tweed River Aquatic Centre (TRAC) facilities for a Welcome function on Friday evening 6 May 2016, use of the second (centre) level of the multi-storey car park on Saturday 7 May 2016 for the Conference dinner, as well as the use of the car park underneath the Civic Centre building for exhibition booths during the day on Saturday 7 May 2016. All daytime Conference sessions will be held in the Murwillumbah Civic Centre on Saturday 7 and Sunday morning 8 May 2016.

The Rotary Club have provided details on the Rotary District 9640 for the information of Councillors; and it appears in the body of this report.

**RECOMMENDATION:**

**That Council:**

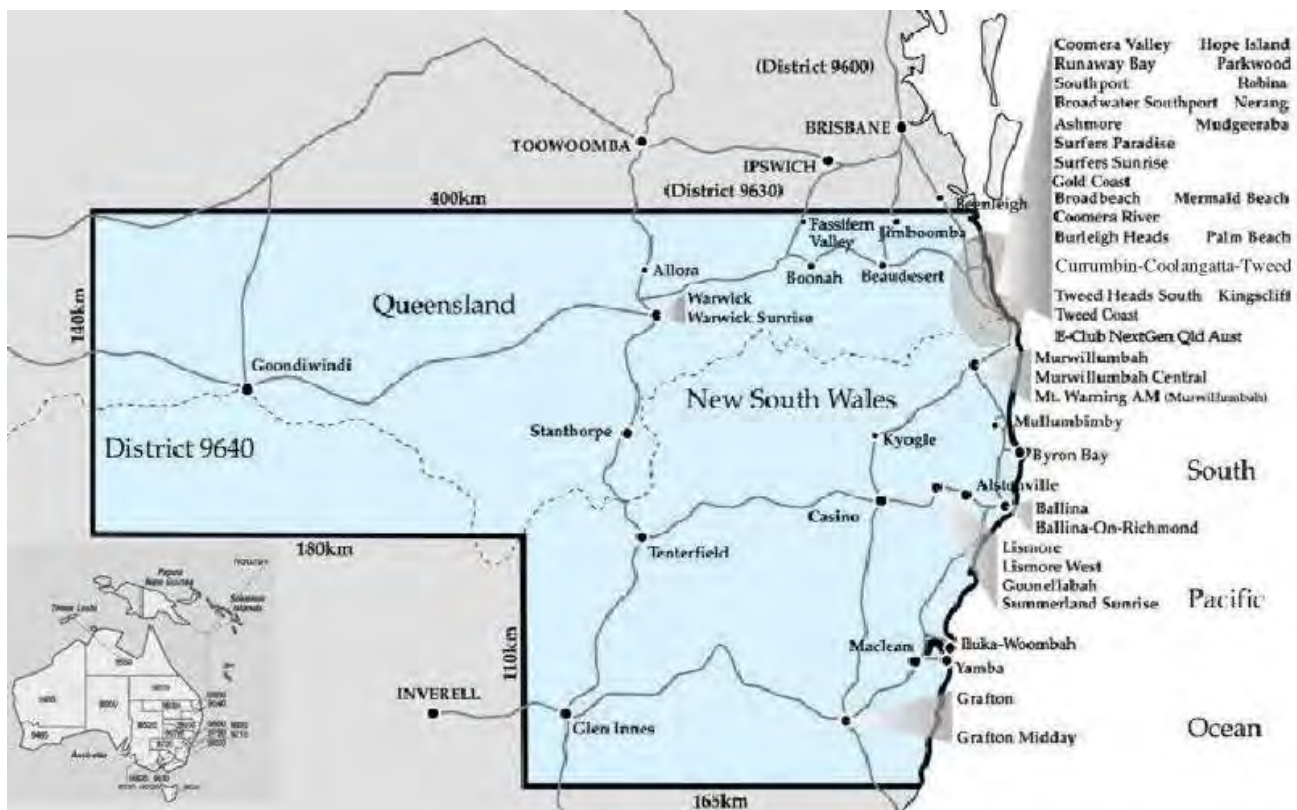
- 1. Hires the Tweed River Aquatic Centre (TRAC) facilities at the 2015/2016 outdoor pool hire fee of \$325.00 plus additional staff cost to Rotary District 9640 for their District Conference Welcome function on Friday evening 6 May 2016 and suspends the operation of the Alcohol Free Zone in accordance with the provisions of Section 645 of the Local Government Act 1993.**
- 2. Approves the use of the Tweed River Aquatic Centre (TRAC) toilets on Saturday evening 7 May 2016 for Conference dinner attendees, with the cost of the use to be determined in negotiation with the conference organisers based on recovering any cost that may be incurred by Council.**
- 3. Approves the use of the second (centre) level of the multi-storey car park for the Rotary District 9640 Conference dinner on Saturday evening 7 May 2016 and suspends the operation of the Alcohol Free Zone in accordance with the provisions of Section 645 of the Local Government Act 1993.**
- 4. Notes in addition to the hire of the Murwillumbah Auditorium, the use of the Murwillumbah Civic Centre building car park for up to 20 exhibition booths, subject to available power access.**

**REPORT:**

In December 2014 the Rotary Club of Mt Warning AM (Murwillumbah) Inc. approached the Major Events and Film Officer about holding the 2016 Rotary District 9640 Conference in Murwillumbah. Discussions were held early 2015 about the Club's proposal, with formal application to hold a small to medium community event being made by the Club on 16 October 2015.

To gain a clearer understanding of the requirements for the event, the Acting Events and Festivals Officer met with representatives of the Club on two occasions. Their request includes the use of the Tweed River Aquatic Centre (TRAC) facilities for a Welcome function on Friday evening 6 May 2016, use of the second (centre) level of the multi-storey car park on Saturday 7 May 2016 for the Conference dinner, as well as the use of the car park underneath the Civic Centre building for exhibition booths during the day on Saturday 7 May. All daytime Conference sessions will be held in the Murwillumbah Civic Centre on Saturday 7 and Sunday morning 8 May 2016.

Rotary District 9640 comprises 53 Rotary Clubs, 5 Rotaract Clubs, 20 Interact Clubs and one Earlyact Club. The District stretches from Grafton and Glen Innes in the south to Goondiwindi in the west and Coomera in the north:



Membership as at 26 November 2015 was 1261 Rotarians.

The District Governor for 2015/2016 is Anne Egan, a member of the Rotary Club of Mt Warning AM. As a resident of Murwillumbah, Anne expressed a strong desire to bring the District Conference to Murwillumbah to benefit the town and the Tweed region generally.



Attendance is expected to be in the vicinity of 450 Rotarians for the District Conference. The Conference is scheduled for the weekend of Friday 6 May, Saturday 7 May and Sunday 8 May 2016.

The three previous District 9640 conferences were held at Royal Pines on the Gold Coast in 2013, Stanthorpe in 2014, and Goondiwindi in 2015. The conferences held in Stanthorpe and Goondiwindi were considered a tremendous benefit to those towns, particularly by way of economic benefits.

In Murwillumbah it is expected that 300 Rotarians will attend the Welcome function on Friday 6 May 2016. Council approval is being sought to hold a Welcome function ("Pool Party") at the Tweed River Aquatic Centre (TRAC). Whilst it is titled "Pool Party" there will be no swimming or water activities undertaken. The details of this request include the:

- Use of the entire facility on Friday evening 6 May 2016, as well as use of the toilets on Saturday evening 7 May 2016 for Conference dinner attendees.
- Suspension of the Alcohol Free Zone. No glass will be used for the serving of refreshments.

A site plan has been submitted indicating the areas within the complex that will be used and how, eg. food prep area, wet weather area, café counter. A risk assessment has been undertaken by Rotary as a part of their Conference Plan and they have addressed the issues identified.

The Rotary Club have indicated that they will be extending an invitation to Councillors and the Executive Management Team to attend this function.

The requested use of the TRAC for the Friday night function can be accommodated at the 2015/2016 outdoor pool hire fee of \$325.00 plus additional staff cost. Given the nature of the event, aquatic facility staff supports the suspension of the operation of the Alcohol Free Zone in accordance with the provisions of Section 645 of the Local Government Act 1993.

On Saturday 7 May 2016, 400 Rotarians are expected to attend the main Conference Dinner which is proposed for the second (centre) level of the multi-storey car park. It is accepted the car park is not intended for this kind of use, however it is difficult to find a venue capable of accommodating 400 people for a sit down meal in Murwillumbah. This issue has been identified in the Tweed Shire Economic Development Strategy – Direction 38:

*"Undertake a feasibility study which investigates the supply, need, commercial feasibility and options for an events facility capable of supporting more than 500 people...."*

The details of this request include:

- Access to the multi-storey car park from 8am on Saturday morning 7 May 2016 for set up. Discussions have already been held with the car park permit holders on this level.
- Access to TRAC's toilets with a pool staff member available to provide access on Saturday evening 7 May 2016.

A site plan has been submitted indicating the areas within the car park that will be used and how, eg. table and chairs, stage and food prep area. The Club has also submitted a risk assessment and a waste management plan.

Given the potential benefits to Murwillumbah in hosting this event, there are no objections to the use of the car park as requested. This event may serve as a trial to evaluate the suitability of the use of the car park for future events.

Council can accommodate the use of the TRAC toilets for the Saturday evening for Conference dinner attendees. Cost for use of TRAC on the Saturday evening will be determined in negotiation with the conference organisers based on recovering any cost that may be incurred by Council.

Under the provisions of Section 645 of the Local Government Act 1993, Council may suspend the operation of an alcohol free zone by publishing a notice of the suspension in a newspaper circulating in the area as a whole or in part of the area that includes the zone concerned.

During the period indicated in the notice of suspension, the zone does not operate as an alcohol-free zone.

All daytime Conference sessions will be held in the Murwillumbah Civic Centre on Saturday 7 May and Sunday morning 8 May 2016. However, during the break out sessions the Club are proposing to have approximately 20 exhibition booths set up in the car park under the Civic Centre building. This is subject to available power as there will be some computer equipment being used.

No site plan available.

The Rotary Club have indicated that they will be extending an invitation to the Mayor to attend the official opening of the Conference on Saturday morning 7 May 2016.

Suitable arrangements can be made for access to the secure car park for the purpose of installing exhibition booths for the Conference. Due to some security and access concerns it may be worth considering that the exhibition booths are erected and then dismantled on the Saturday, with no overnight occupation of this area, unless appropriate onsite security can be organised.

The Rotary Club would like to contain the Conference in the Civic Centre precinct for the ease of attendees, as well as maximising exposure to the township of Murwillumbah, in addition to creating a Conference of a different nature which will be memorable to the Rotary District 9640.

**OPTIONS:**

That Council:

1. Supports the use of the Murwillumbah Civic Centre precinct for the Conference activities outlined in the body of this report.

2. Does not support the use of the Murwillumbah Civic Centre precinct for the Conference activities outlined in the body of this report.

**CONCLUSION:**

That Council:

1. Hires the Tweed River Aquatic Centre (TRAC) facilities at the 2015/2016 outdoor pool hire fee of \$325.00 plus additional staff cost to Rotary District 9640 for their District Conference Welcome function on Friday evening 6 May 2016 and suspends the operation of the Alcohol Free Zone in accordance with the provisions of Section 645 of the Local Government Act 1993.
2. Approves the use of the Tweed River Aquatic Centre (TRAC) toilets on Saturday evening 7 May 2016 for Conference dinner attendees, with the cost of the use to be determined in negotiation with the conference organisers based on recovering any cost that may be incurred by Council.
3. Approves the use of the second (centre) level of the multi-storey car park for the Rotary District 9640 Conference dinner on Saturday evening 7 May 2016 and suspends the operation of the Alcohol Free Zone in accordance with the provisions of Section 645 of the Local Government Act 1993.
4. Notes in addition to the hire of the Murwillumbah Auditorium, the use of the Murwillumbah Civic Centre building car park for up to 20 exhibition booths, subject to available power access.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

In accordance with Council's adopted 2015/2016 Fess and Charges.

**b. Budget/Long Term Financial Plan:**

An in-kind request has been submitted for Council's consideration.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Meetings have been held with the Acting Events and Festivals Officer and representatives of the Murwillumbah Rotary AM, as well as Council staff to discuss the logistics of the Conference.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## 29 [CS-CM] Draft Events Strategy 2016-2020

**SUBMITTED BY: Director**

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
  - 3.1.3 Provide opportunities for visitors to enjoy access to the arts through cultural facilities, festivals and programs
  - 3.1.4 Market the Tweed as a destination for business and tourism
  - 3.1.6 Support creative practitioners and entrepreneurs to access professional and business development opportunities, to enhance their contribution to the creative economy
- 3.3 Maintain and enhance the Tweed lifestyle and environmental qualities as an attraction to business and tourism

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

Luminair Consulting (Luminair) was engaged earlier this year to assist Council with the creation of a new multi-year Events Strategy, in accordance with Direction 37 of the Tweed Shire Economic Development Strategy:

*“Undertake a review of the existing events strategy in order to make recommendations relating to existing operations, further opportunities and resources required to deliver events.”*

Also, one of the key projects identified in the fifth economic development pillar of the Tweed Shire Economic Development Strategy was events development – *“Events development presents a significant opportunity for Tweed Shire, particularly with regard to business events, sports events and festivals.”*

It is to be also noted that one of the key objectives and strategies within the theme of Strengthening the Economy in the Community Strategy Plan is to attract major events to the Tweed.

The strategy supports existing events, encourages development and benefit optimisation and sets the framework for attracting desirable events for strategic benefit.

The strategy seeks to increase the benefits of events with impacts cutting across economic, social, cultural and environmental markers.

Therefore, to assist in the formulation of a new four-year Tweed Shire Council Events Strategy taking into consideration Council's strategic position on events, an intensive

engagement process was undertaken with internal and external stakeholders, and is detailed in the body of this report.

The Draft Tweed Shire Council Events Strategy 2016-2020, is scheduled to be circulated to Councillors on Tuesday 8 December, prior to the Council meeting of 10 December 2015.

**RECOMMENDATION:**

**That Council places the Draft Tweed Shire Council Events Strategy 2016-2020 on public exhibition for 28 days, commencing 15 December 2015, with receipt of submissions accepted for 42 days from the commencement date of exhibition.**

## REPORT:

Luminair Consulting (Luminair) was engaged earlier this year to assist Council with the creation of a new multi-year Events Strategy, in accordance with Direction 37 of the Tweed Shire Economic Development Strategy:

*“Undertake a review of the existing events strategy in order to make recommendations relating to existing operations, further opportunities and resources required to deliver events.”*

Also, one of the key projects identified in the fifth economic development pillar of the Tweed Shire Economic Development Strategy was events development – *“Events development presents a significant opportunity for Tweed Shire, particularly with regard to business events, sports events and festivals.”*

It is to be also noted that one of the key objectives and strategies within the theme of Strengthening the Economy in the Community Strategy Plan is to attract major events to the Tweed.

The strategy supports existing events, encourages development and benefit optimisation and sets the framework for attracting desirable events for strategic benefit.

The strategy seeks to increase the benefits of events with impacts cutting across economic, social, cultural and environmental markers.

The most recent Councillor Workshops have been designed to seek direction regarding the foundations for the framework, identifying the strategies main themes and Council's direction for supporting these actions.

The workshop outcome being the five priority themes for Council's events being:

- Sports
- Food
- Music
- Arts / Culture
- Environment

It was agreed the other important element of the strategy is “Markets”. As a result of feedback from previous community engagement and with the need for markets to have a more coordinated and strategic approach issues around markets will include details on:

- Locations
- Frequency
- Community and business markets
- Farmers markets
- Conditions of stallholders
- Governance
- Fees
- Support

The workshop also identified the four directions Council will take in relation to its role and responsibilities for events these being:

- Support Events
- Develop Events (this includes seed funding)
- Attract Events
- Process for Events (streamlining the internal application process for events organised by external event managers and companies that are utilising Council's assets and or infrastructure).

These directions and priority themes will also provide guidance to Council in the assessment of applications for Council's Community Grants Programs. These will also connect with pursuing outcomes from the Economic Development Strategy.

Council's commitment to the community by conducting Civic Events such as Australia Day, Citizenship Ceremonies, Local Government Week, Christmas and New Year's Eve celebrations will also be incorporated within the Events Strategy.

The Draft Tweed Shire Council Events Strategy 2016-2020 is scheduled to be circulated to Councillors on Tuesday 8 December, prior to the Council meeting of 10 December 2015.

#### **OPTIONS:**

That Council places the Draft Tweed Shire Council Events Strategy 2016-2020 on public exhibition for 28 days, commencing 15 December 2015, with receipt of submissions accepted for 42 days from the commencement date of exhibition.

#### **CONCLUSION:**

That Council places the Draft Tweed Shire Council Events Strategy 2016-2020 on public exhibition for 28 days with receipt of submissions accepted for 42 days from the commencement date of exhibition.

#### **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. A range of engagement activities and methods have been utilised in developing the Draft Strategy, including the following:



### Kingscliff Matters Forum

On Thursday 12 March 2015, Tweed Shire Council in collaboration with Kingscliff and District Chamber of Commerce and Kingscliff Ratepayers and Progress Association, hosted a breakfast forum at the Kingscliff Beach Bowls Club titled: "Kingscliff Matters".

An interactive forum session was held to engage with a range of local stakeholders, regarding the rise in requests to Council for festivals and events to be held at Kingscliff. Council was keen to seek feedback from community and business representatives. The forum was attended by approximately 60 participants representing a range of local stakeholders including business, community, schools/educational institutions, churches, sporting organisations, event managers, tourism bodies, service clubs and aged care facilities. The Kingscliff Matters Forum Feedback notes can be found at <http://www.tweed.nsw.gov.au/KingscliffMatters>.

A follow up Kingscliff Matters Forum session was held on Thursday 28 May 2015. Luminair Consulting facilitated a session on Festivals and Events at this Forum.

### Council's Event Workshop

On Thursday 28 May 2015, Council held its quarterly Events Workshop which was co-facilitated by the Consultant engaged to conduct the Events Strategy Review - Luminair Consulting. There were nine attendees: one from the Murwillumbah and District Business Chamber, five event managers representing a number of local community events/initiatives, one community association member and two representatives from sporting bodies.

An outline was provided of the review process on the potential for events in the Tweed, best-practice examples, events lifecycle: positioning and creation of sustainable events, resources for growth, and council processes.

### Internal Review

Since March 2015, Luminair Consulting, has been engaging with staff one-on-one across 13 different areas of council and then as a collective group to review the internal events process.

An internal events review document followed, identifying key process opportunities pertaining to Council's internal interaction for the processing of events. The opportunities for change and the proposed solutions form part of the Draft Events Strategy.

### External Partner Information Gathering

In addition to the internal review, engagement with identified stakeholders has been undertaken with the following:

- Destination Tweed
- Destination NSW
- Kingscliff TAFE
- Gold Coast City Council
- Byron Shire Council

### Councillor Workshops

Three Councillor Workshops have been held regarding the Events Strategy review:

- Thursday 28 May – broader considerations as a result of the Internal Events Review, and covered land use, council's desired level of event involvement, fees and charges overview and markets.
- 15 October – seeking direction with framework for the Draft Events Strategy
- 26 November – Draft Tweed Shire Council Events Strategy 2016-2020 framework

#### Public Exhibition

Subject to Council's support, the Draft Tweed Shire Council Events Strategy will be placed on public exhibition for 28 days, commencing 15 December 2015, with submissions accepted for 42 days from the commencement date of exhibition. A public exhibition advertisement will appear in the Tweed Link on Tuesday 15 December 2015.

Notification of the Draft Tweed Shire Council Events Strategy exhibition period will be sent to key identified stakeholders, inviting feedback.

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

Attachment 1.                      Draft Events Strategy 2016-2020 (*to be circulated as a late attachment*)

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**30 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report  
for Period Ending 30 November 2015**

**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:**

This report is provided to Council to advise details of monies Council has invested in accordance with Section 625 of the Local Government Act 1993.

There is a requirement by Council's investment consultant to allow at least five working days following the end of the month to provide the statistics for this report. Due to this time constraint and the Council requirement to receive reports 10 days prior to the Council meeting, there will be an addendum report provided to Council for consideration at its meeting on 10 December 2015.

### **RECOMMENDATION:**

**Refer to addendum report.**

**REPORT:**

As per summary.

**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.

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## ORDERS OF THE DAY

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### 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
- 

### **31 [NOR] Byrriil Creek Dam Site - Moratorium**

#### **NOTICE OF RESCISSION:**

Councillor C Byrne, B Longland and W Polglase hereby give notice that at the next Ordinary meeting of Council we will move that the resolution from the meeting held on 15 May 2012 at Minute No 314 Item No 49 title [NOM-Cr D Holdom] Byrriil Creek Dam Site - Moratorium being:

*"that Council places a moratorium on any dam proposal at Byrriil Creek for a period of the next twenty (20) years, effective from 15 May 2012."*

***be rescinded.***

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**32 [NOM] Tweed Water Supply Security Beyond 2026**

**NOTICE OF MOTION:**

**Councillor C Byrne moves that Council:**

- 1. Acknowledges the significant reduction in demand for water drawn from the Tweed Water Supply since the adoption of the Demand Management Strategy in 2010 which has deferred the need for a new water source.**
- 2. Acknowledges that the timeframe for securing a new water source is now 2026 due primarily to the predictions of the impact of climate change.**
- 3. Continues to determine the feasibility of demand management options, including effluent reuse, rainwater tanks, water efficient fittings and fixtures and the change in behaviour of water users for the purpose of:**
  - a) Reducing the present forecast demand;**
  - b) Reducing the extraction of water from the natural environment; and**
  - c) Prolonging the long term security of the water supply past 2046.**
- 4. Undertakes PRELIMINARY forward planning investigations of dam sites in the interest of planning for a secure water source by 2026.**
- 5. Commences the planning approvals process and Concept Design in relation to the raising of Clarrie Hall Dam and Byrrill Creek Dam options.**
- 6. Has a voluntary purchase scheme and Council negotiate with landholders to acquire adjacent lands (to those lands already in Council control or possession and in the proposed dam footprints) when and if they become available.**
- 7. Undertakes preliminary planning investigations for both raising of Clarrie Hall Dam and Byrrill Creek Dam sites, including and not limited to Preliminary:**
  - a) Geological / Geotechnical Studies;**
  - b) Seismic Studies and Hydrology Studies;**
  - c) Legal Planning Advice Study;**
  - d) Land Acquisition Plan;**
  - e) Liaison with Government Agencies regarding Planning Approval Requirements (EIS requirements, Adaptive Management requirements, Water Sharing Plan, Fisheries requirements); and**
  - f) Capital and Operational estimates for both options including the impact on water charges and developer contributions.**
- 8. Seek from State Government and Federal Government grant funding opportunities in order to fund in part or in full any or all components of the work.**
- 9. Communicates the above strategy to the community directly impacted and the broader community so that they are well informed of the:**
  - a) Success of Demand Management;**
  - b) Impacts of Climate Change; and**
  - c) Requirement to secure the Water supply beyond 2026.**

10. Officers inform Council by way of six monthly reports on any and all progress made in relation to the further investigations, update on risks associated with each option, funding and land acquisitions.

### Councillor's Background Notes

Recommended Priority:

Given the advice received with respect to the need for water security for residents of Tweed Shire beyond 2026 and the lead in times to do anything with regard to increasing water security for this region. Council needs to start planning now for the needs of the entire community directly and indirectly.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid

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## 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

---

Budget/Long Term Financial Plan:

The proposal to proceed with the two options will add additional cost to the project as the current long term financial plan proposes pursuing a single option. The additional cost of this work is roughly estimated to be in the order of \$1 to \$2million.

Legal Implications:

Nil

Policy Implications:

Nil

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**33 [NOM] Dual Reticulation**

**NOTICE OF MOTION:**

**Councillor C Byrne moves that Council brings a report to a future council meeting with respect to dual reticulation schemes and other recycle water schemes currently in operation throughout Australia. The report is to give consideration, but not limited to, the success or otherwise of these operations and where possible a cost benefit analysis of the schemes and other matters relevant to recycling schemes.**

**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
- 2.3.2 Provision of a secure, high quality and reliable drinking water supply services which meets health and environmental requirements and projected demand

---

Budget/Long Term Financial Plan:

The cost of preparing this report would be negligible.

Legal Implications:

Nil

Policy Implications:

Nil

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**34 [NOR] Councillor Numbers**

**NOTICE OF RESCISSION:**

Councillor K Milne, hereby give notice that at the next Ordinary meeting of Council she will move that the resolution from the meeting held on Thursday 20 August 2015 at Minute No 454 Item No 25 titled [CS-CM] Councillor Numbers being:

*"that:*

*...*

2. *A Constitutional Referendum be conducted in conjunction with the 2016 Ordinary Election to determine approval for an increase to nine (9) Councillors to then be effective for the term commencing in September 2020."*

***be rescinded.***

---

**35 [NOM] Murwillumbah Mural and Graffiti Walk and Riverbank Restoration**

**NOTICE OF MOTION:**

**Councillor G Bagnall moves that Council brings back a report on advancing the restoration of the remaining degraded vegetation of western riverbank from the Coolamon Centre south to the Commercial Road, Murwillumbah boat ramp, to provide a key visitor experience for Murwillumbah and enhance the entrance to the town as well as showcase the magnificent mural and graffiti walk.**

**Councillor's Background Notes**

The report to consider funding options from sources other than the Natural Resources Management Unit in recognition that this work is of aesthetic and economic significance rather than of high ecological priority as determined previously by the Tweed River Committee.

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

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

Budget/Long Term Financial Plan:

The preparation of a report as described in the Motion could be coordinated by Natural Resource Management. It would take approximately 2 months to develop a clear set of objectives and accurate costings for work, and liaise with other units within Council to determine whether or not there are appropriate grants available to fund the work described. It is estimated that this would equate to approximately \$2,000 in staff time.

At present, Recreation Services maintain three parks within the area of interest; McIlwraith Park, Newell Park and Nicholl Park. Consultation with Recreation Services confirms that the existing budget for maintenance of these areas could not support the expense of vegetation restoration on the river bank from Nicholl Park to the Commercial Road Boat Ramp.

The Economic Development program budget is committed to the Economic Development Strategy and the adopted strategic actions.

Legal Implications:

There is a section of the riverbank which is privately owned and any proposed works at this location would require landowners consent. It should be noted that previously landowner negotiations for the maintenance for the riverbank footpath have proven to be difficult.

Policy Implications:

There are no Council policies with direct relevance to the concept outlined in the Motion.

It is noted that the area in which work is proposed would be classified as a dangerous work area and therefore Work Health and Safety regulations will be an important factor to consider in pricing vegetation management. The work described is consistent with broad objectives for improving the health of waterways by removing weeds, however the cost to benefit relationship of working in this area would be poor, with respect to ecological outcomes.

---

36 [NOM] Australia Day Awards

**NOTICE OF MOTION:**

**Councillor K Milne moves that Council endorses the commemoration of our citizens for Australia Day 2017 with the following additional award 'A Peace and Unity' Award.**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

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                                                    |
| 1.2.4 | Involve communities including youth, elderly and aboriginal groups in decision making that affects their area and the wider Tweed community |

Budget/Long Term Financial Plan:

The cost associated with the provision of an additional award.

Legal Implications:

Not applicable.

Policy Implications:

Will need to be referred to the Australia Day Committee for their consideration and the formation of appropriate judging criteria.

---

37 [NOM] Mayors for Peace

**NOTICE OF MOTION:**

Councillor K Milne moves that Council becomes a signatory to the International Mayors for Peace and brings forward a report on developing a Tweed Shire Peace Toolkit.

**Councillor's Background Notes**

There are 6,893 cities internationally and 87 councils in Australia that are currently members. Membership is \$22.50.

<http://www.mayorsforpeace.org/english/index.html>

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
2.1	Foster strong, cohesive, cooperative, healthy and safe communities

Budget/Long Term Financial Plan:

Initial expenditure of membership fee and any future ongoing costs are unknown at this point in time.

Legal Implications:

Not applicable.

Policy Implications:

May necessitate the development of a Council Policy to implement the process of the International Mayors for Peace.

---

38 [NOM] Ethical Policy

**NOTICE OF MOTION:**

**Councillor K Milne moves that Council develops a policy to further promote ethical practices throughout the organisation.**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid

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**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

---

Budget/Long Term Financial Plan:

As per existing policies listed below.

Legal Implications:

As per existing policies listed below.

Policy Implications:

Council presently has a Business Ethics Policy that promotes ethical practices throughout the organisation. The Policy was first adopted in December 2004, with revision undertaken in November 2005, November 2007, July 2009 and June 2013. The Business Ethics Policy version 1.2 provides the following wording. Council is open to amend and/or change any aspects of the Policy as it sees fit.

***"Policy Objective***

*To provide clear ethical guidance to Councillors, Council Officers, Contractors and Suppliers, regarding the conduct of Council business.*

***Definitions***

*Not applicable*

### **Policy Background**

*A business ethics policy outlines the moral standards which will guide the organisation in carrying out its business. It is the morality based structural framework which guides decision making and behaviour by all members of the organisation – in all of their actions and in relation to the responsibilities required by their role within the organisation. This framework exists concurrently with the legislative, regulatory and other policy requirements which mandate or otherwise affect the business of the organisation.*

*The business ethics of an organisation are based on the principles and values which are held/espoused by the organisation.*

*This Policy also establishes obligations of standards of behaviour by Contractors or Suppliers in the conduct of the supply of a good or service to Council.*

*The following business ethics policy is based on the principles of:*

- Accountability and Transparency*
- Respect for others and for legal authority*
- Stewardship and Community Leadership*

### **Policy**

*Councillors and Council Officers will conduct their role within the business of Council in such a way as to maintain the highest level of community accountability, community stewardship and leadership whilst maintaining respect for individuals and the rule of law.*

### **Implementation**

- 1. Councillors and Council Officers will comply with all requirements of state legislation and regulation relating to local government administration and land development.*
- 2. Councillors and Council Officers will comply with requirements of Councils policies and procedures in particular the Code of Conduct and Procurement Policy, ensuring that prospective Contractors or Suppliers are afforded equal opportunity to tender/quote for all goods and services.*
- 3. Behavioural guidance in matters of responsibilities and circumstances is provided by the detail in these policies. In particular Council Officers must not by virtue of their position accept or acquire for a personal advantage any gift, gratuities or hospitality except that which is permitted under Council's Code of Conduct or in accordance with the Local Government Act 1993.*
- 4. The requirements of these policies will be brought to the attention of persons who deal with Council on business matters.*
- 5. Councillors will maintain a clear separation between their work as advocates of particular matters and their work as a member of Council as a determining body.*
- 6. Councillors, Council Officers, Contractors and Suppliers will adopt a conservative approach to the avoidance and declaration of actual or potential conflict of interest and or pecuniary and non-pecuniary interest in matters which become the business of Council.*
- 7. Councillors and Council Officers will be particularly meticulous with regard to the requirements of the Code of Conduct and Implementation 5 in relation to land development matters.*
- 8. Councillors and Council Officers will act honestly and impartially and observe all requirements of equity and procedural fairness in their dealings with people and organizations who are involved in business with Council.*
- 9. Councillors and or Council Officers who believe that their ability to operate within these guidelines has been compromised by the actions of others are required to advise the Mayor or General Manager respectively and withdraw from further action on the matter of business until completion of investigation and action by the Mayor or General Manager.*

10. *A Councillor and or Council Officers who does report such a matter will be protected by Council's Internal Reporting (Public Interest Disclosures) Policy and the relevant State legislation.*
11. *Contractors or Suppliers are not to canvass Councillors or Council Officers in respect to gaining an advantage over the contractors or suppliers for the supply of a good or service to Council."*

Other current policies that include aspects of this Notice of Motion are:

- Code of Conduct Version 1.9 adopted March 2013.
  - Procurement Policy Version 1.6 adopted July 2015.
  - Inclusion of Ethical Investment component within the Monthly Investment report.
-



**QUESTIONS ON NOTICE**

**39 [QON] Fluoridation Levels**

**QUESTION ON NOTICE:**

Councillor K Milne asked:

Has there been any malfunctions or other incidents that may have caused any increased levels of fluoridation, and if so, what are the nature of these incidents and when did they occur?

---

**40 [QON] Fluoridation of Water Supply**

**QUESTION ON NOTICE:**

Councillor K Milne asked:

How many kilograms of fluoride were added to the Tweed water supply in the year 2014/2015 and how much did it cost?

---

**41 [QON] Fluoridation Plant and Equipment**

**QUESTION ON NOTICE:**

Councillor K Milne asked:

How much did it cost during 2014/2015 to operate and maintain the fluoride plant and equipment?

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**42 [QON] Fluoridation Risk Reporting**

**QUESTION ON NOTICE:**

Councillor K Milne asked:

Does Council have a policy or procedure in place detailing an appropriate response and reporting requirements to Council should any incidents of risk of increased levels of fluoridation occur?

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**43 [QON] Fluoridation Risks**

**QUESTION ON NOTICE:**

Councillor K Milne asked:

Has Council considered the potential risk of fluoride in regard to breastfeeding and what is Council's position in regard to this?

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## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

### 44 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Tuesday 10 November 2015

**SUBMITTED BY:** Community and Cultural Services

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## 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 Tweed Regional Museum Advisory Committee Meeting held Tuesday 10 November 2015 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 Tuesday 10 November 2015 be received and noted.**

## REPORT:

The Minutes of the Tweed Regional Museum Advisory Committee Meeting held Tuesday 10 November 2015 are reproduced as follows for the information of Councillors.

### Venue:

Canvas and Kettle

### Time:

1.58pm

### Present:

Robyn Grigg (Manager Community and Cultural Services); Judy Kean (Museum Director); Gary Fidler (Community); Sandra Flannery (Community); Fay O'Keeffe (Community); Peter Budd (Community); Joan Smith (Tweed Heads Historical Society); Jim Sachs (Tweed Heads Historical Society); Helena Duckworth (Uki & South Arm Historical Society); Jayne Parrott (Uki & South Arm Historical Society) (arrived at 2.08pm); Max Boyd (Murwillumbah Historical Society); Tony Clark (Murwillumbah Historical Society).

### Apologies:

Cr Barry Longland; Tracey Stinson (Director Community & Natural Resources); Janet Swift (Community); Debbie Campbell (Tweed Heads Historical Society).

### Observers:

David Taylor (Murwillumbah Historical Society).

### Minutes of Previous Meeting:

Moved: Peter Budd

Seconded: Helena Duckworth

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee meeting held Thursday 13 August 2015 be accepted as a true and accurate record of the proceedings of that meeting.

### Minutes of Previous Meeting:

Moved: Peter Budd

Seconded: Helena Duckworth

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee meeting held Thursday 3 September 2015 be accepted as a true and accurate record of the proceedings of that meeting.

### Business Arising:

Nil.

### BA1. Interim correspondence relating to Museum Service Agreement

Correspondence was previously sent to members. Additional copies were made available for members.

Agenda Items:

A1. Museum Director's Report including proposed acquisitions and de-accessions  
Report was previously sent to members.

Judy provided an update in relation to staffing during the period that Erika is on parental leave. Kirsty Andrew is acting in the Curator-Collection and Program position until May 2016 and Jennifer Hewitson will be commencing as Museum Collection and Program Support Officer on 11 November 2015 until May 2016. Further information will be provided to the Historical Societies.

There will be an exhibition changeover at Murwillumbah Museum at the end of November. The new exhibition will include some of the ship models and wreck relics from the Tweed collection. The "What's New" exhibition will showcase items which have been donated over the past two to three years.

Moved: Joan Smith

Seconded: Tony Clark

RESOLVED that the Museum Director's Report be endorsed by the Committee and that the proposed acquisitions be accepted.

The Motion was Carried.  
FOR VOTE - Unanimous.

Judy confirmed that proposed de-accessions were books from the library collection which were damaged and had no local provenance or donor information.

Moved: Joan Smith

Seconded: Tony Clark

RESOLVED that the proposed de-accessions be accepted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A2. Murwillumbah Historical Society Report  
Report was previously sent to members.

Jayne advised that the information regarding the 'Murwillumbah town walk' is difficult to locate on the Murwillumbah Historical Society's website.

Moved: Tony Clark

Seconded: Joan Smith

RESOLVED that the Murwillumbah Historical Society report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A3. Tweed Heads Historical Society Report  
Report was previously sent to members.

Joan requested that the Tweed Regional Museum provide a letter to the Estate of Elizabeth Williams advising that the Museum will not be acquiring the 'Markwell's Wharf with Fishing Trawlers' painting which was recently donated to the Tweed Heads Historical Society.

Murwillumbah and Tweed Heads Historical Societies to liaise regarding the 'Solomon's Row' research project.

Moved: Joan Smith

Seconded: Sandra Flannery

RESOLVED that the Tweed Heads Historical Society report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A4. Uki and South Arm Historical Society Report  
Report was previously sent to members.

Further to the report, Helena advised that she hasn't been able to strike any of the seeds from the fig tree at Bruce Baker's property at Byangum, so will seek advice from a nurseryman. Helena also reported that visitor numbers have increased to 1792. The Historical Society was successful in a grant through Council's Donation Policy and received the amount of \$515 to purchase a bar fridge and bistro blinds.

Jayne advised that Barry Harding has provided the Historical Society with some information regarding timber trucks however the information does not include his memoir. Jayne was requested to forward the information to Judy for input into the Vernon system, and passing on to Max.

Moved: Helena Duckworth

Seconded: Tony Clark

RESOLVED that the Uki & South Arm Historical Society report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A5. Friends of Tweed Regional Museum Report  
Report was previously sent to members.

Further to the report, Gary advised that the golf gala day held on 11 October 2015 was very successful and raised \$2240. The Friends are hosting a Christmas function on 5 December which includes a launch of the naming rights of the courtyard. The Friends have been allocated a 'Bunnings barbeque' on 10 January. The Friends had a stall at the Murwillumbah Show and sold quite a few calendars.

Moved: Gary Fidler

Seconded: Fay O'Keeffe

RESOLVED that the Friends of Tweed Regional Museum report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

**A6. Tweed Regional Museum Deductible Gift Recipient (DGR) Report**

Judy advised that a DGR report has not yet been prepared as there has not been any activity. A formal report will be provided for the December meeting.

Judy advised that the Museum has received two exciting offers of donation; some original WW1 material and the ceremonial trowel used for the foundations at the Municipal Council built in September 1924. There may be the requirement of publicity in relation to these donations prior to the next Advisory Committee meeting.

**General Business:**

**GB1. Murwillumbah Street Drainage Project**

Judy provided an update on the Murwillumbah Street Drainage Project including details of the bridges uncovered. Images from the Museum's collection were used to identify where the concrete road was laid in the 1920s and where they might expect to find items of significance. At the conclusion of the project, consideration will be given as to which artefacts, photographs and information will be brought into the collection.

Max noted that the bridges indicate the importance of dredging of the lowland in Murwillumbah as the swamp land had to be filled to be useable. Max suggested that further research be undertaken in relation to dredging of the area. A map could be produced showing the creeks and streams that used to run throughout Murwillumbah. Tony confirmed that this information is discussed during the 'Murwillumbah town walk'. Joan to provide a copy of the Tweed Heads Historical Society's information regarding dredging to Judy for input into the Vernon system, before passing on to Max.

**GB2. Tweed River Festival**

Judy advised that 'Travelogue of the Tweed 1923' was shown at the Regent Theatre as part of the Tweed River Festival. This project was collaborated with Council's Natural Resource Management Section and was a good demonstration of working together.

**GB3. Heritage Officer**

Judy confirmed that Louise Tom is Council's Heritage Officer and she works one day per month. Council is starting to adopt processes where officers understand that they need to consider heritage significance when work is being carried out.

**GB4. Possible Sink Hole**

Joan advised there could be a possible sink hole in the carpark at the Tweed Heads Historical Society.

**GB5. Iconic Buildings**

Jim advised there has been an 'open house' program featuring some iconic buildings in Surfers Paradise. Jim suggested this idea could be incorporated into a shared public program for both civic and public buildings.

**GB6. Signing of the Museum Service Agreement**

Through correspondence, all of the Historical Societies have confirmed their readiness to sign the Museum Service Agreement.

Judy advised that an acknowledgement of volunteers has been added to the first page of the Agreement.

Museum Service Agreement signed by:

Murwillumbah Historical Society - Tony Clark and David Taylor

Tweed Heads Historical Society - Joan Smith and Jim Sachs

Uki and South Arm Historical Society - Helena Duckworth and Jayne Parrott

GB7. Possible closure of Murwillumbah Court House

Max raised his concern regarding the possible closure of historical buildings in Murwillumbah including the Court House. Max encouraged the Historical Societies to send letters of support to their local members and the media.

Max also raised his concern regarding the possible closure and sale of the Murwillumbah TAFE which will see all students having to travel to facilities at Kingscliff or Lismore.

Next Meeting:

The next meeting of the Tweed Regional Museum Advisory Committee will be held on Thursday 10 December 2015 at 2.00pm.

The meeting closed at 3.35pm.

#### **EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

#### **EXECUTIVE MANAGEMENT TEAM'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.

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**45 [SUB-TRAG] Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 11 November 2015**

**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
  - 2.1.3 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 Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 11 November 2015 are reproduced in the body of this report for the information of Councillors.

### **RECOMMENDATION:**

**That the Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 11 November 2015 be received and noted.**

**REPORT:**

The Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 11 November 2015 are reproduced as follows for the information of Councillors.

Venue:

Tweed Regional Gallery and Margaret Olley Art Centre

Time:

5.10pm

Present:

Cr Warren Polglase (Chair), Cr Phil Youngblutt, Louise Devine, Stephen Senise, Hobie Porter, Lyn Stewart, Robert Dagworthy OA, Katerina Primikiri-Mackney, Robyn Grigg (Manager Community and Cultural Services), Susi Muddiman OAM (Gallery Director), Gabby Arthur (Minutes)

Apologies:

Shirley Kennedy, Tracey Stinson (Director Community and Cultural Services), Judith Sutton, Jo Nimmo,

Minutes of Previous Meeting:

Moved: Lyn Stewart

Seconded: Robert Dagworthy

RESOLVED that the Minutes of the Art Gallery Advisory Committee meeting held Wednesday 20 May 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Nil

Agenda Items:

A1. Art Gallery Director's Report

The Art Gallery Director's report dated 11 November 2015 covering the period 7 August to 27 September 2015 was sent out to members with the meeting documentation. Susi noted that 17,500 people visited the Tweed Regional Gallery and Margaret Olley Art Centre (Gallery) between 7 August and 27 September 2015.

Exhibitions:

- Olive Cotton award - Stephen Dupont was the judge for the Olive Cotton award. The Friends of the Gallery (Friends) sponsored the Director's Choice, which did not exceed the Friends budget this year.
- David Preston - This exhibition is due for changeover.
- Monica Mohan - This artist-in-residence show was very successful, with all works sold. Monica donated all of the small prints to the Gallery.
- Lae Oldmeadow - This is a stunning exhibition.

Public Programs:

Two of the Byron Writers Festival events were held at the Gallery this year. The Gallery has extended its partnership with the Festival until 2017, with different activities being held each year.

Education:

The Memoryscape education access program working with Alzheimer's Australia has received very good feedback.

Robyn Sweaney has resigned from her role of Education and Audience Development Officer and finished up on 6 November 2015. Robyn was with the Gallery for 4 years and 5 months. Susi acknowledged the number of programs put in place during Robyn's engagement and particularly noted the volunteer guide program which has enhanced the Gallery's operations.

Interviews for the Education and Audience Development Officer were conducted on 9 November and are in the process of being finalised by Human Resources. Due to the Archibald, it would be advantageous for the new officer to commence before the end of the year.

Art in the Pub is a collaborative project between the Gallery, Contemporary Art Space & Education Inc. and Byron School of Art, with artists providing talks at the Court House Hotel, Mullumbimby. Monica Mohan and Nicholas Harding participated in this program.

Louise advised that the HSC student visit and interaction with Nicholas Harding was excellent and well received by the students.

Art Sales:

- Olive Cotton Award - 5 works
- Lae Oldmeadow - 5 works

Funding:

The Gallery's Arts NSW funding application for the period 2016-2018 was successful with a commitment of \$300,000 over three years.

Acquisitions:

The list of acquisitions was previously provided to the members. This list was carried over from the meeting held on 12 August 2015 which did not achieve a quorum. Susi summarised the acquisitions for the members.

Moved: Robert Dagworthy

Seconded: Cr Phil Youngblutt

RESOLVED that the Gallery Director's Report be endorsed by the Committee and that the proposed acquisitions be accepted.

Young Archies - Susi encouraged the members to encourage all young people aged between 13 to 18 to enter the Young Archies. There are two age group categories: 13 to 15 years and 16 to 18 years. Entries are now open and close on 11 December 2015. Louise acknowledged the perfect timing of launching the Young Archies for students. Further details are available on the Entry Form on the Gallery's website.

General Business:

GB1. Gallery Car Park

Council has advised Susi that the car park will be completed in time for the Archibald, however a more specific date has not been provided.

GB2. Solar Panels for Gallery Roof

Hobie suggested that investigations be commenced regarding the installation of solar panels on the roof of the Gallery. Hobie encouraged members to listen to the Radio National Podcast: 'the big disconnect', and advised that he would pass the link to Susi for on-forwarding to members. The members discussed the options for solar power and noted that the cost of battery storage will reduce over the next five years. It was noted that the Gallery requires electricity 24 hours per day to ensure temperature control to National Gallery of Australia standard.

GB3. 2016 Meeting Dates

Susi to prepare meeting dates for 2016, and to circulate to members.

Next Meeting:

The next meeting of the Tweed Regional Art Gallery Advisory Committee will be held on a date to be advised.

The meeting closed at 5.45pm.

**EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Reviewed 21 August 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.

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46 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 19 November 2015

SUBMITTED BY: Roads and Stormwater

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 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 19 November 2015 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 19 November 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

**A2 Falls Festival 2015/2016 at North Byron Parklands, Yelgun NSW**

***That:***

1. ***The temporary "No Stopping" zone, for the duration of the Falls Festival event from 31 December 2015 to 2 January 2016, on Tweed Valley Way from the Link Road to Wooyung Road is supported, subject to satisfactory arrangements on how the zone will be managed.***
2. ***The proposed "No Stopping" zone for Wooyung Road is not supported and the event organisers, if considered an issue, manage the site to limit trespass on private property.***

**A7. Minnows Road and Fernvale Road, Fernvale (Moved from Item B2)**

*That the existing "Give Way" sign and linemarking on Minnows Road at the intersection with Fernvale Road be replaced with a "Stop" sign and associated linemarking.*

**A3. Tweed Coast Enduro - 5 March 2016**

*That Council supports the conduct of the event and associated road closures, subject to the following conditions:*

- 1. NSW Police approval being obtained.*
- 2. Endorsement of the event by Triathlon Australia.*
- 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. All signage erected in accordance with NSW Guidelines for Bicycle Road Races.*
- 9. Consultation with emergency services.*
- 10. Arrangements made for private property access and egress affected by the event.*
- 11. At the completion of the event a formal report to be submitted to Council summarising compliance with the above conditions.*
- 12. A letter box drop to local residents be conducted a minimum of two weeks prior to the event.*

**A4. Lakes Drive, Tweed Heads West**

*That additional "No Parking" signs be installed in Lakes Drive at the boat ramp to enable vehicles with trailers to undertake U-turns.*

**A5. Kingscliff Triathlon Multi Fun Weekend March 2016**

*That Council supports the conduct of the event and associated road closures, subject to the following conditions:*

- 1. NSW Police approval being obtained.*
- 2. Endorsement of the event by Triathlon Australia.*
- 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. All signage erected in accordance with NSW Guidelines for Bicycle Road Races.***
9. ***Consultation with emergency services particularly Kingscliff Police, Kingscliff Fire brigade and Kingscliff Ambulance.***
10. ***Arrangements made for private property access and egress affected by the event.***
11. ***Application made to RMS for Road Occupancy Licence. Traffic Control Plan to be included with application outlining any impacts to Pacific Motorway.***
12. ***That the organiser provides a report to the Committee on the conduct of the November triathlon and compliance with previous Council conditions.***
13. ***At the completion of the event a formal report to be submitted to Council summarising compliance with the above conditions.***

**REPORT:**

The Minutes of the Local Traffic Committee Meeting held Thursday 19 November 2015 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, Miss Jessica Healey, Roads and Maritime Services of NSW (from 10.25am), Snr Constable Tony Darby, NSW Police, Mr Rod Bates on behalf of Member for Tweed

Informal: Mr Ray Clark (Chairman), Ms Linda Cooper (Minutes Secretary), Mr Josh Buckham (from 10.25am), Roads and Maritime Services of NSW

**APOLOGIES:**

Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Miss Alana Brooks, Mr Nick Tzannes, Ms Judith Finch

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MIN1**

RESOLVED that the Minutes of the Local Traffic Committee Meeting held Thursday 22 October 2015 be adopted as a true and accurate record of proceedings of that meeting.

*FOR VOTE - Unanimous*

**SCHEDULE OF OUTSTANDING RESOLUTIONS**

SCH1 [LTC-SOR] Schedule of Outstanding Resolutions - 19 November 2015

From Meeting held 23 July 2015

1. [LTC] Berkleys Lane, Pottsville (Item B2)

FILE NO: ECM 3723387; Traffic - Committee; Local Area Traffic Management; Traffic - Pedestrian Crossings; Traffic - Safety; Berkleys Lane; Coronation Avenue

**SUMMARY OF REPORT:**

*Request received for:*

"1. *A left turn only at the eastern exit to direct vehicle traffic to the existing traffic management device being the Eastern round about therefore reducing traffic congestion & possible collisions.*

2. *Create two pedestrian crossings in the above area one being across Berkeley Lane to facilitate pedestrian traffic too and from Coronation Avenue connecting the existing footpaths for the two council caravan parks, public primary school and the medium density residential area at North Pottsville Beach. The second being just west of this new intersection across Coronation Avenue to facilitate the massive amount of pedestrians that presently cross the main street at this point from Phillip street being Sunday Market, Pottsville Waters & Black Rocks Estate pedestrian traffic.*
3. *Public toilet location signs being the Pottsville tennis court oval facility & the Pottsville creek reserve facility."*

*The above point number two is extremely important as I have personally witnessed extremely dangerous situations that may have resulted in serious injury or death as my office is located on this intersection, there are similar precedents in the Tweed Shire Road network that are now successful and safe."*

COMMITTEE ADVICE:

That:

1. *Once the service lane becomes operational that the request to limit right turns from the eastern leg of Berkleys Lane be reviewed.*
2. *The RMS guidelines for pedestrian warrants are not met in relation to marked pedestrian crossings on Coronation Avenue at Philip Street and Berkleys Lane and the installation therefore cannot be supported.*

Current Status: This item to remain on the Schedule of Outstanding resolutions from Local Traffic Committee meeting held 19 November 2015.

This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 23 July 2015.)

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From Meeting held 23 July 2015

2. [LTC] Machinery Drive / Minjungbal Drive, Tweed Heads South (Item B3)

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3721485; Traffic - Committee; Traffic - Local Area Traffic Management;  
Traffic - Pedestrian Crossings; Machinery Drive; Minjungbal Drive

SUMMARY OF REPORT:

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*Request received in relation to the pedestrian crossing at the intersection of Minjungbal Drive (southbound) and Machinery Drive.*

*"There are many elderly residents living in that area that use this crossing.*

*Once the traffic on Minjungbal Drive gets the green light, the pedestrian lights across the intersection are activated if required. The problem experienced is that the left turn from Minjungbal Drive is not delayed if there are pedestrians on the crossing and drivers are not giving way to the mainly elderly pedestrians crossing at that point. I have attached a diagram that more simply explains the problem with the red arrow indicating pedestrians and the yellow indicating traffic flow.*

*A similar problem on the southern crossing at the same intersection was addressed when motorists performing a left turn out of the shopping centre briefly faced a red arrow to allow pedestrians to begin crossing. This appeared to increase awareness of pedestrian activity by drivers.*

*Could consideration be given to a similar arrangement on this particular crossing?"*

**COMMITTEE ADVICE:**

*That the RMS be requested to review the signal operation on Minjungbal Drive at Machinery Drive to improve pedestrian movements.*

From Meeting held 27 August 2015:

*The RMS Representative advised that RMS is considering delaying the left turn phase into Machinery Drive from Minjungbal Drive. Further advice will be provided once analysis is complete.*

From Meeting held 24 September 2015:

*The RMS Representative requested peak pedestrian traffic counts.*

Current Status: This item to remain on the Schedule of Outstanding resolutions from Local Traffic Committee meeting held 19 November 2015.

This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 23 July 2015.)

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From Meeting held 22 October 2015

3. [LTC-LATE] Kennedy Drive Off Ramp (Item B5)

ORIGIN:  
Roads & Stormwater

FILE NO: Traffic - Committee; Traffic - Safety; Kennedy Drive, Tweed Heads

SUMMARY OF REPORT:

*Late item raised by the Police Representative who reported issue with motorists travelling southbound on Gold Coast Highway towards Kennedy Drive turning around proceeding against the one way traffic flow. It was suggested that Council install directional pavement arrows and / or advisory signage on the Kennedy Drive on ramp to provide visual clarification to motorists of one-way direction of the on ramp.*

*The Chairperson requested that this item be added to the B Section of the Minutes - General Traffic Advice - Tweed Heads.*

COMMITTEE ADVICE:

*That Council officers investigate existing conditions with a view to provide additional pavement markings and signage on the Kennedy drive on ramp.*

Current Status: This item to remain on the Schedule of Outstanding resolutions from Local Traffic Committee meeting held 19 November 2015.

This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 22 October 2015.)

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BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

A1 Minnows Road, Fernvale was moved to Section B - Item B4

A2 [LTC] Falls Festival 2015/2016 at North Byron Parklands, Yelgun NSW

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3814290; Traffic - Committee; Traffic - Control; Festivals/Events - Other; Pottsville Road, Mooball; Tweed Valley Way, Mooball; Pacific Motorway - Sleepy Hollow; Jones Road, Wooyung

SUMMARY OF REPORT:

Request received for Local Traffic Committee advice in relation to the Traffic Management Plan provided for the Falls Festival 2015/2016 at North Byron Parklands, Yelgun.

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*"The Festival will be held from 31 December 2015 to 2 January 2016. Camper bump in will commence on Wednesday 30 December 2015. The camping areas close in the afternoon of Sunday 3 January 2016.*

*The aim of the Traffic Management Plan (TMP) is to prescribe traffic management and control procedures for the Falls Festival at Yelgun, in order to satisfy the conditions of consent as set out in Project Approval by the Minister for Planning and Infrastructure, dated 24 April 2012.*

*The Falls Festival Byron is a music and arts festival that will be held at North Byron Parklands from Thursday the 31 December 2015 until Saturday 2 January 2016.*

*Falls Festival operates in such a way that it is held at two other locations in the same period, so that artist can be transported between event locations. In that format it has been held successfully at Marion Bay in Tasmania for 14 years and Lorne in Victoria for 24 years.*

*The Falls Festival was held at North Byron Parklands for the first time during the 2013/14 New Year's Eve period and the second time during the 2014-15 New Year's Eve period. Both festivals were a success from a traffic engineering perspective with no congestion on the public roads during peak arrival periods.*

*The Falls Festival will function as the third approved 'Medium Trial Event' with a maximum patronage of 20,000 people with an additional 3,000 staff, stallholders, contractors and guests.*

*A no stopping zone is proposed on Tweed Valley Way from the Link Road to Wooyung Road as well as along Wooyung Road to Wooyung town. The purpose of this is two-fold:*

- *Eliminate parking by patrons not familiar with the area on Tweed Valley Way which is a high speed road;*
- *Improve tools to manage trespassers, in particular form Wooyung Road. During SITG 2015 a physical altercation occurred between a trespasser and a land owner on Wooyung Road. This incident illuminates the need to increase methods to limit trespassing. No-stopping along Wooyung Road will allow the issue of infringement notices for vehicles stopped on the side of the road, which in particular will aid the Police to combat trespassing from Wooyung Road.*

*Similarly to SITG 2015, patrons travelling along the Pacific Motorway will be encouraged to exit the Motorway at Pottsville and at Brunswick Heads to alleviate pressure on Yelgun Road.*

*This year, it is proposed to carry out stacked camping and parking at the Falls Festival event in Byron. This method has been tried and tested at the Falls festival in Lorne."*

A risk management meeting is proposed before the event to include:

- *"NBP General Manager*
- *Falls Byron General Manager (Look up and Live Pty Ltd)*
- *Event Traffic Manager*

- Traffic Engineer
- Traffic Control Manager
- Police representative
- Ambulance representative
- RFS representative
- RMS representative
- Council representatives (BSC and TSC)"

RECOMMENDATION TO COUNCIL:

That:

1. The temporary "No Stopping" zone, for the duration of the Falls Festival event from 31 December 2015 to 2 January 2016, on Tweed Valley Way from the Link Road to Wooyung Road is supported, subject to satisfactory arrangements on how the zone will be managed.
2. The proposed "No Stopping" zone for Wooyung Road is not supported and the event organisers, if considered an issue, manage the site to limit trespass on private property.

*Jessica Healey and Josh Buckham from Roads and Maritime Services of NSW arrived at 10.25am.*

*FOR VOTE - Snr Constable Tony Darby, Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services*

A7 [LTC] Minnows Road and Fernvale Road, Fernvale (moved from Item B2)

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3839552; Traffic - Committee; Traffic - Safety; Minnows Road; Fernvale Road, Fernvale

The Chairperson advised that this item should be moved to the A Section of the Minutes.

SUMMARY OF REPORT:

Request received in relation to the intersection of Minnows Road and Fernvale Road, Fernvale.

*"I have had 2 near misses in that location in the past 2 weeks. There is a blind corner in which you have to turn onto Fernvale Rd.*

*If a car is heading east along Fernvale Rd & is passing the intersection as you turn onto Fernvale Rd you might as well but a lottery ticket as you have been very lucky to avoid a head on accident.*

*It is also a dangerous situation turning from Fernvale Rd onto Minnows road as due to the very sharp corner, I have never soon (sic) a car negotiate this corner safety. Cars always end up on the wrong side of the road across a blind corner.*

*This is a very dangerous corner if 2 cars meet at the same time.*

*If you happen to meet somebody on the corner it would be a miracle to avoid an accident.*

*I turned from Minnows Rd onto Fernvale road last week & was as close as you get to having a head on collision with a taxi that was heads east along Fernvale Rd. I only avoided a collision due to being very wary of that corner & doing about 5kms an hour as I turned onto Fernvale Rd. I had to come to a complete stop & the taxi just scaped past my vehicle. An accident with the Taxi was avoided by millimetres.*

*I hope drawing attention to this road safety issue may help with something being done to make the intersection safer before a serious accident occurs."*

#### RECOMMENDATION TO COUNCIL:

That the existing "Give Way" sign and linemarking on Minnows Road at the intersection with Fernvale Road be replaced with a "Stop" sign and associated linemarking.

*FOR VOTE - Snr Constable Tony Darby, Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services*

#### DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A3 [LTC] Tweed Coast Enduro - 5 March 2016

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3842662; ECM 3858661; Traffic – Safety; Festivals/Events - Other; Overall Drive; Tweed Coast Road

#### SUMMARY OF REPORT:

Request received for the conduct of a triathlon in Pottsville on Saturday 5 March 2016 which will involve the closure of Tweed Coast Road from Coronation Avenue to Tweed Valley Way. Overall Drive will have limited access for local residents. A similar event has been held in Pottsville, however that was held on a Sunday and this event may have significant impact on residential access to Pottsville Waters. Pottsville Community Association has submitted concerns to Council in relation to community consultation associated with such events.



RECOMMENDATION TO COUNCIL:

That Council supports the conduct of the event and associated road closures, subject to the following conditions:

1. NSW Police approval being obtained.
2. Endorsement of the event by Triathlon Australia.
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. All signage erected in accordance with NSW Guidelines for Bicycle Road Races.
9. Consultation with emergency services.
10. Arrangements made for private property access and egress affected by the event.
11. At the completion of the event a formal report to be submitted to Council summarising compliance with the above conditions.
12. A letter box drop to local residents be conducted a minimum of two weeks prior to the event.

*FOR VOTE - Snr Constable Tony Darby, Cr Barry Longland, Mr Rod Bates - on behalf of Member for Tweed*

A4 [LTC] Lakes Drive, Tweed Heads West

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3855333; Traffic - Committee; Traffic - Parking Zones; Boat Ramps; Lakes Drive

SUMMARY OF REPORT:

Request received for a no parking sign on the northern side of Lakes Drive boat ramp:

*"This is a request for the committee to consider placing a no parking sign on the northern side of Lakes Drive boat ramp, the same as is on the western side. This is to allow vehicles towing a boat to be able to do a u turn at the approach to the ramp and then reverse down. Currently a lot of vehicles park right up to the foreshore on the northern side and restrict vehicles from doing a turn ,thus forcing vehicles with trailers to turn at the intersection of Lakes Drive and Sunset Boulevard ( this often holds up*

*traffic) and reverse from there. I am a constant user of this boat ramp, both myself and many others would appreciate your consideration on this issue."*

RECOMMENDATION TO COUNCIL:

That additional "No Parking" signs be installed in Lakes Drive at the boat ramp to enable vehicles with trailers to undertake U-turns.

*FOR VOTE - Snr Constable Tony Darby, Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services, Mr Rod Bates - on behalf of Member for Tweed*

A5 [LTC] Kingscliff Triathlon Multi Fun Weekend March 2016

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3842662; ECM 3843077; Traffic - Committee; Festivals/Events - Other; Community Events on Council Administered Land; Traffic - General; Hardy Park; Ambrose Brown Park; Bicycle Matters - General; Overall Drive; Tweed Coast Road, Pottsville; Marine Parade, Kingscliff; Wommin Bay Road; Chinderah Bay Drive; Moss Street; Sutherland Street

SUMMARY OF REPORT:

Applications received for a major event including temporary or partial road closure and use of Council land.

On Saturday 19 March 2016 a 62km social ride and 5km fun run is planned for up to 1,400 participants with expected audience numbers of 2,000.

On Sunday 20 March the Triathlon will start from 6.00am and finish at approximately 2.00pm.

*"Event Program:*

*Friday AM*

- *Set up of bike/transition cage in Faulks Park*
- *Delivery of crowd control fences in front of shops on Marine Pde*

*Saturday AM*

- *Setup in the Faulks Park AM and racking of bikes in transition Saturday PM*
- *Pasta Special at Surf Club - Surf Club - 6pm to 10pm*
- *Installation of crowd control fences on courses*

*Sunday AM*

- *5.00am registration open*
- *6.15am all roads closed*
- *6.45am racing starts*
- *1.00pm racing finishes*
- *3.00pm pack-up completed*
- *2.00pm After Tri Surf Club party - TBC*

*Special Event Signage*

*Will be installed in affected suburbs two weeks in advance of event. VMS Electronic boards will be deployed 3 days in advance on Marine Pde; Chinderah Bay Rd and near Surf Club. Signage on streets close for the race installed 7 days prior."*

*Temporary or Partial Road Closure:*

*"20 March 2016 - Affected roads are: Marine Parade; Wommin Bay Road; Chinderah Bay Road; Chinderah Bay Drive from Jenners Corner to the Southern Dead End; Moss Street; Sutherland Street from Moss Street to Casuarina Way to Roundabout on Point Break Circuit.*

*Signage will be installed normally on the Saturday and removed by the Sunday. The Road Closed banner will be installed approximately 7 days prior event."*

*Parking:*

*"A major undertaking to divert parking away from the main street and residential streets is being developed. Barricading of required parking spaces is from 05:00 to 14:00.*

*Car Parking is an increasing operational requirement as the event grows. Major parking bases are located at the Bowls Club (spare land), St Anthony's School, in creek reserves at Jack Julius Park, Ed Parker Rotary Park, on the foreshore, TAFE.*

*Woolworths Carparking: Marshals will be used at both entries of the Kingscliff Shopping Centre. Pearl Street entry. Turnock Street entry.*

*Shops & Local Residents Car Parking: Communications are forwarded to shops before the event to advise car parking at St Anthony's school. The marshals will be in charge of redirecting any car trying to enter the car park to Saint Anthony's Catholic School.*

*Event Parking: An increasing number of people are parking near the Olympic start in Ed Parker Park. Extra traffic management has been designed to manage this space from November 2015 onwards."*

*Triathlon Course Overview (Swim/Cycle/Run):*

- "1. Event base/registrations and finish line site - Cudgen Headland Surf Life Saving Club and Marine Parade*
- 2. Swim site - Cudgen Creek and adjoining spaces*
- 3. Cycle site - Marine Parade, Wommin Bay Road, Chinderah Bay Drive*
- 4. Run site - Faulks Park, Moss St; Southerland Point, Southerland St, associated footpaths."*

*Sunday 20 March 2016 - Triathlon*

*"First Race Starts: 6.30am - Last Competitor Finished: 1.00pm*

*Swim Course - Cudgen Creek - Swim Start: 6.30am, Swim Finish 10.00am*

*Ride Course - Marine Parade, Wommin Bay Road, Chinderah Bay Drive - Ride Start 6.45am, Ride Finish: 11.00am*

*Run Course - Marine Parade, Moss Street, Sutherland Street, Sutherland Point, Kingscliff Boardwalk - Run Start 6:45am, Run Finish: 1.00pm*

*Road Closure Times:*

- *Marine Parade from Moss to Turnock Streets: 4.30am - 1.00pm*
- *Marine Parade from Turnock to Wommin Bay Road: 6.00am - 1.00pm*
- *Wommin Bay Road closed: 6.00am - 11.00am*
- *Chinderah Bay Drive from Wommin Bay Road to dead end: 7.00am - 11.00am*
- *Moss Street closed: 6.00am - 1.00pm*
- *Sutherland Street from Moss Street to Salt: 6.00am - 1.00pm*
- *Sutherland Point Closed: 6.00am - 1.00pm*
- *Cudgen Creek Boardwalk - NO PUBLIC ACCESS PERMITTED: 6.30am - 1.00pm*
  
- *Pathways affected by closures or used for the run leg will have warning signage prominently placed on them 1 week prior to the event.*
- *Salt Resorts will be advised of all pathway closures and will in turn be asked to communicate these closures to their residents.*

*Roads & Public Ways Closed (south to north):*

**RUN AFFECTED ZONES**

- a) *Casuarina Way along Sutherland Street - 6.00am to 1.00pm*  
*START/FINISH - Salt roundabout (Point Break St & Casuarina Way) to Seaview Street*  
*Diversions: Viking/Hungerford/Orient*
- b) *Southerland Point Road to creek rockwall - 6.00am to 1.00pm*
- c) *Salt Walkway - closed from Salt (last house) to Cudgen Creek bridge*
- d) *Jack Julius Park - swim start, restricted public access*
- e) *Cudgen Creek Walkway - closed from Cudgen Creek bridge to boat ramp 5.00pm (Saturday) to 2.00pm (Sunday)*
- f) *Boat ramp Cudgen Creek - closed from 5.00pm (Saturday) to 2.00pm (Sunday)*
- g) *Access road to VMR Tower (boat ramp)\* restricted access from 5.00pm (Saturday) until 1.00pm (Sunday)*
- h) *Moss Street - 6.00am to 1.00pm*
- i) *Faulks Park - car parks - restricted access from 3.00pm Saturday until 3.00pm Sunday*

**BIKE AFFECTED ZONES**

- a) *Marine Parade north - 5.00am to 1.00pm*  
*START/FINISH - Boat ramp Cudgen Creek, Southern End Marine Pde*
- b) *Surf Club car park - 9pm (Saturday) to 2.00pm (Sunday)*
- c) *Surf Club car park - cut in the middle 4.00pm Saturday \* access from either end on/off Marine Parade*
- d) *Marine Parade north - 5.00am to 11.30am*  
*START/FINISH - Roundabout fig tree north to corner of Wommin Bay Rd*
- e) *Wommin Bay Road - 6.00am to 12noon*  
*along Wommin Bay Road to Jenner's Corner/Chinderah Bay Road>left along Chinderah Bay Road to dead-end*
- f) *Chinderah Bay Drive from Wommin Bay Road to the dead end - 7.00am to 12noon.*

*Traffic Diversions*

*Traffic to be diverted as follows (starting south to north)*

- *SALT - divert traffic northbound along Casuarina Way at roundabout of Point Break Drive*
- *VIKING - divert traffic inbound from TAFE into Turnock Street*
- *SEAVIEW - divert traffic outbound from Kingscliff to Turnock and to Boomerang*
- *KINGSCLIFF STREET - divert outbound traffic from Peel Street to Turnock*
- *WAUGH - divert southbound to Fingal access ramp to freeway*
- *WAUGH - divert north bound traffic back onto freeway*
- *CHINDERAH BAY DRIVE - divert southbound traffic to Waugh freeway access or back to Fingal freeway access*
- *FINGAL ROUNDABOUT NEAR BRIDGE - divert south bound traffic to freeway*
- *CHINDERAH RD NEAR ROUNDABOUT UNDER FREEWAY - divert river bound traffic back to freeway.*

RECOMMENDATION TO COUNCIL:

That Council supports the conduct of the event and associated road closures, subject to the following conditions:

1. NSW Police approval being obtained.
2. Endorsement of the event by Triathlon Australia.
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. All signage erected in accordance with NSW Guidelines for Bicycle Road Races.
9. Consultation with emergency services particularly Kingscliff Police, Kingscliff Fire brigade and Kingscliff Ambulance.
10. Arrangements made for private property access and egress affected by the event.
11. Application made to RMS for Road Occupancy Licence. Traffic Control Plan to be included with application outlining any impacts to Pacific Motorway.
12. That the organiser provides a report to the Committee on the conduct of the November triathlon and compliance with previous Council conditions.
13. At the completion of the event a formal report to be submitted to Council summarising compliance with the above conditions.

*FOR VOTE - Snr Constable Tony Darby, Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services, Mr Rod Bates - on behalf of Member for Tweed*

A6 Hastings Road, Bogangar was moved to Section B - Item B5

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE - MURWILLUMBAH

B1 [LTC] Bicycle Events and Racing Events on Local Roads

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3838944; Traffic - Committee; Traffic - Safety; Traffic - Festivals/Events;  
Traffic - Bicycle Matters - General; Dulguigan Road; Boyds Lane

SUMMARY OF REPORT:

Concerns received in relation to the *"excessive use of our local roads by bicycle clubs and racing events.*

*Our local roads, Boyds lane and Dulguigan road are narrow, no curb and guttering, have uneven and rough edges, little markings and are quite windy in places therefore not designed as race tracks.*

*Not only is safety a growing problem but there is the continual inconvenience to local residents. During the recent school holidays we were stopped and or had to travel at 20km p/h for kilometres as the roads were used nearly daily for a racing event.*

*Earlier this year there was a large cycle race on our roads (29<sup>th</sup> to 31<sup>st</sup> May) however the management did inform us of the event and possible disruptions through a flyer in our letterboxes and large street signs weeks prior to the event. This meant we could plan accordingly and there were no problems.*

*I have consulted with the Tweed Link Issue 926, p6 which does mention the cycling races however our roads were not listed as those being closed or to expect delays on the days we did. Maybe I missed it in an earlier issue. However a flyer by the organisers distributed in our letterboxes is the best form of communication and feel this should be a requirement of council to the organisers before they approve any such activities on our roads.*

*Not only are we inconvenienced by these road closures and delays but are subject to public urination on the sides of the roads. Our local park area, Pat Smith Park, is regularly used as headquarters for a local race club to hold their events and we have seen a portaloo provided but the participants are not using this.*

*An example of the extreme inconvenience we suffer is the week of 19<sup>th</sup> -27<sup>th</sup> Sept 2015. There was weekend racing and then 4 days within the week extra racing and training. Council needs to carefully look at when they are approving the road use for bicycle events so one area of road and therefore the same residents are not the only victims.*

*Maybe more police patrols would also help as the cyclists are riding 2, 3 and more abreast on our roads continually.*

*We feel these issues can be resolved with a few management practices established by our council:*

*Flyers distributed to effected residents in their letterboxes announcing the disruptions and delays at least 2 weeks prior to the event*

*Signs on the road announcing the event and disruptions at least 2 weeks prior to the event*

*Extra policing of the events*

*Planned and staggered events over a longer period of time for a particular road."*

COMMITTEE ADVICE:

That the items in this correspondence be considered in the development of Council's Event Management Policy and specifically addresses the number of bicycle races throughout the Shire.

B2 Minnows Road and Fernvale Road, Fernvale has been moved to Section A - Item A7

B3 [LTC] 2016 Meeting Schedule

ORIGIN:

Roads & Stormwater

FILE NO: Traffic - Committee

SUMMARY OF REPORT:

The following dates are proposed for Local Traffic Committee meetings in 2016 with each meeting scheduled for the 2<sup>nd</sup> Thursday of every month except for the month of January. If an urgent item is received in January a conference call can be organised to discuss if warranted.

11 February

10 March

14 April

12 May

9 June

14 July

11 August

8 September

13 October

10 November

8 December

As Committee members would be aware, Local Traffic Committee meetings will commence at 10.00am and end at approximately 12.00 noon, depending on the extent of the Agenda.

COMMITTEE ADVICE:

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That the following meeting schedule be endorsed for Local Traffic Committee meetings in 2016:

11 February  
10 March  
14 April  
12 May  
9 June  
14 July  
11 August  
8 September  
13 October  
10 November  
8 December

B4 [LTC] Minnows Road, Fernvale

ORIGIN:  
Roads & Stormwater

FILE NO: SGN15/0134; Traffic - Safety; Minnows Road

The Chairperson advised that this item should be moved to the B Section of the Minutes.

SUMMARY OF REPORT:

Request received to install a round safety mirror across from the driveway of 88 Minnows Road, Fernvale.

The customer called into Council's office and requested:

*"a round safety mirror be installed across from his driveway as the road has become so busy it is difficult to see on coming traffic and he believes it to be a hazard."*

COMMITTEE ADVICE:

That the request for a convex safety mirror is not supported as it is not considered suitable in this instance. However, a "Concealed Driveway Ahead" sign could be installed to improve the motorists' awareness of the driveway.

GENERAL TRAFFIC ADVICE - TWEED HEADS

B5 [LTC] Hastings Road, Bogangar

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3836294; Traffic - Committee; Traffic - Loading Zones; Hastings Road Bogangar



The Chairperson advised that this item should be moved to the B Section of the Minutes.

**SUMMARY OF REPORT:**

Request received in relation to the concerns of local residents with the queuing of delivery trucks behind the Woolworths Cabarita store.

*"The matter is to do with the staging of delivery trucks behind our Cabarita Store where the only feasible staging area is currently zoned as general parking.*

*Last week I had a meeting with Local Residents of Hastings Road, Cabarita Beach whom have expressed concerns of trucks double parking in their Street whilst awaiting a Woolworths Team Member to open the loading dock area. The Residents advised it is an ongoing issue and believe the situation raises serious safety concerns.*

*After deliberation the Residents agreed that a simple resolution of changing a small part of the Street next to the dock to accommodate a "Loading Zone" would enable trucks to park whilst waiting for the dock to open.*

*The enclosed photos detail the exact area Local Residents and us request you consider. Generally only Woolworths Employees park in the area we are proposing to change, as Residents park on the other side of the Street.*

*If approval is granted and zoning changes are implemented, our logistics division would further be updated on the new staging process, eliminating local concerns.*

*One of our corporate values revolves around being a good corporate citizen and always doing the right thing by the communities we operate in. It is with this value top of mind, that I approach you in assisting to deliver a suitable resolution for the Local Residents and Woolworths Cabarita."*

**COMMITTEE ADVICE:**

That the installation of a "Loading" zone on Hastings Road is not supported as the management of the loading dock should be reviewed by Woolworths' management and installing a "Loading" zone on Hastings Road may have impact on adjacent business operators.

**NEXT MEETING:**

The next meeting of the Local Traffic Committee will be held 17 December 2015 in the Mt Warning Meeting Room commencing at 10.00am.

There being no further business the Meeting terminated at 11.26am.

**SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:**

**A1. Minnows Road, Fernvale (Moved to Item B4)**

**A2 Falls Festival 2015/2016 at North Byron Parklands, Yelgun NSW**

That:

1. The temporary “No Stopping” zone, for the duration of the Falls Festival event from 31 December 2015 to 2 January 2016, on Tweed Valley Way from the Link Road to Wooyung Road is supported, subject to satisfactory arrangements on how the zone will be managed.
2. The proposed “No Stopping” zone for Wooyung Road is not supported and the event organisers, if considered an issue, manage the site to limit trespass on private property.

**A7. Minnows Road and Fernvale Road, Fernvale (Moved from Item B2)**

That the existing “Give Way” sign and linemarking on Minnows Road at the intersection with Fernvale Road be replaced with a “Stop” sign and associated linemarking.

**A3. Tweed Coast Enduro - 5 March 2016**

That Council supports the conduct of the event and associated road closures, subject to the following conditions:

1. NSW Police approval being obtained.
2. Endorsement of the event by Triathlon Australia.
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. All signage erected in accordance with NSW Guidelines for Bicycle Road Races.
9. Consultation with emergency services.
10. Arrangements made for private property access and egress affected by the event.
11. At the completion of the event a formal report to be submitted to Council summarising compliance with the above conditions.
12. A letter box drop to local residents be conducted a minimum of two weeks prior to the event.

**A4. Lakes Drive, Tweed Heads West**

That additional “No Parking” signs be installed in Lakes Drive at the boat ramp to enable vehicles with trailers to undertake U-turns.

**A5. Kingscliff Triathlon Multi Fun Weekend March 2016**

That Council supports the conduct of the event and associated road closures, subject to the following conditions:

1. NSW Police approval being obtained.
2. Endorsement of the event by Triathlon Australia.
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. All signage erected in accordance with NSW Guidelines for Bicycle Road Races.
9. Consultation with emergency services particularly Kingscliff Police, Kingscliff Fire brigade and Kingscliff Ambulance.
10. Arrangements made for private property access and egress affected by the event.
11. Application made to RMS for Road Occupancy Licence. Traffic Control Plan to be included with application outlining any impacts to Pacific Motorway.
12. That the organiser provides a report to the Committee on the conduct of the November triathlon and compliance with previous Council conditions.
13. At the completion of the event a formal report to be submitted to Council summarising compliance with the above conditions.

**A6. Hastings Road, Bogangar (Moved to Item B5).**

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice v2.5.

**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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## CONFIDENTIAL ITEMS FOR CONSIDERATION

### REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

### REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

#### C1 [GM-CM] Estate of the late Adrian Smith

#### REASON FOR CONFIDENTIALITY:

This report discusses a commercial agreement that requires Council to maintain commercial in confidence consideration.

#### 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: -

- (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.

Valid

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## Strengthening the Economy

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
  - 3.1 Expand employment, tourism and education opportunities
  - 3.1.4 Market the Tweed as a destination for business and tourism
- 
-

## ORDERS OF THE DAY IN COMMITTEE

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### **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
- 

#### **C2 [NOR] Sale of Lot 5 DP 1178620 Kyogle Road, Terragon**

#### **REASON FOR CONFIDENTIALITY:**

This report deals with the management and disposal of Council land that may have commercial implications

#### **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: -

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