



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr G Bagnall

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

# Agenda

## **Ordinary Council Meeting Thursday 18 June 2015**

held at Kingscliff Bowls Club,  
Waves Function Room, Marine Parade, Kingscliff  
commencing at 5.00pm

## COUNCIL'S CHARTER

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

Tweed Shire Council has the following charter:

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

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## CONFIRMATION OF MINUTES

- 1 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meeting held Thursday 21 May 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 Meeting held Thursday 21 May 2015 are attached for information and adoption by Council.

### RECOMMENDATION:

**That:**

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 21 May 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 21 May 2015 (ECM 3682456).

(Confidential) Attachment 2 Minutes of the Confidential Council Meeting held Thursday 21 May 2015 (ECM 3682458).

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**2 [CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meeting held Thursday 4 June 2015**

**SUBMITTED BY: Corporate Governance**



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

The Minutes of the Ordinary Council Meeting that follows the Planning Committee, which was held on Thursday 4 June 2015 are attached for information and adoption by Council.

### **RECOMMENDATION:**

**That the Minutes of the Ordinary Council Meeting held Thursday 4 June 2015 be adopted as a true and accurate record of proceedings of that meeting.**

**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 4 June 2015 (ECM 3695661)

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## SCHEDULE OF OUTSTANDING RESOLUTIONS

### 3 [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:** Initial discussions have been held however, awaiting finalisation of a Memorandum of Understanding and Reconciliation Action Plan to progress the development of an Aboriginal Employment Strategy. In the interim, in liaison with the Aboriginal Advisory Committee, targeted specific strategies are being trialled for aboriginal employment.

It is worth noting that of Council's total workforce, 2.78% of staff are indigenous, with this percentage being greater than the state average.

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## 23 JANUARY 2014

### 11 [NOM-Cr G Bagnall] Tweed Valley Way/Tweed River Corridor

#### NOTICE OF MOTION:

15

Cr W Polglase  
Cr M Armstrong

#### RESOLVED that:

1. Staff prepares an estimate of costs for preparation of the plan of management in (2) below to inform consideration of this item in the 2014/15 budget
2. Council considers the following item in the 2014/15 budget:

*"Prepare a Plan of Management for the Tweed Valley Way/Tweed River Corridor. This Plan of Management is to be a guiding document to coordinate activities and ensure consistency for planned and future works along the corridor. Activities to be addressed by the plan will include, but not be limited to: signage, roadside plantings, river bank stabilisation, riverbank plantings and town entry statements."*

3. A report be prepared that:
  - (a) Assesses the adequacy of existing town/village entry statements in Tweed Shire in regards to the functions of informing the travelling public, promoting the towns and villages and providing an attractive, culturally and environmentally appropriate village/town entries.
  - (b) Provides a detailed, prioritised and costed works program to upgrade the entry statements to an appropriate current standard over a suitable number of years.
  - (c) The Rural Villages Strategy be considered in preparing the Tweed Valley Way/Tweed River Corridor Plan of Management.

#### Current Status:

20 February 2014	Estimate to be prepared for Item 2.
20 March 2014	Preliminary estimate of \$40,000 has been included for consideration in the 2014/2015 Draft Budget. Detailed estimate still to be determined.
15 May 2014	Preliminary estimate of \$40,000 was considered for inclusion in the 2014/2015 Draft Budget, but has been excluded from the balanced budget currently on exhibition.
18 September 2014	Item 26 Notice of Motion "Welcome to Tweed Shire Signs" also linked to this motion (Minute No 549 refers).

26 October 2014 Deputy Premier announced \$10,000 for the provision of entry gateway signage on the Gold Coast Highway.

In regard to Item 3 an assessment is being undertaken of Town entry statements.

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**15 MAY 2014**

**ORDERS OF THE DAY**

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

**NOTICE OF MOTION:**

**289**

**Cr P Youngblutt**  
**Cr G Bagnall**

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

**Current Status:** Refer overleaf to letter dated 24 June 2014 to State Member for Lismore, Thomas George MP and copy to Minister for Environment, Hon Kevin Humphries MP. Further to the letter, Director Engineering provided hard copy and discussed with the Minister on Tuesday 22 July 2014. Awaiting response from State Government to letter of 24 June 2014.

Meeting with Cape Byron Management occurred on 4 September 2014 to discuss fuel sources and the new owner's philosophy and management approach to the long term operation of the cogeneration facility.

At the General Manager's meeting of December 2014, it was resolved, following additional meetings with Minister Humphries, Cape Byron Management and Far North Coast Weeds, that a regional approach to camphor laurel harvesting be explored with the Environment Protection Authority being the preferred consent authority. Accordingly NOROC considered this as an agenda item at its meeting held 6 February 2015 and will pursue this issue regionally with Mr Rob Stokes MP, Minister for the Environment; Ms Pru Goward MP, Minister for Planning; and Mr Kevin Humphries MP, Minister for Natural Resources, Lands and Water through the General Managers' Group.

Draft letters to the Ministers were prepared by the GM's Group on 3 March 2015 and will be sent under the signature of the Executive Officer of NOROC. Further, Camphor Laurel harvesting (large scale

harvesting for power generation) is an inter-government agenda item at the North Coast Regional Inter-Government Meeting held on 18 March 2015.

Council Reference: Noxious - Weeds and Plants (Incl Camphor Laurel)



24 June 2014

Customer Service | 1300 292 872 | (02) 6670 2400

[tsc@tweed.nsw.gov.au](mailto:tsc@tweed.nsw.gov.au)  
[www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au)

Fax (02) 6670 2429  
PO Box 816  
Murwillumbah NSW 2484

Please address all communications  
to the General Manager

ABN: 80 179 732 496

Mr Thomas George, MP  
Member for Lismore  
PO Box 52  
LISMORE NSW 2480

Email: [thomas.george@parliament.nsw.gov.au](mailto:thomas.george@parliament.nsw.gov.au)

Dear Sir

#### Camphor Laurel Harvesting for the Condong Cogeneration Plant

Further to the discussions held with representatives of the camphor laurel harvesting industry and yourself and the Minister Kevin Humphries on 22 May 2014 at Council offices and your email to me of 11 June 2014, enclosing an email to you from Mr Mick Mitchell of Biofuel Harvesters Australia Pty Ltd I provide the following advice:

1. The Condong cogeneration plant operates under an Environment Protection Licence (no. 170) issued by the NSW Environment Protection Authority (EPA). The Licence includes the following condition which was to be overseen by Far North Coast Weeds (FNCW) through the completion of individual Management Agreements and associated Harvest Plans:  
*The licensee must not accept camphor laurel biomaterial onto the premises which has not been harvested in accordance with the document "Selective Harvesting of Camphor Laurel and other Non-Native Environmental Weeds - Voluntary Code of Practice (SEJV, 2010).*
2. In an effort to facilitate this approach, Council had previously supported an exemption from the lodgement of a development application under the Tweed Council Exempt and Complying Development Control Plan, subject to an agreed process between Council, the EPA, FNCW and NSW Sugar, requiring camphor removal contractors to comply with the Camphor Harvesting Code of Practice, necessitating a Weed Control Management Plan signed off by the FNCW (who were to provide a copy to Council) before any works were commenced.
3. Despite this process there has been a history of poor compliance with the Voluntary Code of Practice. Many contractors have ignored it completely and there have been major issues with soil erosion, noise, processing in close proximity to residential areas, impacts on threatened species, damage to public roads and waterways and widespread failure to rehabilitate, poison the stumps or prevent reinfestation. This has raised considerable community concern and Council has inevitably been called upon to help resolve the issues.
4. Due to the difficulties encountered in managing the process, in early 2013 FNCW advised that they would no longer be resourcing any environmental assessment of plans of management for camphor removal jobs relating to the Condong Mill. Subsequently, the Environmental Protection Authority (Grafton office – Mr Graeme Budd) who are responsible for the licensing condition advised that the condition could not be satisfied, therefore no more camphor laurel material could be accepted by the cogeneration plant (copy of email correspondence attached).

Page 1 of 2



5. With the introduction of the Standard Instrument LEP (Tweed LEP 2014) it became clear that the Tweed Council Exempt and Complying Development Control Plan no longer apply and that Camphor Laurel harvesting for the co-generation plant would likely fall under the definition of "Forestry" and therefore require development consent.
6. With respect to the point above, there is a difference between Camphor Laurel harvesting and noxious weed control. Camphor Laurel harvesting is a relatively large scale operation (many hectares) involving the stockpiling, construction of access roads, processing, removal and transport of large volumes of "forest product". The harvester and the Mill seek a product as opposed to weed control. Under the current arrangements weed control and management is the responsibility of the land owner and not the harvester. If the intent were also to manage camphor as a weed and the contractor assumed responsibility for this and if the size and scale were of a smaller nature, the product may be a 'bi-product of weed control' as opposed to a 'forest product'.

Regardless of whether the activity is forestry or weed control, the size and scale requires some form of regulation to ensure that environmental impacts are mitigated. The previous process which included Far North Coast Weeds approval provided this. This is particularly important in the Tweed where stands of camphor laurel tend to occur on steep slopes, in conjunction with threatened species, along waterways, or in close proximity to residential and rural residential areas. By contrast, noxious weed control is much smaller in scale, is usually carried out *in situ* does not generally involve large machinery, forest products or adverse environmental impacts and would not trigger development consent or other approval.

7. In a further effort to progress the issue of using camphor laurel as a source of fuel for the Condong cogeneration plant, Council initiated a meeting (14 May 2014) with the new managers of the Condong cogeneration plant, Cape Byron Power and NSW Sugar. At the meeting, Council staff explained the regulatory and management issues of concern and it was agreed that any future harvesting needed to be carried out in an environmentally sustainable manner. The main outcome of the meeting was that Cape Byron Power was to seek formal legal advice on the planning issues as detailed above. Council is awaiting this advice.

Condong Cogeneration Plant, when operating, can provide up to 50% of the Tweed Valley's electricity. Council is committed to working collaboratively with Cape Byron Power and NSW Sugar to enable increased use of appropriate biomass sources that can enable more renewable energy production for the Tweed.

The Government's consideration and views of these matters would be greatly appreciated. Council will forward a copy of the advice from Cape Byron Power once it is received.

Yours faithfully

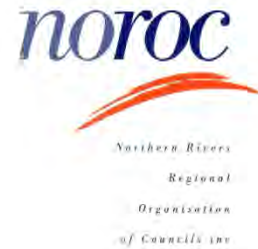
A handwritten signature in blue ink, appearing to read "Troy Green".

24 Jun 2014 3:50 PM

Troy Green  
General Manager

Enclosure

Copy: The Hon. Kevin Humphries, MP Minister for Natural Resources, Lands and Water, and Minister for Western NSW: [office@humphries.minister.nsw.gov.au](mailto:office@humphries.minister.nsw.gov.au)



17 March 2015

The Hon. Kevin Humphries, MP  
Minister for Natural Resources, Lands and Water  
GPO Box 5341  
SYDNEY NSW 2001

Dear Minister

RE: CAMPHOR LAUREL HARVESTING ON NON-URBAN LAND IN THE NORTHERN RIVERS

Following discussions in 2014 between yourself, Tweed Shire Council and the Member for Lismore, Thomas George, about the harvesting of camphor laurel, in particular the compliance of harvesting relating to the Camphor Harvesting Code of Practice and the provision of fuel for the Condong co-generation plant, you recommended this matter be considered regionally via NOROC.

At your suggestion NOROC General Managers and the managers of the Condong and Broadwater co-generation plants, Cape Byron Power, have met and discussed this matter and are proposing the following solution.

NOROC and Cape Byron Power are united in seeking for the EPA to be the consent authority for the harvesting of camphor laurel in the Northern Rivers arguing that this activity should not be subject to both licensing conditions of the EPA and development consent from Councils.

Under the Standard Instrument LEP this activity could be determined as falling under the definition of "Forestry" and therefore requires development consent by councils who have Forestry as consent use in specific zones. We jointly suggest that in a non-urban environment the EPA should be the regulatory body due to their existing regulatory role in both native and plantation forestry. Where camphor removal is in an urban environment a 20 tree limit still remains as the test for whether council planning approval is required.

Under the EPA licensing conditions the licensee is not permitted to receive camphor laurel biomaterial that has not been harvested in accordance the document "Selective Harvesting of Camphor Laurel and other Non-Native Environmental Weeds - Voluntary Code of Practice (SEJV, 2010)". The following control systems are covered under the Code:

- Site assessment which may involve the preparation of a plan of management
- Development standards in relation to the protection of soil and water resources, cultural heritage and biodiversity and the management of noise impacts
- Regulation of management operations
- Regulation of harvesting operations

NOROC

A regional voice for the Tweed, Ballina, Lismore, Kyogle, Richmond Valley and Byron Councils  
NOROC | PO Box 23A Lismore NSW 2480 | ABN: 38 905 052 556  
Ph: 0404046152 | [info@noroc.com.au](mailto:info@noroc.com.au) | [www.noroc.com.au](http://www.noroc.com.au)



In early 2013 Far North Coast Weeds, who are nominated in the Code to oversee the preparation and implementation of the site plans of management, advised that they were withdrawing from the process and would no longer be resourcing any environmental assessment of plans of management for camphor harvesting operations. It is therefore suggested that the EPA assume this role also.

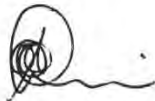
As is the case with some farm/forestry operations, members of the community sometimes have questions or concerns about work being undertaken. Cape Byron Management is committing to informing councils of camphor removal operations prior to the commencement of work therefore allowing council staff to direct public enquiries to the NSW EPA and the harvesting operator.

It is NOROC's belief that if the Voluntary Code of Practice could be enhanced as an Industry Code of Practice regulated by the EPA that both the industry and environment would benefit and it would have the added advantage of simplifying the approval process by removing the need for Cape Byron Power to deal with several councils, rather enable them to be managed by the State agency. NOROC suggests that the EPA and Cape Byron Power could work to better address the following issues in the current Voluntary Code of Practice;

- Notification process prior to works commencing
- Site management plans including threatened species identification and management
- Management of steep lands and riparian areas
- Hours of work to control noise emissions
- Ensuring landowners restrict regrowth
- Complaints handling process

NOROC and Cape Byron Management are seeking a resolution to the current impasse and your consideration of this proposal along with that of the Planning and Environment Ministers would be appreciated. We respectfully request a written response confirming or rejecting our suggestion for camphor removal performed for Cape Byron to be controlled by the EPA in non-urban environments under the Voluntary Code of Practice.

Yours faithfully



Ann Lewis  
Executive Officer

Copy: The Hon. Thomas George Member for Lismore, Mr Chris Gulaptis Member for Clarence, Mr Geoff Provest Member for Tweed, The Hon. Don Page Member for Ballina, The Hon. Rob Stokes Minister for Environment, The Hon. Pru Goward Minister for Planning

NOROC

A regional voice for the Tweed, Ballina, Lismore, Kyogle, Richmond Valley and Byron Councils

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2

The following response was copied through the Executive Officer of NOROC on 27 March 2015. It should be noted that following the NSW State Elections on 28 March 2015 it is expected that the matter will be referred to the new relevant ministerial portfolio for consideration.

**From:** A Lewis  
**Sent:** Monday, 30 March 2015 9:53 AM  
**To:** Troy Green  
**Subject:** FW: Referral from the Hon Kevin Humphries MP - Ms Ann Lewis- CAMPHOR LAUREL HARVESTING IN THE NORTHERN RIVERS

FYI

**From:** Nancy La Mott

**Date:** Friday, 27 March 2015 11:57 AM  
**To:** Stokes\_Office\_Email  
**Cc:** Annie Lewis  
**Subject:** Referral from the Hon Kevin Humphries MP - Ms Ann Lewis- CAMPHOR LAUREL HARVESTING IN THE NORTHERN RIVERS

Dear Minister Stokes

The Minister for Natural Resources, Lands and Water, and Minister for Western New South Wales has received correspondence from Ms Ann Lewis regarding camphor laurel harvesting in the Northern Rivers.

As this matter falls within your portfolio responsibilities, I am referring a copy of her correspondence to you for your consideration and direct reply.

Kind regards  
Nancy La Mott

Office of The Hon Kevin Humphries MP  
Minister for Natural Resources, Lands and Water  
Minister for Western NSW

---

**21 AUGUST 2014**

**REPORTS FROM THE DIRECTOR ENGINEERING**

**18 [E-CM] Coal Seam Gas Free Signage**

**469**

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

**RESOLVED** that:

1. Council approves the installation of eleven of the thirteen proposed coal Seam Gas Free signs.

2. The signs referred to in 1 above contain the words "Gas Field Free" or "Tweed Shire - Gas Field Free", depending on available space.
3. Council:
  - a. Undertakes further investigation to identify whether there is any Council owned land or supportive private landholders where it would be appropriate to install further signs at the three entrances (M1, Gold Coast Highway, Wharf Street) to north of the Shire and South Tweed Heads, and
  - b. Brings back a supplementary report.

**Current Status:** In relation to 1 and 2 signs have been installed. In relation to Item 3 further site investigations are in progress.

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## ORDERS OF THE DAY

### 44 [NOM] Concept Plans and Cost Estimates - Murwillumbah

#### NOTICE OF MOTION:

501

Cr G Bagnall  
Cr K Milne

#### RESOLVED that:

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.

**Current Status:** Concept plans and costs estimates to be prepared following the completion of the Knox Park upgrade design and Murwillumbah Library landscaping projects.

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**18 SEPTEMBER 2014**

**26 [NOM] Welcome to Tweed Shire Signs**

**NOTICE OF MOTION:**

**549**

**Cr K Milne  
Cr M Armstrong**

**RESOLVED** that Council brings forward a report on:

1. Including reference to 'The Green Cauldron, A National Iconic Landscape' on existing "Welcome to the Tweed Shire" signs at the main entrances to the Shire,
2. Installing "Welcome to the Tweed Shire" signs at the north of the Shire including on the M1 Freeway, the Gold Coast Highway and Wharf St, including reference to 'The Green Cauldron, A National Iconic Landscape', and consultation with the Aboriginal Advisory Committee to include the Aboriginal Welcome/acknowledgement of Country.
3. Options for appropriate wording, e.g. the heart of/the centre of, and pictorial graphics.
4. This be considered in conjunction with the resolution of 23 January 2014 regarding Entry Statements to the Tweed Shire.

**Current Status:** Also linked to Item 11 - Notice of Motion "Tweed Valley Way/Tweed River Corridor" from Council Meeting of 23 January 2014 (Minute No 15 refers).

Unfortunately this project has been delayed due to resourcing and competing projects. It was intended that the new Economic Development Officer would project manage this task. Unfortunately two recruitment exercises have failed to secure a suitable candidate. Other options are currently being pursued to ensure that key projects such as this and the Economic Development Strategy can be progressed.

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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. With the appointment of a full time Road Safety Officer in mid June it is anticipated that the report can be prioritised.

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#### 42 [NOM] A-Frame Signs

##### NOTICE OF MOTION:

675

Cr B Longland  
Cr M Armstrong

**RESOLVED** that Council officers bring forward a report with regulatory options that might be considered in limiting the proliferation of A-frame signage on Council land adjacent to our road network.

**Current Status:** To be addressed in Planning Reforms Work Program 2015/2016.

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#### 44 [NOM] Greening the Shire

##### NOTICE OF MOTION:

678

Cr B Longland  
Cr C Byrne

**RESOLVED** that Council holds a workshop on possible participation in 2020 Vision and Greening the Shire.

**Current Status:** Workshop deferred to 11 June 2015.

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## 11 DECEMBER 2014

### REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

#### 7 [PR-CM] Animal Management Policy and Practices - Review of Council's Pound Operations - Updated Report

691

Cr M Armstrong  
Cr P Youngblutt

**RESOLVED** that:

1. Council receives and notes the outcomes of meeting held between Council and Friends of the Pound on 27 November 2014 in terms of alternative proposals for the review of Council's Pound operations; and
2. The officers submit a further report on a preferred proposal in early 2015.

**Current Status:** An expression of interest process seeking suitable candidates for a new re-homing service at Council's Pound closed on 29 May 2015. A report to be submitted to a future Council meeting.

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## 22 JANUARY 2015

### ORDERS OF THE DAY

#### 9 [NOM] Jack Evans Boat Harbour - Artificial Reef Construction Using Reef Balls

**NOTICE OF MOTION:**

27

Cr G Bagnall  
Cr K Milne

**RESOLVED** that staff bring forward a report that investigates the viability of creating an artificial reef in Jack Evans Boat Harbour, utilising reef ball technology.

The report should consider a trial reef ball placement, which could if warranted, be expanded to create a larger feature. The report should consider support from within the community, potential user groups (scuba and snorkelling), potential costs, location, the approvals process and the recreational and environmental benefits that such a project would provide.

**Current Status:** Report to be prepared for the July meeting.

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**19 MARCH 2015**

**ORDERS OF THE DAY**

**48 [NOM] Tweed Coast Koala Distribution**

177

**Cr G Bagnall  
Cr B Longland**

**RESOLVED** that Council, as part of its preparations to resurvey the Tweed Coast Koala population, investigates and reports on 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.

**Current Status:** Survey has commenced and it is expected that a report will be available at the end of 2015.

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**16 APRIL 2015**

**REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES**

**13 [CNR-CM] Kerbside Bulk Waste Collection Service - Issues and Options - Contract EC2008-153**

207

**Cr W Polglase  
Cr M Armstrong**

**RESOLVED** that Council receives and notes this report on Kerbside Bulk Waste Collection Service - Issues and Options - Contract EC2008-158 and defers this item to hold an additional Workshop on this matter.

**Current Status:** This matter will now be considered in consultation with the community within "Tweed - the future is ours".

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**21 MAY 2015**

**REPORTS FROM THE DIRECTOR PLANNING AND REGULATION**

**12 [PR-CM] Unauthorised Earthworks and Pollution Events at Lots 113, 124, 127-129, 136 and 138 DP 755724 Tyalgum Road, Tyalgum**

257

**Cr K Milne  
Cr G Bagnall**

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**RESOLVED** that this matter be deferred for Council to arrange an on-site meeting with the complainant, relevant State agencies and the owner.

**Current Status:** On-site meeting organised for 12 June. Report on outcomes of that meeting to be submitted to July Council meeting.

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#### **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:** Report to be submitted to July Council meeting.

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## MAYORAL MINUTE

### 4 [MM-CM] Mayoral Minute for May 2015

SUBMITTED BY: Cr G Bagnall, 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

- 1 May Aboriginal Advisory Committee - Tweed Byron Local Aboriginal Land Council, 21/25 Ourimbah Road, Tweed Heads
  - 19 May Destination Tweed Board Meeting - Mantra Board Room, Salt Village, Gunnamatta Avenue, Kingscliff
- 

### INVITATIONS / MAYORAL REPRESENTATION:

#### Attended by the Mayor

- 6 May Tweed Heads Seagulls RLFC Breakfast - Rainbow Bay Surf Club, Rainbow Bay
  - 6 May Bilambil Primary School Years 5 and 6 study on Government - Bilambil Primary School, 418 Bilambil Road, Bilambil
  - 8 May Official Opening of Arkinstall Park - Tweed Heads Tennis Club, Cunningham Street, Tweed Heads South (Crs Byrne and Longland also attended)
  - 8 May St Joseph's College Trade Skills Centre Opening - 2 Doyle Drive, Banora Point
  - 13 May Biggest Morning Tea - Mountain View Lodge, 1 Ingram Place, Murwillumbah
-

- 13 May General Manager, Mayor and Councillors meeting with Keith Rhoades and Donna Rygate - Civic Centre, Tumbulgum Road, Murwillumbah (Crs Longland and Milne also attended)
- 16 May Kinship, Culture and Connection Festival - Knox Park, Murwillumbah
- 18 May Tyalgum Energy Project Community Consultation - Tyalgum Hall, Coolman Street, Tyalgum
- 20 May Twin Towns Friend's Association Volunteer Awards - Community Hall, Heffron Street, South Tweed Heads (Cr Longland also attended)
- 20 May Tyalgum Energy Project Power to the People - The Haven, 13 Wharf Street, Murwillumbah
- 26 May Pottsville Residents meeting - Pottsville Community Hall, 1 Tweed Coast Road, Pottsville
- 27 May St James Primary School Year 4 study on Government - Doyle Drive, Banora Point
- 28 May Kingscliff Matters Breakfast - Kingscliff Bowls Club, Marine Parade, Kingscliff (Crs Byrne and Longland also attended)
- 28 May Donations Policy Presentation - Civic Centre, Tumbulgum Road, Murwillumbah
- 31 May Qld Masters Hockey Championships - Barrie Smith Hockey Centre, Myrtle Street, Murwillumbah

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

Nothing to report

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

- 2 May Dragons Abreast Mt Warning Lifestyle and Wellbeing Expo - Civic Centre, Tumbulgum Road, Murwillumbah
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**REQUESTS FOR WORKSHOPS:**

Councillors did not request any workshops during May 2015

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**CONFERENCES:**

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

- 2-3 May Mayors Weekend Seminar - York Conference Centre, 99 York Street, Sydney. Cr Bagnall attended.
-

- 29 May Workshop to discover blue economy business opportunities - BDO, 12 Creek Street, Brisbane QLD. Cr Milne attended.

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

10-13 November 24<sup>th</sup> NSW Coastal Conference - Club Forster, Forster NSW

The conference will consider the wide range of benefits our coast, estuaries, floodplains and catchments offer in underpinning social, economic, cultural and environmental values for everyone. There will be particular focus on linking research to best practice for community engagement and implementation. In addition, related topics will explore current planning policies, management strategies, research and implementation of intelligent resource management solutions that will benefit our coast and estuaries. Earlybird registration \$745, travel, 3 nights' accommodation. [www.coastalconference.com](http://www.coastalconference.com)

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

- 13 May Variation of Restriction on the Use of the Land document - Tweed Ultima SP 79995, Wharf Street, Tweed Heads
  - 27 May Transfer document - Lot A DP 407658 Kennedy Drive, Tweed Heads West
  - 27 May Lease document - Destination Tweed - Murwillumbah Visitor Information Centre, Alma Street, Murwillumbah
- 

### **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 May 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

### 5 [ROP] 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

#### 6 [GM-CM] Economic Development Strategy - Progress Report

**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:

In April 2014 Council adopted the Tweed Shire Economic Development Strategy. This Strategy was prepared in collaboration with Destination Tweed and provides both organisations with a blueprint to encourage economic development in the Tweed.

This report reviews the progress of the Tweed Shire Economic Development Strategy over the past year since its adoption.

### RECOMMENDATION:

**That Council receives and notes this progress report on the Tweed Shire Economic Development Strategy.**

## REPORT:

### Background

Council originally expressed its commitment to economic development in its Community Strategic Plan 2013 - 23. This plan expresses Council's aim for economic development as:

*Strengthen the region's economic base in a way that compliments the Tweed's environmental and social values.*

Since the 2013 Community Strategic Plan was published Council has made some significant resolutions to progress this aim. These include:

- Renew the contract with Destination Tweed for four years until October 2018;
- Take direct responsibility for the promotion of the Tweed as a destination for business development;
- Authorise the preparation of the Tweed Shire Economic Development Strategy in conjunction with Destination Tweed.

The most significant of these was the adoption of the Tweed Shire Economic Development Strategy on 10 April 2014. This Strategy is a very important document which outlined Council's commitment to the delivery of economic development for the community.

### Destination Tweed - Contract Renewal

On October 1, 2014 the first four year term of the funding and performance contract between Council and Destination Tweed ended. The contract allowed for a second option of an additional four years.

In considering whether to endorse the additional four year option, Council requested that Destination Tweed prepare and adopt a tourism development plan, business plan with associated corporate governance documents.

As part of this review process discussions were held with Destination Tweed where it was considered that the best course of action was for Council to take the business attraction component of the contract back and deliver it from in-house. Council endorsed this proposal and renewed Destination Tweed's contract until October 2018.

### Internal Resources

To effectively deliver the business attraction component internally it was determined that the funding for the program should be used to fund a new position, an Economic Development Officer. Council went to the market on two occasions, in November 2014 and January 2015, but on both occasions the successful candidate ultimately declined the offer after initially accepting it. Anecdotal evidence suggests this was largely due to the temporary nature of the tenure of the position.

This situation has created a difficult situation for the Holiday Parks and Economic Development Unit which now has an increased workload resulting from the formally contracted services being brought in house but as of yet no staff to deliver on the required work.

To address this, in recent months a decision has been made to contract consultants to undertake certain directions from the Strategy. The first of these has been regarding events



in Direction D37 and D38. These projects are being undertaken by Luminair and are scheduled to be reported to the July Council meeting for public exhibition. Furthermore an offer has been made to one of Council's planning staff on a fixed term contract to undertake the position of economic development officer for a period of six months.

### **Tweed Shire Economic Development Strategy**

To fully cover Tweed Shire Council's implementation of economic development it was important that this strategy was developed in collaboration with Destination Tweed. An Action Plan was attached to the report which summarised the commitments of both Destination Tweed and Council to delivering the outcomes of the Strategy.

One key outcome of the Strategy is to develop an Economic Development Committee to oversee the implementation of the Strategy. Progress on the establishment of this committee has been delayed as a result of the problems associated with the appointment of the Economic Development Officer. This position was to take responsibility for the establishment and administration of this committee.

Below is a table that reviews the current progress of the Action Plan which is presented as an appendix to the main Strategy.

<b>Project</b>	<b>Direction</b>	<b>Priority</b>	<b>Responsibility</b>	<b>Action to Date</b>
<b>Tweed Heads Economic Revitalization</b>				
<b>Health precinct Masterplan</b>	<b>D1.</b> Undertake a coordinated Masterplan for Tweed Heads health precinct, incorporating future hospital growth plans and feasibility of other land use opportunities within a designated health precinct.	H i g h	TSC/ State govt agencies	This project is pending discussions with North Coast Area Health Service.
	<b>D2.</b> Develop prospectus material to attract new business and industries to the Tweed Heads health precinct following completion of the Masterplan.	L o w	TSC / DT	

Project	Direction	Priority	Responsibility	Action to Date
<b>Tweed Heads city centre revitalisation</b>	<b>D3.</b> Continue to implement the Tweed Heads CBD Masterplan.	High	TSC	The Tweed Heads LEP and DCP has been adopted and gazetted.  \$2.4 million invested in completing the Tweed Heads Bay and Wharf Streets street scaping project with works due for completion in July 2015. Official opening of Bay Street with adjacent businesses on Thursday 11 June 2015.
<b>Attraction. of government offices</b>	<b>D4.</b> Continue dialogue with the NSW government regarding opportunities for decentralisation of government offices into Tweed Shire.	Medium	TSC	Continuing discussions with State members and the Minister for Trade and Investment to expand and relocate government offices to Tweed Heads.
	<b>D5.</b> Develop a business case for attracting NSW government agencies, highlighting the benefits of a Tweed Shire location.	Medium	TSC	Development of prospectus material pending finalisation of commercial lease area in SCU building at Tweed Heads.
	<b>D6.</b> Investigate suitable locations which may be offered to attract NSW government offices in Tweed Heads.	Medium	TSC	Undertake preparation of an area for commercial purposes on the third floor of the SCU Building at Tweed Heads. This will represent an additional 650m <sup>2</sup> of commercial let-able floor space.

Project	Direction	Priority	Responsibility	Action to Date
<b>Tweed foreshore tourism precinct</b>	<b>D7.</b> Undertake a Masterplan and feasibility study that activates the Jack Evans Boat Harbour.	High	TSC	Finalised landscaping works surrounding the Tweed Heads Visitor Information Centre. Upgrade of Bay St and Wharf St street scaping which has increased the number of car parking spaces in the Tweed Heads CBD by 17.
<b>Working waterfront</b>	<b>D8.</b> maintain dialogue with the Tweed Heads fishing industry and identify ways to promote and develop the role of the Tweed Heads working waterfront precinct	Medium	TSC	Support the Department of Lands - Tweed Heads Harbour Working Group. Liaise with commercial tourism operators to review current river access restrictions.
<b>The Creative Cauldron</b>				
<b>Establish Murwillumbah as a centre of creativity</b>	<b>D9.</b> Brand and promote Murwillumbah as a creative hub.	High	DT	Creative Studio tourism signs installed along Tweed Valley Way.
	<b>D10.</b> Identify opportunities to establish subsidised creative spaces in Murwillumbah using the "creative spaces" model.	Medium	TSC	Discussions and agenda points have been raised at Thrive 2484 meetings.  Funds provided through Arts Northern Rivers for "pop-up" art programs.  Council has provided part funding for the Murwillumbah Art Trail showcasing local artists in CBD and shops from 8-14 June 2016.

Project	Direction	Priority	Responsibility	Action to Date
	<b>D11.</b> Grow a program of creative events in Murwillumbah to raise the profile and establish the town as a recognised centre of creative arts and culture.	H i g h	DT	Work has commenced on an Economic Impact report on the Tweed Regional Art Gallery in collaboration with the Tweed Regional Gallery Foundation.
	<b>D12.</b> Continue to promote the Tweed Regional Gallery and Margaret Olley Art Centre.	H i g h	DT	
	<b>D13</b> Tweed Shire to actively promote arts and cultural activities in Murwillumbah	M e d i u m	TSC	
<b>Murwillumbah CBD and Murwillumbah south Masterplan</b>	<b>D14.</b> Undertake a Masterplan for Murwillumbah CBD, Murwillumbah south including the riverfront	M e d i u m	TSC	LookUP - small grant fund established by Council to assist owners of the Murwillumbah Main St Commercial and Conservation Area to improve the presentation of their buildings.
<b>Grow and develop creative villages</b>	<b>D15.</b> Undertake Masterplans for Tweed Shire's villages.	H i g h	TSC	A draft Rural Villages Strategy is currently being finalised for Council to review and consider for public exhibition later this year.
	<b>D16.</b> Brand and promote the creative aspects of the villages within the green cauldron	H i g h	DT	DT have reformatted The Guide which includes specific sections on each rural and coastal village.
<b>Resilient and Innovative Agriculture</b>				
<b>Food processing cluster</b>	<b>D17.</b> Undertake a study which reviews the opportunity to establish a food processing cluster in Tweed Shire.	H i g h	TSC	Work has not yet commenced on this action.

Project	Direction	Priority	Responsibility	Action to Date
<b>Growing non traditional agricultural industries</b>	<b>D18.</b> Investigate opportunities into organic and non-traditional agricultural production conjunction with the Department of Primary Industries. A study should be undertaken.	High	TSC / DPI	Work has not yet commenced on this action.
	<b>D19.</b> Prepare an investment prospectus for highlighting the region's attributes and opportunities in organic farming and non-traditional industries.	Medium	TSC / DT	Work has not yet commenced on this action.
<b>Rural land owner education</b>	<b>D20.</b> Educate rural land owners regarding the opportunities for non-traditional agriculture.	Medium	TSC / DPI	Sustainable Agriculture Program continues to educate landowners about strategies and practices for improving their existing land uses. No specific emphasis has been placed on non-traditional industries.
<b>Small scale on site value adding and direct to market opportunities</b>	<b>D21.</b> Provide case studies of small on site value adding and direct to market success stories to Tweeds' farmers and rural land owners.	Medium	TSC	Work has not yet commenced on this action.
	<b>D22.</b> Continue to develop the Tweed fresh scheme.	High	DT	Destination Tweed are continuing with the Tweed Fresh program.
<b>Sustainable agriculture</b>	<b>D23.</b> finalise and implement the Sustainable Agriculture Strategy.	High	TSC	The Tweed Sustainable Agriculture Strategy is being finalised and is due to be presented to Council in the 2015/16 financial year.

Project	Direction	Priority	Responsibility	Action to Date
<b>Tweed Shire: Business Investment and Attraction.</b>				
<b>Tweed Shire concierge</b>	<b>D24.</b> Investigate the appointment of a business concierge and gateway website for business.	H i g h	TSC	Holiday Parks and Economic Development Unit currently undertaking this role within Council.
<b>Tweed incubator</b>	<b>D25.</b> Investigate the development of a Tweed business centre and incubator, focused on providing advice and support to business, providing offices for start-up business and other business services.	M e d i u m	Private	Work has not yet commenced on this action.
<b>Business support levy and business reference group</b>	<b>D26.</b> Investigate a business support levy and governance model.	H i g h	TSC	
<b>Red tape audit</b>	<b>D27.</b> Undertake an audit of red tape, focusing on the development application process, development contributions and other government regulation.	H i g h	TSC	ePlanning initiatives are due to be launched on 1 July. This program will streamline Council's planning application lodgement and tracking process and help alleviate red tape.
	<b>D28.</b> Review Tweed Shire's developer contribution for business and employment generating development.	H i g h	TSC	Council's Water Unit have prepared some options in respect to water and sewer infrastructure pricing models as an alternative to the existing developer contributions for businesses
	<b>D29.</b> Prepare a simple and concise education package for business to explain the various local government and State government policy.	H i g h	TSC	Work has not yet commenced on this action.

Project	Direction	Priority	Responsibility	Action to Date
	<b>D30.</b> Review Tweed Shire's business and investment policy following completion of other red tape assessments.	H i g h	TSC	The policy is currently under review and due for final consideration by the Infrastructure Coordination Committee.
	<b>D31.</b> Review councils fees and charges document with the aim to streamline content.	H i g h	TSC	Council's Fees and Charges has been reviewed and rationalised, reducing the fees and charges document from around 100 pages down to 64 pages. This has been done to simplify the fees relevant to small business.
<b>Tweed Shire gateways</b>	<b>D32.</b> In conjunction with NSW State government improve Tweed Shire's gateways	H i g h	TSC / Roads and Maritime Services	Discussions with Roads and Maritime Services have resulted in Tweed Heads entry signage and maintenance being upgraded at the M1 and Gold Coast Highway.
<b>Promote Tweed as a "lifestyle business destination"</b>	<b>D33.</b> Undertake marketing initiatives focused on promoting Tweed Shire as a lifestyle business destination.	H i g h	DT	Work has not yet commenced on this action.
<b>Work closely with northern rivers regional plan initiatives</b>	<b>D34.</b> Investigate opportunities to link with northern rivers regional plan initiatives.	L o w	TSC	Continued ongoing working relations with NOROC and Northern Rivers RDA and Department of Premier and Cabinet.
<b>Tweed Shire Destination Development</b>				
<b>National landscapes brand</b>	<b>D35.</b> Undertake a brand development strategy for Tweed, aligning with the national landscapes brand	H i g h	DT	Work has not yet commenced on this action.

Project	Direction	Priority	Responsibility	Action to Date
	<p><b>D36.</b> Promote the values and magnificence of the Tweed's world heritage rainforest through redevelopment of the existing World Heritage Rainforest Centre and the surrounding gateway at Alma St.</p>	Low	TSC	<p>Council lobbied National Parks and Wildlife Services to re-open the Mt Warning Track for tourists after a cyclone event closed the National Park.</p> <p>Council is playing a key role to have the existing railway track to be used for a hiking/cycle trail.</p> <p>Funding has been provided to Caba Creative trails through the Festivals and Events funding.</p>
<p><b>Events and development</b></p>	<p><b>D37.</b> 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.</p>	Medium	TSC DT	<p>Work is currently underway to revise the events strategy through the engagement of Luminair.</p>
	<p><b>D38.</b> Undertake a feasibility study which investigates the supply, need, commercial feasibility and options for an events facility capable of supporting more than 500 people. This will also investigate private sector, State, federal and public-private partnership funding opportunities.</p>	High	TSC / NSW Trade and Investment/private sector	<p>Work is currently underway to revise the events strategy through the engagement of Luminair.</p>
<p><b>Paddock to plate initiatives</b></p>	<p><b>D39.</b> Continue to develop the Tweed fresh project which promotes local produce in Tweed Shire.</p>	High	DT	<p>Work has not yet commenced on this action.</p>



Project	Direction	Priority	Responsibility	Action to Date
<b>Destination management plan</b>	<b>D40.</b> Undertake a destination management plan focusing on product development.	H i g h	DT	Work has commenced on this project by DT
<b>Rural villages</b>	<b>D41.</b> Undertake a rural village strategic plan	S e e D 1 5	TSC	A draft Rural Villages Strategy is currently being finalised for Council to review and consider for public exhibition later this year.
<b>Coastal villages</b>	<b>D42.</b> Undertake a coastal village strategic plan	M e d i u m	TSC	Work has not yet commenced on this action.
<b>Leveraging from Tweeds' Geographic Location</b>				
<b>Transport and freight feasibility study and hub</b>	<b>D43.</b> Undertake a feasibility study which identifies the need and opportunities for a transport and freight hub.	L o w	TSC	Council has arranged a meeting with key transport industry leaders from the Tweed to discuss industry specific matters. Representation from Council resulted in a federal grant being secured for the new Melaleuca Station Truck Stop.
<b>Education, research and business park</b>	<b>D44.</b> Feasibility study into establishment of a business and research park on sites in proximity to Gold Coast Airport and Southern Cross University.	H i g h	TSC	This proposed rezoning is currently at a Planning Proposal stage which is being considered by Council to rezone the land to Business Park.

Project	Direction	Priority	Responsibility	Action to Date
<b>Commercial and industrial land</b>	<b>D45.</b> Monitor the supply and quality of industrial and commercial land ensuring there is identification of an adequate supply of potential future employment land sites through the urban release strategy.	M e d i u m	TSC	Council resolved at its 7 May 2015 meeting to send the Planning Proposal for the industrial estate at Pottsville to the minister to be rezoned. The proposal is currently with Department of Planning and Environment for their assessment.
<b>Plan For An Economy of the Future</b>				
<b>Sustainable industries</b>	<b>D46.</b> Council to promote and provide training programs to business to enhance businesses environmental performance.	M e d i u m	TSC	Council hosted Energy Cut (Jon Dee) business breakfast to promote energy efficiency with business.
<b>Diverse business base</b>	<b>D47.</b> Continue to support and enhance existing primary industries in Tweed Shire.	H i g h	TSC	The Tweed Sustainable Agriculture Strategy has been completed and adopted by Council and is currently being implemented.
<b>Affects of climate change on business</b>	<b>D48.</b> Match regional effects of climate change effects on the local business sector and plan to mitigate these effects.	H i g h	TSC / Dept. Of Environment and Heritage	Work has not yet commenced on this action.
<b>Strengthen workforce participation</b>	<b>D49.</b> Work closely with education providers and employment organisations to identify opportunities to strengthen workforce participation in Tweed Shire.	H i g h	TSC, North Coast TAFE, other providers	Meeting with TAFE scheduled for July 2015.
	<b>D50.</b> Continue to implement the Tweed Shire Youth Strategy	H i g h	TSC	Council has adopted the Tweed Youth Strategy and it is currently being implemented.

Project	Direction	Priority	Responsibility	Action to Date
Transition to digital	<b>D51.</b> Promote opportunities for attracting digital related businesses.	Medium	DT	Holiday Parks and Economic Development Unit continue to work closely with NBN Co to assist the roll out of high speed broadband with the Tweed. Further discussions continue with Telstra and other mobile service providers to continue to promote greater telecommunications infrastructure for the Tweed. . Also there is ongoing support from Council and Northern Rivers RDA for the Coral Sea Optic Fibre Trunk Connection.
	<b>D52.</b> Educate the existing business base on trends and opportunities to improve digital presence.	Medium	TSC / consultant	Council continues to keep the Tweed business sector abreast of the latest trends and opportunities available. Provide the Business community up to date economic statistics, demographics and population forecasts through Profile ID websites.
Public transport	<b>D53.</b> Support initiatives that improve public transport in Tweed Shire	High	TSC	Council has recently adopted its Regional Transport Plan.

Project	Direction	Priority	Responsibility	Action to Date
<b>Renewable energy in Tweed Shire</b>	<b>D54.</b> Continue to investigate renewable energy in Tweed Shire.	H i g h	TSC	At a recent workshop Council has recently reviewed the local impacts on climate change and Council's response. This included options available to review Council' policy position on these impacts.
<b>Expand global business networks</b>	<b>D55.</b> Investigate opportunities to expand global business networks to create new markets for Tweed business.	M e d i u m	TSC	In May Destination Tweed undertook a seminar to express the tourism opportunities available from tourism from China.
<b>Health sector</b>	<b>D56.</b> Lobby for a Masterplan for the growth and development of the Murwillumbah hospital ensuring that opportunities for growth in the health sector are accommodated and facilitated	H i g h	TSC	Council continues to lobby the State government of the economic importance of the Murwillumbah Hospital to the Tweed Economy.

**OPTIONS:**

There are two options available to Council:

1. That Council receive and note this progress report on the Tweed Shire Economic Development Strategy; or
2. That Council enter into discussions with the General Manager regarding the progress of the Tweed Shire Economic Development Strategy.

**CONCLUSION:**

That Council receive and note this progress report on the Tweed Shire Economic Development Strategy.

**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:**

Attachment 1.

Tweed Shire Economic Development Strategy March 2014  
(ECM 3328764)

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7 [GM-CM] Quarterly Report Destination Tweed - January to March 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 January to 31 March 2015.

This report recommends that Council notes this quarterly report from Destination Tweed.

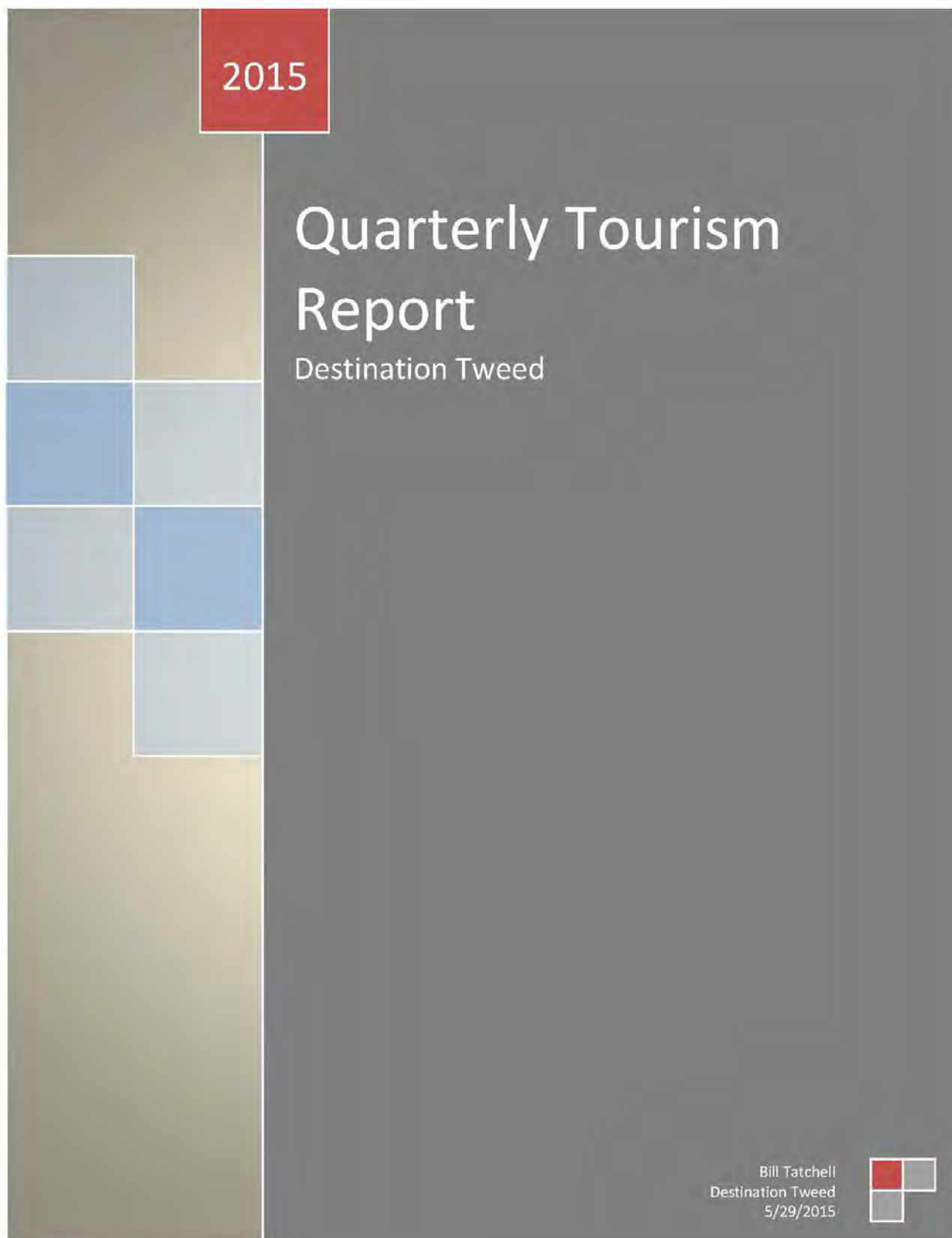
### RECOMMENDATION:

That Council:

1. Notes Destination Tweed's Quarterly Report for the quarter January to March 2015.
2. Endorses the specific issues raised in the report to be referred to the relevant sections of Council for action.
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.

**REPORT:**

This report represents Destination Tweed's January to March 2015 Quarterly Report to Council. Attention is drawn to the issues raised in the Destination Management section where Destination Tweed request better service levels for certain council assts. This would bring the level of service to a safe, better more hygienic standard for tourists and locals alike. In this regard this report recommends that these comments be referred to the relevant sections of Council for consideration.





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#### BOARD OF DESTINATION TWEED

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
Director	Darren Wright	General Manager – Flight Centre Australia
Director	Tim Jack Adams	Owner – Water Sports Guru & GreenX
Director	Gary Bagnall	Mayor – Tweed Shire Council

#### REPORT OVERVIEW

Welcome to the second quarterly tourism report on the Tweed for 2015. This report provides a review of the tourism industry that the Tweed is increasingly engaging in, the influences affecting the industry and likely impacts.

The report also covers off on some market insights and developments that the Tweed need to be aware of as we diversify and develop our market base for a more resilient industry.

## DESTINATION DEVELOPMENT

### TOURISM IN A GLOBAL CONTEXT

Over the past six decades, tourism has experienced continued expansion and diversification, becoming one of the largest and fastest-growing economic sectors in the world. Despite the occasional shocks, international tourist arrivals have shown virtually uninterrupted growth from 25 million International tourist arrivals in 1950 to a 1.135 Billion in 2014, a 4.7% increase over the previous year, according to the latest UNWTO World Tourism Barometer. *For 2015, UNWTO forecasts international tourism to grow by 3% to 4%, further contributing to the global economic recovery.*

By region, the Americas (+7%) and Asia and the Pacific (+5%) registered the strongest growth, while Europe (+4%), the Middle East (+4%) and Africa (+2%) grew at a slightly more modest pace. By subregion, North America (+8%) saw the best results, followed by North-East Asia, South Asia, Southern and Mediterranean Europe, Northern Europe and the Caribbean, all increasing by 7%.

Traditional markets for Australia and the Tweed (UK, Germany, France, and NZ) begin to strengthen off the back of recovering economies and a weakening Australian Dollar. These markets represent the bread and butter for Tweeds international visitation combined with the emerging markets of China, Malaysia and Singapore will provide the Tweed with a healthy higher yielding market. It is important to note that the China market is a beast unto its own and requires a separate strategy given its diverse and rapidly changing profile.

China, the world's top spender continued its exceptional pace of growth with a 28% increase in expenditure in 2014, reaching a total of US\$165 billion.

### NATIONAL OUTLOOK

2014 continued the trend observed over the past five years—that of tourism continuing as a key contributor to the Australian economy, generating \$102 billion in tourism expenditure and contributing 2.8 per cent to Australia's Gross Domestic Product.

The industry this year has shown that it deserves its title as one of the economy's five 'super-growth sectors' (Deloitte, 2013) with the demand for Australian tourism services remaining strong, with record arrivals from key international markets. There has also been record international visitor expenditure through the year, led by continued strong growth from China and recovery in the UK market.

Fig 1



In the Tweeds Traditional Markets growth in expenditure was driven by increased spending on international airfares and package tours (up 11.5 per cent to \$2,187 per person and 16.6 per cent to \$6,983 per person, respectively).

Asian markets continue to be the largest contributor to Australian tourism exports, accounting for 47 per cent of international visitor expenditure in 2013–14 (or \$14.1 billion).

Growth in total expenditure by Asian visitors was driven by increased spending on package tours, education and shopping to take home (adding an additional half a billion dollars in 2013–14).

Despite a decrease in average length of stay (down 3.9 nights), Asian visitors spent more on average per night than visitors from western markets. Growth in arrivals was strongest for visitors from Singapore, China and Malaysia (up 18.2 per cent, 10.0 per cent and 8.9 per cent, respectively).

What is essential to note is the increase in purchasing of packaged experiences by travellers in the Tweeds source markets. DT recognises this and has over the past few years been working with industry to capacity build in order to develop more internationally ready products to be able to take to the global travel trade for inclusion in travel packages. This work conducted by DT as part of its product development activities will deliver long term benefits to the Tweeds tourism industry and create greater diversity in source markets.

DT is committed to these activities as part of this Destination Development strategy.

DOMESTIC TRAVEL

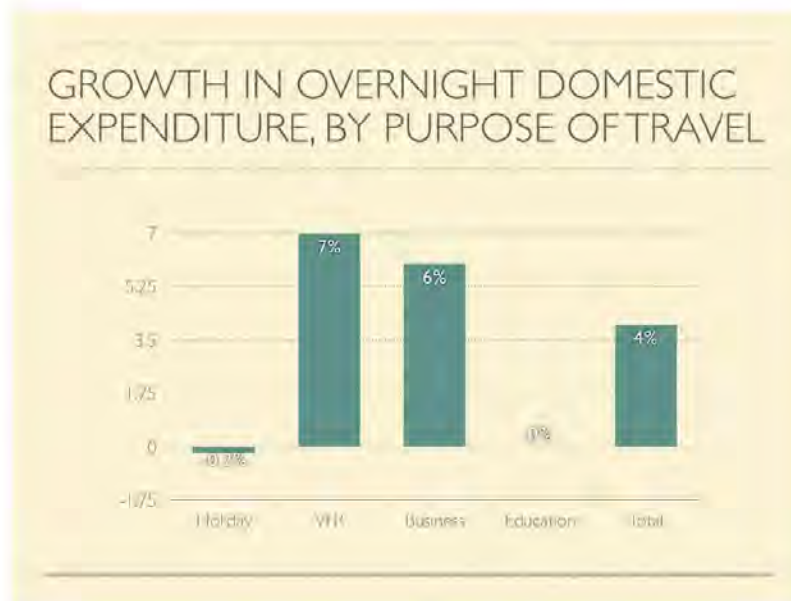
DOMESTIC OVERNIGHT

Increased visitor spending to the three top performing states (Western Australia, Victoria and New South Wales) drove expenditure growth overall. Although there was a moderate increase in visitors to Queensland (0.6 per cent), expenditure fell 2.1 per cent due to softness in holiday and interstate travel.

Key stand out domestically is NSW with a 6% increase in expenditure in 2014 to 15.3 billion AUD.

What is important in the context of the Tweed is that nationally Domestically Visitor nights decreased by 3.5% for the holiday market, however this drop was covered by the increase in Visiting Friends & Relatives (VFR) and Business Market, to record 295 Million nights in total, an overall increase of 3.1% in number of trips taken.

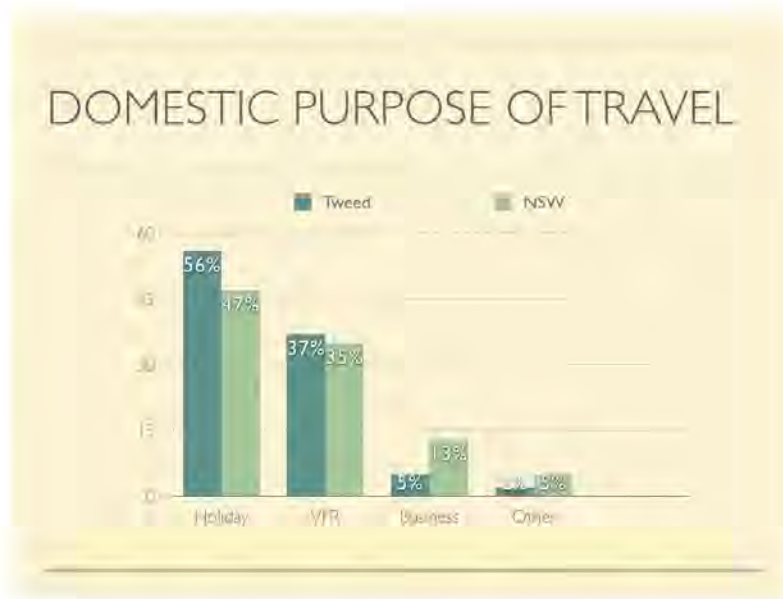
Fig 2



'Holiday' decline linked to strong AUD in 2014 with overseas 'holidays' become easier and cheaper, domestic trips become 'seeing the family' rather than a holiday. This is not to say that people are not taking domestic holiday to the Tweed, they are. In the past we have visitors take multiple trips to the Tweed; this is reducing both in frequency and overnight length of stay.

The increase in expenditure in the VFR market is significant, internationally expenditure in the international market increased by 19% in 2014 and 7% domestically. This is significant for the Tweed given its demographic makeup and resident's country of origins.

Fig 3



The Tweeds largest reason for travel is the holiday market, making up 56% of declining expenditure market - they're still travelling, just not spending as much. What is of importance is that Tweed accommodation operators have held their own in relation to the North Coast and Regional NSW.

Takings from accommodation houses has remained relatively static (+0.1%) from 2013 to 2014 at 34.8 million AUD, whereas North Coast NSW have seen a drop of 9.4% equating to 21.4 Million AUD. Regional NSW saw a drop of 1% or 9 Million AUD over the same period.

In relation to accommodation demand the NSW demand stayed static held up by increased demand in Sydney. Tweed, North Coast and Rural NSW saw a decline. Again the Tweed held out well with a decrease of -2.3% in room nights occupied, compared to -14.4% for North Coast NSW and -3.5% for Regional NSW.

The opportunity for growth in the current market for the Tweed is to take full advantage of the increase domestically and internationally with VFR, which has grown from 33% to 37% and seen a 7% increase in spending in the Tweed since 2013.

The increase in VFR expenditure and decrease in holiday expenditure is not a negative position to be in for accommodation providers. Many people who are travelling for the purpose of VFR still stay in Hotels for the time they travel, rather than with their family. This group also includes people travelling for weddings, birthdays and get togethers.

DT recognised the changing trend in 2013 and increased the amount of marketing, promotion and activity carried out in the Tweed, to promote what is on, and what locals can do when they have family and friends come to visit them. The drivers for this market are emotional and a harder market to target directly, hence the focus on the people being visited. If DT can provide them with information to use when planning their friends and families trip, it is possible to drive the market to stay longer in the region to explore the activities and attractions that are available to them.

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#### DAY TRIPS

Domestic Day Visitors to the Tweed increased by 25.6% to 1.12 million. The growth in this segment is in line with DT expectation on the back of strong marketing campaigns in source markets. Analysis of the Tweed market share and source markets identified some key issues.

The “Daydream” campaign that DT ran in SE Qld and Gold Coast featured destination marketing to reconnect to the market and raise the profile of the destination.

Gold Coast was the first market that we entered, with promotions carried out on Radio, Buses, billboards and in-room compendiums at all major Gold Coast Hotels. The success of this campaign saw the expansion out to the Brisbane and Sydney markets.

#### BillBoard



Bus Skins



Targeted magazine advertising



The results from the campaign can now be measured with time to look over the change in day visitation to the Tweed. In December 2011 the annual day visitation to the Tweed sat at 897,000. December 2014 saw an increase to 1.12 million day visitors, with the last 4 quarters seeing successive growth of more than 23% each quarter.



#### TOURISM CONTRIBUTION TO THE TWEED

The total direct economic contribution of the Tourism Industry in the Tweed (overnight & domestic day trip) currently sits at \$327 million (NSW Treasury 2014).

Tourism Research Australia (TRA) and the Australian Bureau of Statistics estimate for every dollar tourism earned directly in the Australian economy, it will contribute an additional \$0.87 in other parts of the economy.

This contribution is larger than the retail trade (\$0.77), mining (\$0.70) and education and training (\$0.41) industries. Cementing tourism an essential long term industry for the Tweed.

Tourism employs 4.7% of the Australian Workforce, in NSW that figure rises to 5.1% and in the Tweed 7.3%, the highest level in NSW (Tourism and Transport Forum).

Employment in the retail, Hospitality & Accommodation sectors in the Tweed stand out above other industries with strong growth in job numbers. Importantly to Council, more than 50% of Tourism workers in the Tweed are employed in full time work, creating a more stable rate payer base that has other positive flow on effects to the local economy.

## DESTINATION MANAGEMENT

With a consistent increase in tourism numbers visiting the Tweed there is an increased pressure on the Tweeds public infrastructure. The importance of public infrastructure to the tourism experience is often not recognised, but is well documented and has been a discussion topic at past Tourism In local Government conferences and publications.

Day visitation to the Tweed over the last 12 months has increased by 27%, this increase is putting Shire infrastructure such as BBQ, beaches showers, local parks and picnic areas under increasing pressure. The flow on effect of this is greater pressure on council services resulting in a number of issues.

The alignment of destination development and Council planning is achieved through a collaborative approach using a Tourism Destination Management Plan (TDMP). The purpose of the Tweed TDMP is to identify and align development opportunities with stake holder objectives, plans and policy. Destination Tweed (DT) has a draft TDMP (and will complete the final version in the coming months) that identifies key areas of focus to develop the Tweed Tourism Industry. These cover elements such as product development and industry engagement through marketing to specific target markets.

The value in implementing a DMP is creating alignment with industry and working towards common objectives, but also creating greater alignment and transparency with TSC to ensure that value for the rate payer is achieved at the sometime as maximising the visitor economy opportunities.

Council's assets and infrastructure management play an integral part of the tourists' experiences, from roads and public toilets through to fencing and environmental policy. Whilst Council may not see itself in directly supporting tourism in the same way a tourism operator does, Council does play an important role in shaping the tourist experiences.

Identifying where and how council shape and value add to the tourist experience in the Tweed can and will not only benefit tourists but rate payers as well. By emptying bins more regularly over weekends, there is less food stuff to attract wild dogs, or bush turkeys to the area. Fixing of beach showers will benefit locals who use the facilities on a daily basis as well as tourists who come into the region.

#### COSTAL SHOWERS AND TAPS

It was a DT recommendation in 2012 that infrastructure that used potable water be identified by numbered signage with a phone number to call when facilities were leaking or in need of repair. This would ensure that both water wastage and broken facilities could be fixed as required.

Across the shire there are a number of beach showers that over summer period were in need of repair through blocked nozzles, tap removal, san build up or leaking washers.

#### BEACH FENCING

A number of areas in the shire are under pressure from illegal campers arriving and seeking free camping space. Much has been done to change behaviour and manage the assets of free camping at Bruce Chick Park, however this has left other areas of the shire under managed and the environment degraded.

Free camping has been increasing in popularity between Pottsville and Wyong, this has resulted in degradation of the environment and council infrastructure. Campers have taken to removing trees, branches, bushes and the like to use as firewood. With the reduction in available fire woods campers have removed wooden fences and burnt these as well. This has created greater access to the dunes and foreshore enabling campers to get their vehicles further into areas that are not permissible for camping.

Council or concerned locals have at some point dug trenches across unauthorised tracks to stop vehicles entering the dunes, but within a few months of doing this people have filled in the trenches with sand and now able to drive across them again.

DT would like to see an audit of current fencing in this area to see what can be done to curtail illegal camping. DT believes that it is in council's interest to enforce unauthorised camping and remove them from these areas immediately they are discovered. The types of campers at these spots do little to bring tourist revenue to the shire, but instead provide a longer term drain on council infrastructure.

#### RUBBISH BINS

During school holidays, public holidays and weekend's public open spaces with rubbish bins are being filled very quickly and increasingly overflowing with rubbish ending up in surrounding areas. An increase in the number of rubbish bins or frequency of emptying them over these peak periods needs to be considered to both maintain the public spaces and visual amenity. As well as stopping rubbish from entering the Tweeds waterways.

## EVENTS

Events are both topical and emotional subjects with many organisations approaching both Council and DT for funding. In the past DT has supported as many events as possible regardless of their ability to drive tourism. More recently and moving forward DT are supporting events that have a key focus of increasing tourism to the region and increasing length of stay.

DT will support events that clearly articulate their target markets, how to reach them and experiences that meet market expectations. Not all Tweed events meet these criteria, nor should they. Local community events may have tourists frequent them, however they are not a driving factor for tourists to come to the region in the first place.

With DT focusing on tourist driven events and Council supporting local events this creates a gap in the overall promotion of events. DT provides event organisers a comprehensive event platform that is searchable by a number of fields and is tourist facing, but local events don't list themselves, in the same way tourist events don't list themselves on the TSC website. It is clear there is a need for a central repository for events to be listed and promoted. Currently there is no connection between TSC events listings and DT's, nor any other third party site.

It is clear that there is a gap in the promotion of all events in the Shire. Both DT and Council acknowledge this as an issue and are working towards a solution that would enable all event organisers to input their event details into one central repository, which other websites can link to.

Discussion has centred on DT increasing the scope of content to create this repository of event information and enabling third party web sites to have an API link into the data with which to populate their sites.

The outcome of this is a single platform of information that can be readily dispersed. It will create clarity with event organisers and community groups and allows for greater exposure for events as they can be displayed on multiple websites and only need to be loaded once by the event organiser. It will stop smaller community events from slipping through the gaps, stop double up events from running, and allow for a more holistic picture of what is on in the Tweed.

**CHINA TRADE MISSION**

China is Australia’s fastest growing inbound tourism market in terms of visitor numbers and expenditure; in 2010 it became Australia’s highest yielding market, ahead of the United Kingdom, New Zealand and the United States.

Tourism Research Australia’s bi-annual Tourism Forecasts estimates that visitor arrivals from China will increase by 12 per cent in 2014/15, with an annual compound growth rate of 9 per cent expected until 2017/18.

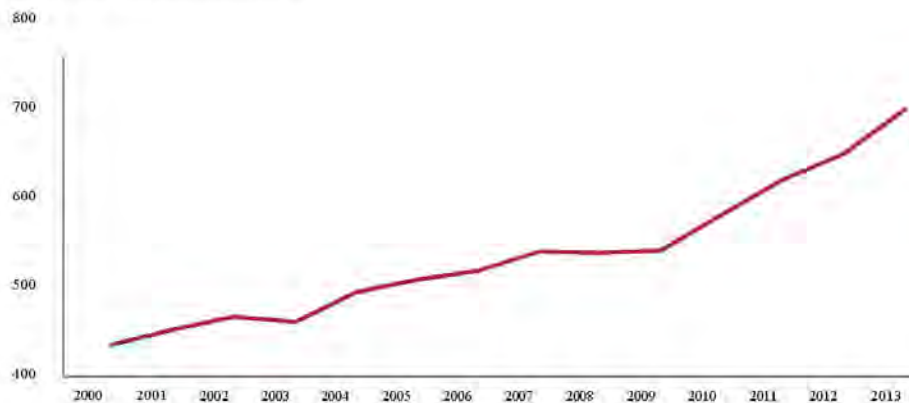
In 2013 the China inbound market contributed \$4.8 billion to the Australian economy or around 15% of total tourism exports. By 2020, this market has the potential to contribute between \$7 and \$9 billion annually.

*“Tourism from China to the Gold Coast now totals 186,000 visitors per year, making China one of the Gold Coast’s largest international tourism markets. Gold Coast Tourism’s long-term strategy is to ensure this growth continues long into the future.”*

*Gold Coast Tourism Chairman Paul Donovan*

China is Queensland’s largest international market by visitor expenditure, with visitors spending \$591 million in the year to September 2014. It is the same scenario in NSW, with China becoming the dominant inbound source market. Australia as a tourism destination for China is growing steadily year on year with only an increasing market base as Chinese markets travel habits mature and develop.

*Historical Inbound Visitation from China.*



The Chinese market is a reality for the Tweed; 60 per cent of all Chinese visitors to Queensland include the Gold Coast on their itinerary. A very large proportion of these visitors currently visit the Tweed with visits to Catch a Crab and Tropical Fruit World, both business have over time invested heavily into this market with great success.

There are five key areas that Tourism Australia are focusing on to achieve China's 2020 tourism potential and winning market share are:

- Know The Customer
- Geographic Strategy
- Quality Australian Experience
- Aviation Development
- Partnerships

DT is in a position to actively leverage the investment into this market by Gold Coast Tourism, Tourism & Events Queensland (TEQ) and Gold Coast Airport Ltd.

#### KNOW THE CUSTOMER

The Chinese way of conducting business is different from the Western norms; it is more akin to Arabian and South Asian styles of building strong relationship first, then conducting business. Over the last few years DT have begun to build relationships with the Chinese travel trade, inbound tour operators and locally based Chinese travel agencies through ATE and ATEC events, workshops, trade shows and famils.

Recently DT were invited to attend the DNSW & TEQ Mission to Greater China, this is particularly notable given that these mission are rarely opened to Local Tourism Organisation. This is an acknowledgment of the work DT has undertaken to date in the international market in developing commercial relationships with the Chinese inbound operators and businesses. The mission focused on the central Chinese city of Wuhan and surrounding provinces and South East city of Guangzhou.

The trade mission enabled DT to meet with over 80 travel trade companies from traditional distribution channels that feed the current Approved Destination Status (ADS) travel groups through to the newer Online Travel Agencies (OTA) pushing new channels with cutting edge technologies that are shaping the future of travel in China.

Travel trade came from Eastern China, Northern China, Southern China, Western China, Hong Kong and Taiwan. Each region has different travel characteristics and are in essence separate markets and should be considered as such give the size and scope of the Chinese travel market.

The current trend of ADS groups travelling on coaches and visitors travelling on set itineraries will continue to grow in number given the size of the Chinese market. Traditionally one would expect to see a decline in group touring with an corresponding increase in Free Independent Traveller (FIT) segment as the market matures (such as the Japanese market). However China is behaving very differently taking the travel industry by surprise. This is due not just because of the enormous size of the market, but also due to a number of key social impacts such as the increasing middle class wealth, the longer term effects of single child policy and an overarching aspiring desire of the younger generations to be global citizens espousing values of social media, environmental concerns and consumerism.

China represents a real opportunity for the Tweed and we are in a strong position to capitalise on the changing travel habits of the Chinese as the younger more influential market segments emerge from youth into adulthood seeking clean green environments to explore.

As with many cultures around the world, technology has forced changes in both commerce and culture. China is no different to what we have seen globally, perhaps somewhat slower as we view from the outside, but within the 'Great Firewall of China', commerce and technology have been inextricably racing ahead to deliver their own online commerce platforms, booking engines and distribution channels. What they have achieved to date is staggering, what is transacted online is phenomenal.

Case in point: 'Singles day' a one day online shopping event held each year on 11 November, it has become the largest online shopping day in the world with sales in Alibaba's (major Chinese e-commerce company) sites Tmall and Taobao racking up US\$5.8 billion in 2013 and US\$9.3 billion in 2014. Across a number of e-commerce companies the full value of the 2014 shopping sales is in excess of US\$18 billion transacted within a 24-hour period.

The point to be made is that the Chinese are very accustomed to booking and paying online, e-commerce platforms are in place and so too are the payment options. It is here that the true opportunity for the Tweed is realised; traditional international travel distribution channels dictate the product –wholesaler /ITO – retail relationship, which supports ADS groups and the current set itinerary style of travel. Make no mistake, this is still essential and relevant given the enormous size of this market segment, but it does restrict getting product that is not 'internationally ready' (in the traditional sense) from accessing such markets.

It is here that the vast majority of Tweed experiences fall. The true opportunity for the Tweed is through the emerging dominance of online channels taking product direct to consumer, enabling a true FIT traveller to emerge from China who can read, view and book online bypassing the traditional channels and hurdles. It is a changing model that opens up opportunity for the Tweeds operators and it is being driven by social media, not industry.

The mission held panel discussions between leading Chinese travel trade giants of bricks and mortar and the new online travel agencies (OAT) who are pushing the model further than their western counterparts. An in-depth analysis of one OAT's data base of 80 million yielded a number of significant findings in how product is searched, referred, identified and purchased. This again reinforced the true opportunity for the Tweed in terms of getting product to market given the Tweed is suited to FIT segment not ADS.

As one of my industry colleges wrote afterwards:

*"Having attended missions in this market for four years promoting our part of the world and FIT travel generally, I'm pleased to report that technology and strong consumer demand for independent travel experiences are driving China's travel distribution system inexorably toward more FIT and away from the ADS group shopping tour model.*

*While this model has served Australia well over the past decade, in the words of one panellist we heard from and backed up by at least half of the 80+ buyers I met, 'the future of outbound travel from China is in FIT'."*

It cannot be understated that this is a real and true opportunity for the Tweed.

#### AVIATION DEVELOPMENT

Access is a foundation to destination development. The Tweed is in a very positive position; geological position between two recognised international brands of the Gold Coast and Byron, but also with the key transport infrastructure nearby enabling access to Tweed region as well as access to key source markets.

Gold Coast Airport Ltd (GACL) (currently ranked as the fifth busiest airport in Australia) has a strong and assertive management team whom are busy developing and securing additional capacity on existing routes and negotiating new routes from developing source markets. Both of these activities have a positive flow on effect for the Tweed economy. GACL recent activity to secure flights from Wuhan to the Gold Coast with Jetstar commencing twice weekly flights (from 29 September 2015) is just one example of the growing opportunities for the Tweed with the Chinese Market. Over 200 million people reside in the Wuhan catchment area, which includes five surrounding provinces; all of which are being connected to Wuhan with high-speed rail, which ultimately shorten the travel time to Australia.

Importantly, this new service will provide access to the Gold Coast for up to 35,000 additional travellers per year, and deliver a potential \$26 million in visitor expenditure for the local economy through Chinese leisure, Incentive and Business Events travellers. This presents the Tweed with an enormous opportunity to access this central Chinese market.



Outside of these flights, tourism from China to the Gold Coast makes China, with New Zealand the Gold Coast's two largest international tourism markets. Gold Coast Tourism's long-term strategy is to ensure this growth continues long into the future. The Tweed can leverage on this strategy and investment as we have the natural attributes and experiences that the market are seeking to consume and we have access to this market.

#### NEXT STEPS FOR THE TWEED

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##### TOURISM INVESTMENT

China will continue to grow and develop, as a key inbound market for Australia, with that comes the need to keep up with demand. At a recent industry briefing Tourism Australia estimate that over the next five years Australia will need to build 5 x 300 bed accommodation facilities, per annum, to keep up with tourism growth from China alone.

Investment from Chinese consortiums into the region is real. The Broadbeach Sofitel Hotel building recently sold to a Chinese investment consortium for \$83 million with the adjoining Oasis Shopping Centre also reported to have been sold for \$100 million. Plans are in place to redevelop the building to meet the future market needs.

Whilst in China I had meetings with a tourism investment business expressing their desire to purchase hotels in the Tweed. These travel companies know their market; they know their capacity and margin. It is availability of existing product that limits their growth potential. If they own and control the inventory they can grow their business. Controlling inventory and the supply chain is not new, but they are the only ones with the money to do so and will be for the foreseeable future.

The Tweed must welcome this investment if we are to grow tourism to its potential. Tourism projects put forward to Council need not only be assessed against Council policy requirements, but also be considered in context to tourism experience development needs and the future tourism potential of the Tweed.

The Chinese market have a strong preference for apartment styled accommodation, as more apartments are taken out of the letting pool at properties such as Tweed Ultima and Outrigger Twin Towns (where Chinese visitor currently stay) it decreases the Tweed's capacity to deliver room inventory to the inbound as well as the domestic markets, which in time will reduce visitors to the region as they are unable to book accommodation at the time that they want to book to travel. Ultimately, the Tweed loses fresh cash into its economy from a higher yielding person frequenting tourist accommodation than a pensioner on discounts.

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#### PRODUCT DEVELOPMENT

A requirement is for business to review their business structurally and the experience that they deliver. The Tweed DMP identifies and outlines the key growth opportunities for the Tweed in relation to tourism. In line with this DT will be in a position to streamline all future recommendations and development opportunities for the region. As well as hard development, it is essential that operators in the region take the time to assess their businesses and ascertain the future direction and scope that they wish to take. For those that want to build their international market share investment is imperative to ensure that they are able to provide the experience that the market is looking for.

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#### INDUSTRY EDUCATION

To recognise the opportunity that China represents DT will be hosting a number of networking events with speakers that have worked in this market can impart first hand knowledge and advice to operators, big and small. It is through the education, awareness of opportunities that business will take ownership of the opportunity presented by China.

As a point of clarity, DT do not seek to build a mass market with the Chinese, rather there are higher yielding markets segments in China that seek rural experience in clean air and consuming fresh local foods. They have the number, the means and the inclination to pay for these experiences. What we must ensure is that appropriate experiences are put forward, they are coming; we can either take advantage of this opportunity or not.

**MARKETING**

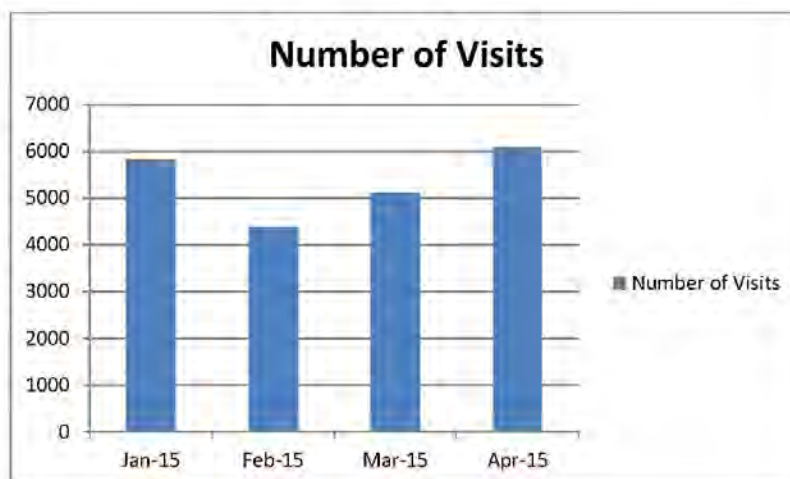
[destinationtweed.com.au](http://destinationtweed.com.au)

Destination Tweed website content continues to grow as does the number of visits to the site. A number of operator profiles were updated for the lead in to the summer period

Copy writing was refreshed, online event calendar updates took place and a strategy was formulated for website updates over the coming 3-6 months. A Driving & Day Tours section has been added to the website with links to view and download the series of updated brochures for suggested itineraries.

Website Statistics

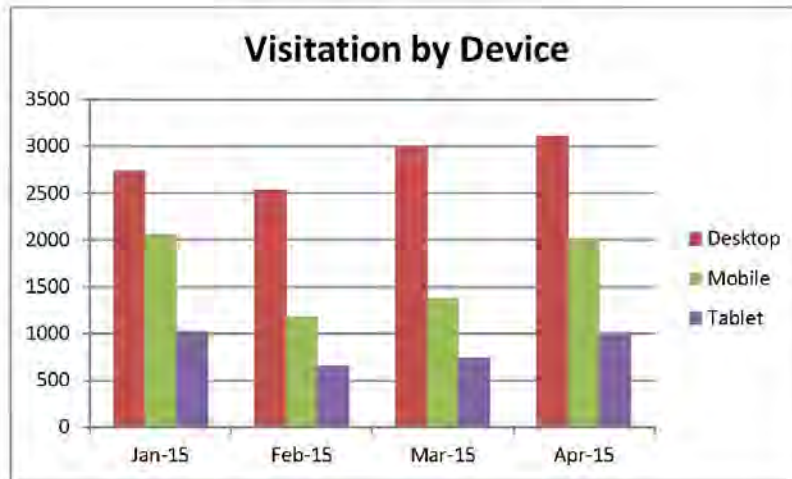
Visitation to the website ebbs and flows with visitation to the site reflecting consumer travel patterns and holiday planning. There is a noticeable drop in visitation after the end of January school holidays and a steady increase of visitation in the lead up to Easter holidays corresponding to actual visitation to the Tweed that picks up in February through to April.



Domestic booking patterns are shifting towards a shorter lead in period, with a corresponding shorter period between enquiries and booking. This assist us in planning and presenting tourism product to key target markets at times when they are looking to plan and book leisure activities.

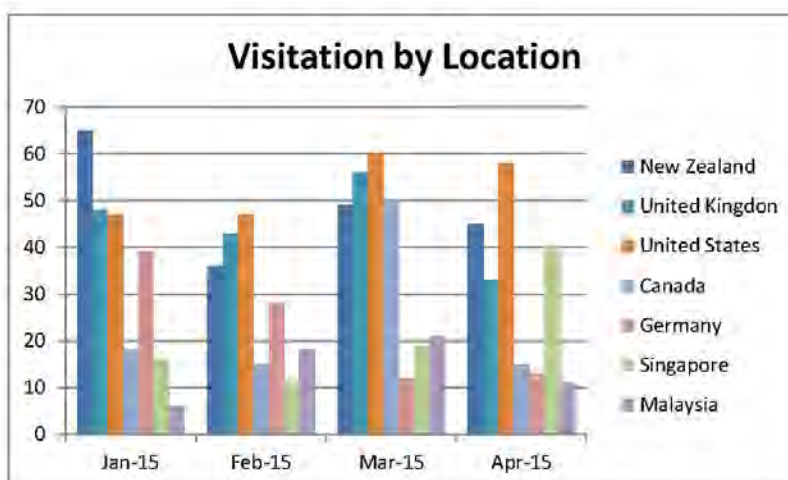
The following table illustrates the increase in visitation to the Destination Tweed website from smart phones and tablets. Google recently announced algorithm updates that will have a significant impact on mobile search results for mobile searchers.

The update improves rankings for sites that provide a mobile-friendly experience to searchers on mobile devices, and, by association, demotes sites that do not. This has an impact on the next stage for the development of DT's website to ensure full responsiveness within the coming months.



A responsive site provides an optimal viewing experience with easy reading and navigation with a minimum of resizing, panning, and scrolling - across a wide range of devices from desktop computers, smart phone and tablets. Whilst this is optimal, DT are developing a tourism App for the Tweed to be able to provide visitors with specific product based content matched to their interests. This will work in tandem with the website.

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.



You will note that currently China is not ranked on the list of key source markets. To date the overwhelming majority of Chinese visitors to the Tweed are day trippers, to be exact they are international day trippers and as such fall through the gaps in TRA's data collection.

#### Tweed Visitor Guide 2015

As the major piece of marketing collateral for the Tweed, the brochure has been produced and is now distributed to all VIC's in NSW and QLD in addition to all local operators and key events. 55,000 copies have been printed and will be the key marketing tool used by DT at all travel and trade shows throughout the world. In addition to the printed copy of the brochure, an online, downloadable version has been uploaded onto the DT Website and the TripAdvisor destination pages for Murwillumbah, Tweed Heads and Kingscliff in Singapore, America, UK, Germany, France, Malaysia, New Zealand and Australia.

Through sales and marketing activities the brochure has been a cost neutral activity. In addition more than \$13,500 in FOC support has been included in the brochure.

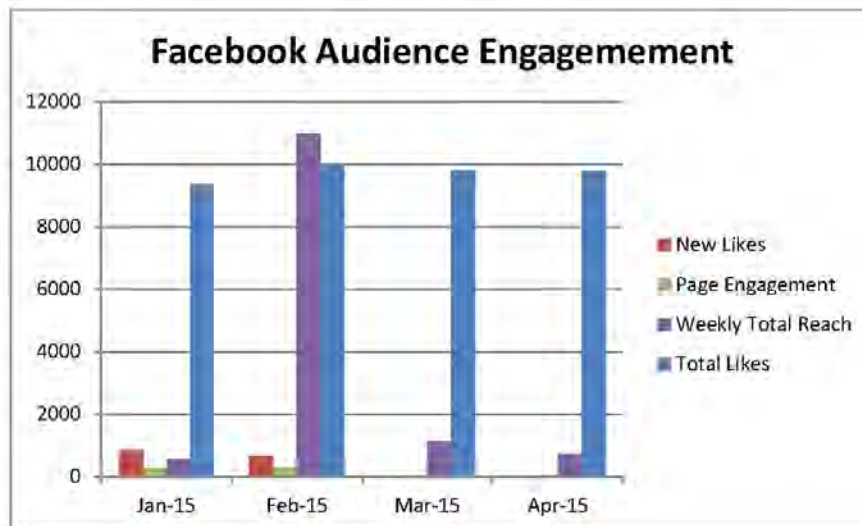
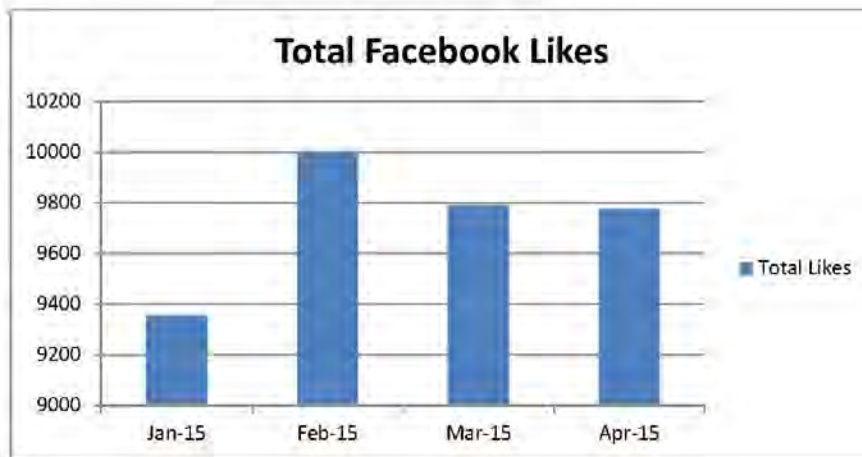
#### Social media

*Facebook* - Social media channels provide DT with a platform to directly communicate with potential visitors interested in the Tweed across a variety of channels, but more importantly allow us an opportunity to establish and maintain a relationship with people that have an interest in the Tweed.

The instantaneous nature of these mediums has enabled us the chance to adaptively trial new concepts and offers with specific information, to markets expressed interests.

We have looked at the continuing development and evolution of social media channels and have remained focused on the more established channels where we know our predominant markets frequent and interact.

A Facebook campaign was run in February for 12 days and resulted in an increase of over 650 page Likes and a total weekly reach of almost 11 000. These increases and spikes are visible in the tables below.



*Instagram* - An Instagram campaign to build Followers is currently in market. Followers have the chance to win 3 nights at Cabarita Ocean Health Retreat by following Destination Tweed's Instagram account, reposting a selected image and tagging #destinationtweed

We are engaging in this social media campaign with the express aim of increasing Instagram followers. Increasing followers will allow us to help influence the decision making processes that lies behind traveller's desires, motivations and subsequent travel actions by sharing relevant and visually engaging content.

Since launching on 18 March 2015, Instagram followers have grown by over 100 followers. A sample of creative prepared and published to promote the Instagram competition is below.



#### My Legendary Drive Campaign

In conjunction with The Legendary Pacific Coast (TLPC) we hosted popular travel blogger Julie Carlyle from Gourmet Getaways. Julie visited our region from Thursday 20 – Saturday 22 November.

Outcome: During Julie's visit there was significant coverage on The Legendary Pacific Coast (TLPC) social media channels and blog posts have been published on the website.

#### Tweed Valley Weekly – Tweed summer lift out

In conjunction with the Tweed Valley Weekly a Summer Holiday Guide for the Tweed was produced. The Guide was a pull-out feature in a double-edition of the Tweed Valley Weekly published on December 11 and included what's on calendar local, activities, attractions, services, products, profiles on local villages and suggested drives.

Outcome: Aligning with school holidays the Guide had a 6 week shelf-life. 20,500 copies were printed and distributed to homes and businesses between Pottsville in the south, Kirra in the North and Tyalgum in the west. Online version distributed to Destination Tweed and Tweed Valley Weekly subscribers. Anecdotally the lift-out was well received and following talks with Tweed Valley Weekly further publications will be produced.

UBD directories

Activity: Full page advertisement on the outside back cover of the 2015 Sunshine Coast Directory with the positions statement of 200km south of Sunshine Coast. Visitors from the Sunshine Coast are the Tweed's 5th top location for overnight visitation averaging a total visitation of 236 000 p.a. over the past 4 years our region has seen growth of 154% in overnight visitation from Sunshine Coast visitors.

Outcome: Directories have been printed and distribution began in February therefore ROI is unable to be measured at this early stage.

Monthly industry updates

Compilation and distribution of monthly Industry Updates distributed to tourism operators, Council staff, stakeholders and business chamber members. Updates include information regarding upcoming marketing activities & opportunities, tourism updates, local business profiles and useful information for operators.

Outcome: Industry Update had an average read rate of 39.6% with an average read rate of 49.8%. As a benchmark for comparison, the average read rate for Marketing/Advertising emails is 18.99%.

Distribution of Tourism Product Update via EDM to ITOs, wholesaler and retailers on the DT Trade Database. Expressions of Interest were promoted to operators in the February Industry Update. Purpose of Trade Update is to keep trade up to date with Tweed products and experiences, keep in touch and continue to build important relationships with trade.

Treasurers Of The Tweed Photo Competition

DT working with Tweed Valley Weekly to promote key driving within the shire to locals for the VFR market (VFR account for approximately 33% of Tweed's domestic tourism market).

Outcome: Via a competition titled: Treasurers of the Tweed, DT aim to increase local engagement, build DTs photo and image library. TVW readers will be encouraged to submit photos for their chance at winning 2 x \$25 000.

wotif marketing campaign

NCDN launched a Wotif.com marketing campaign incorporating Destination Tweed. The campaign launched early Feb with the aim to increase overnight stays and visitor spend. Campaign involvement was free of charge for Tweed accommodation operators; they simply needed to have their product listed on Wotif.com. Tactical marketing, public relations and social media campaigns are scheduled from February to June. The campaign was a success and increased sales across the region to over \$650,000 transaction value.



ATE Travel Media Application For 2015

Submission of application to attend media component of the 2015 Australia Tourism Exchange to be held in Melbourne from 19-23 June.

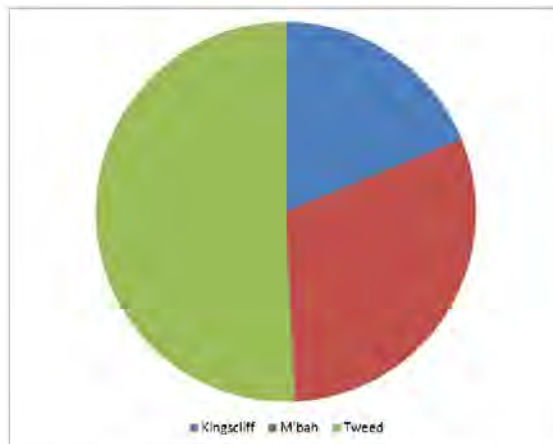
We will be entering our third year of actively marketing and promoting the Tweed to the international market place. As a small regional destination our penetration in to the international marketplace has been strengthened by maintaining a continued presence with international trade partners. As a first, ATE this year will also offer a Travel media forum, and DT have been accepted as a delegate for this event.

A dedicated media schedule will allow DT to meet with travel media from around the globe and penetrate international markets through strategic public relations and media opportunities,, without an event like this, it would be impossible to achieve this reach, and we would be reliant on Tourism Australia and Destination NSW to promote the region to media, which would mean getting lost in the mix of all other Australian Destinations. This way we have direct access to media and are able to persuade them to look beyond the 'Big 3' Australia has to offer.

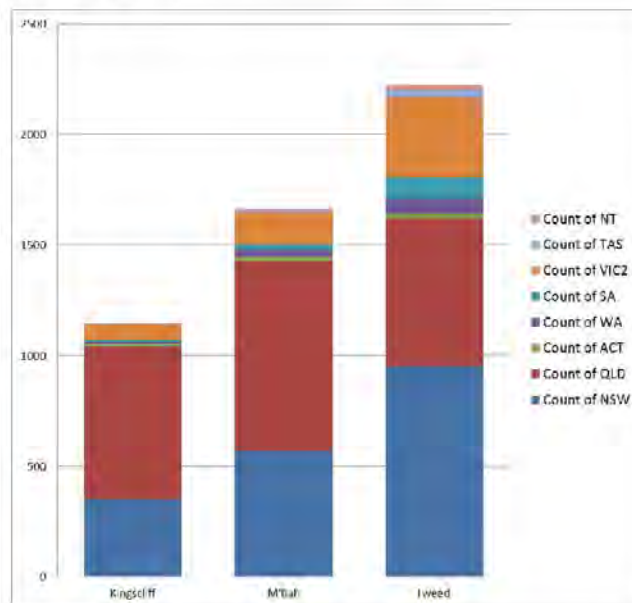
**OPERATE VISITOR INFORMATION CENTRES**

*It is important to note the visitor numbers listed below are taken from only two areas of the Shire and register only those that come into the VIC. These figures should not be used to judge or compare effectiveness of marketing; they are a snap shot of a section of the market that travel to the region. Statistically sound data can be drawn from the NVS, IVS and room occupancy.*

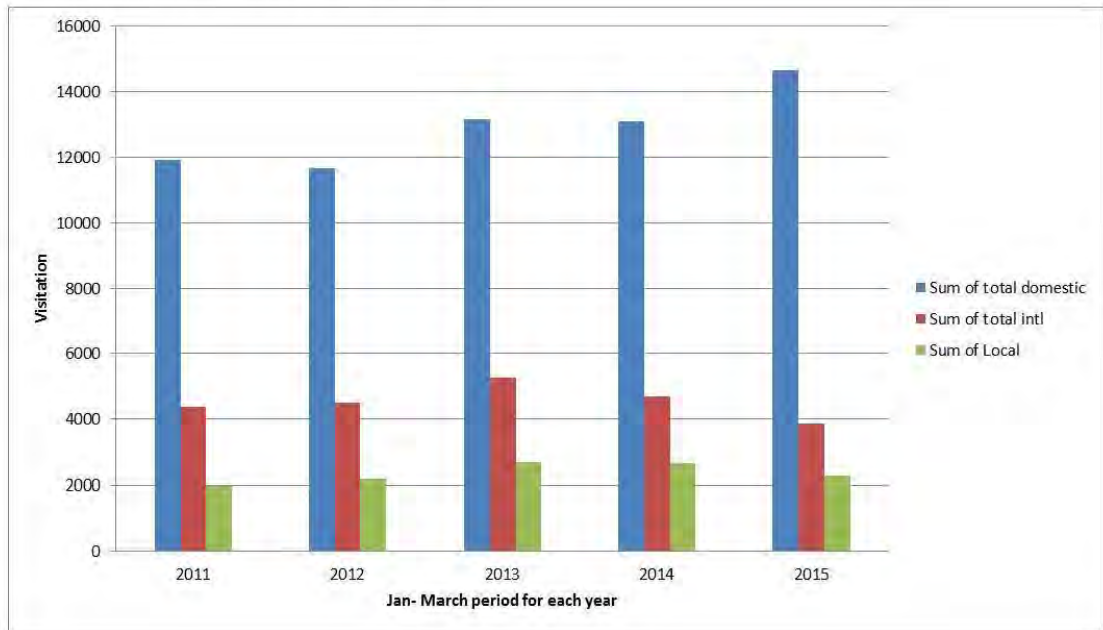
**Visitation Share (Jan-Mar 2015) by VIC**



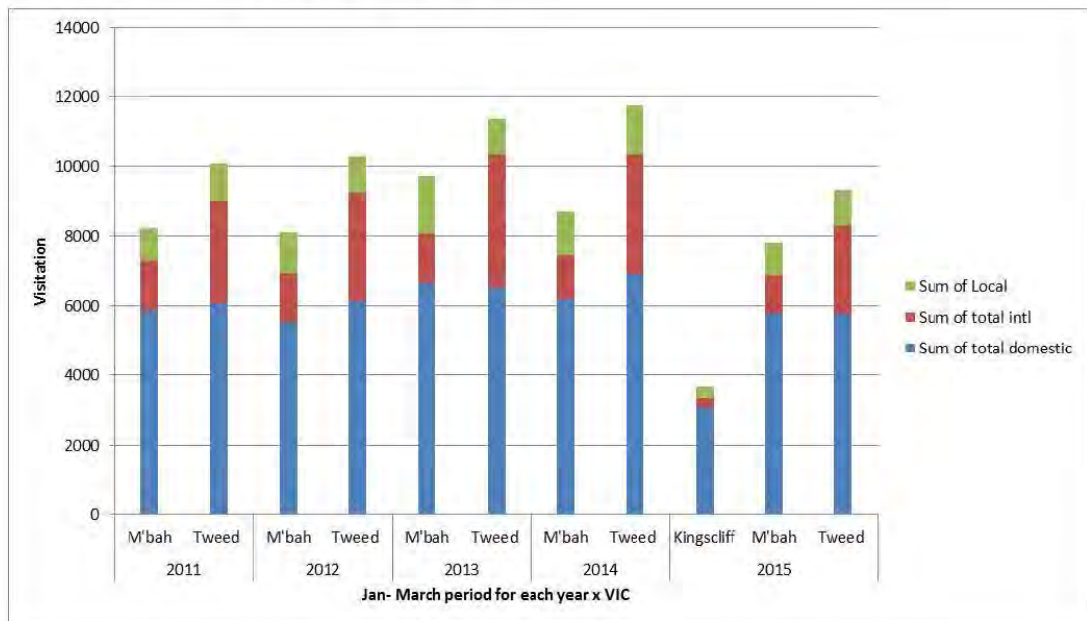
**Source market at each VIC (Jan-Mar 2015)**



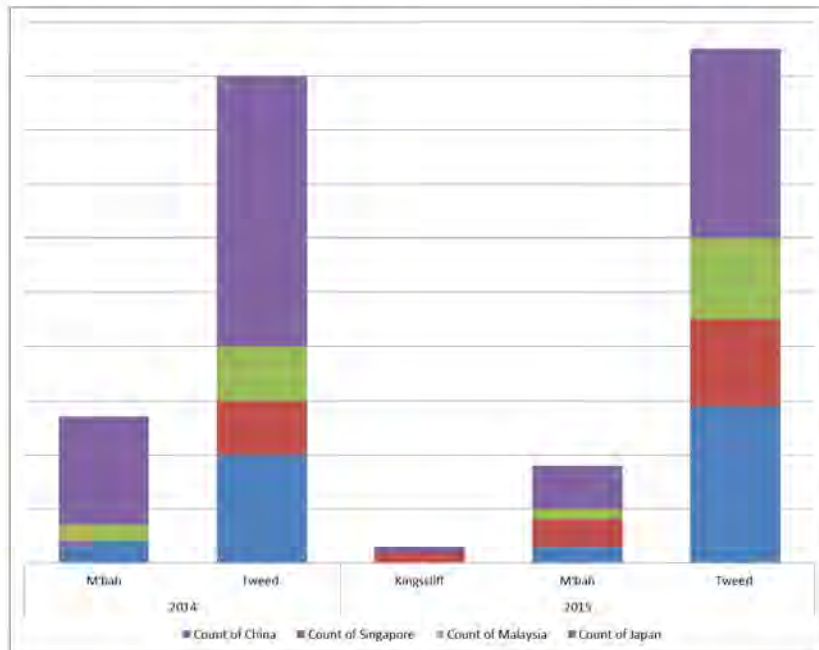
Historical visitation at each VIC (Jan-Mar 2015)



Historical Source market at each VIC (Jan-Mar 2015)

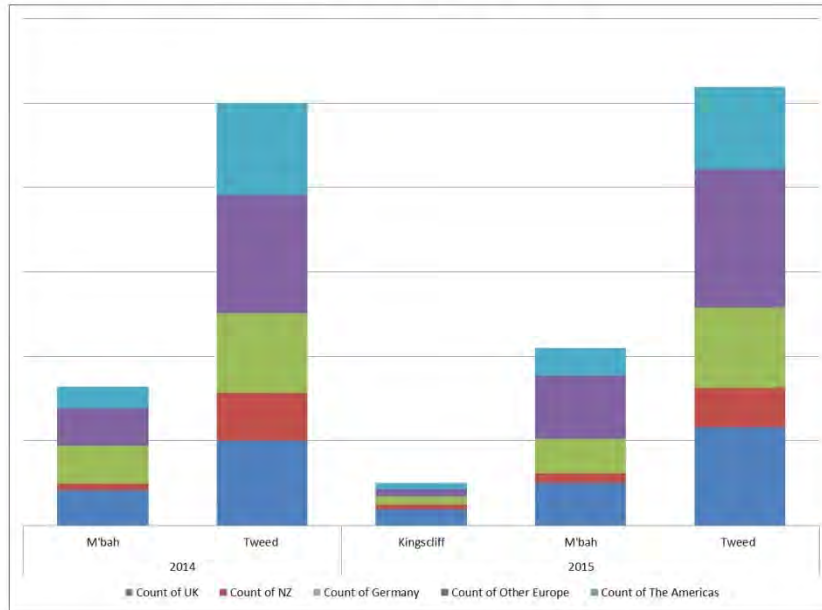


Asian International visitation at each VIC (Jan-Mar 2015)



This is significant with the changes between 2014 & 2015. Decline in Japanese market to M'bah is the key driver in reduction in Asian visitation; however the growth in the Singaporean market to M'bah is relevant. This markets increase overall is attributed to inbound capacity through Scoot and the maturation of this markets travel habits. Traditionally the Singaporean market have not dispersed, however over the last few years this has changed as they become more adventurous FIT markets. DT has undertaken significant activity in this Singaporean and Malaysian markets through Scoot and Air AsiaX.

Western Source Markets International visitation at each VIC (Jan-Mar 2015)



## OPTIONS:

This report to Council presents the quarterly report from Destination Tweed which is required as part of their contract. The successful submission of this report will endorse payment of their quarterly contract instalment for the next quarter in line with their contract.

1. **Endorse this Quarterly Report** - By endorsing Destination Tweed's Quarterly Report Council acknowledge and endorse the progress Destination Tweed have made to achieving the milestones outlined in their funding contract and the agreed Business Attraction Marketing Strategy and the Tourism Marketing Strategy; or
2. **Postpone Endorsement of 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 notes this quarterly report from Destination Tweed.

## COUNCIL IMPLICATIONS:

### a. Policy:

This report fulfils Destination Tweed's reporting requirement under its current funding agreement.

### 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 March Quarter 2015 (ECM3678379)

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## REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

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

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

(a) the provisions of:

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

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

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

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

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

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

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

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

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

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

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



**8 [PR-CM] Extension of Approval to Operate Markets - Kingscliff, Pottsville, Murwillumbah and Tweed Heads**

**SUBMITTED BY: Building and Environmental Health**

Valid



**Supporting Community Life**



**Strengthening the Economy**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

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**SUMMARY OF REPORT:**

The current approvals to conduct the community markets at Kingscliff, Lions Park and Jack Bayliss Park, Tweed Heads Recreation Ground, and Pottsville, Philip Street expire on 30 June 2015.

The conduct of markets has historically been for a three year period. At the expiration of each three year period Council again calls for expressions of interest from the community to determine the most suitable operator for the following specified period.

Currently there is a review of Council's Events Strategy. It is therefore considered that the existing approvals be extended for a period of six months, should the current operators nominate to do so, until the review is complete.

As each of the markets currently operate on community reserves, a separate report will also be put to the Tweed Coast Reserves Trust to request approval to extend.

**RECOMMENDATION:**

**That subject to the endorsement by the Tweed Coast Reserves Trust, Council extends the current approvals to operate each of the markets located at Kingscliff (Jack Bayliss Park), Kingscliff (Lions Park), Tweed Heads (Recreation Ground), and Pottsville (Philip Street) from 1 July 2015 for a period of six months until 31 December 2015.**

## **REPORT:**

The current approvals to conduct the markets at Kingscliff (Jack Bayliss Park at Lot 2 DP 1122062), Kingscliff (Lions Park at Lot 2 DP 1122062), Tweed Heads (Recreation Ground at Lot 1 DP 1082080) and Pottsville (Philip Street Lot 7069 DP 1113590) expire on 30 June 2015. Prior approvals to operate the markets at Murwillumbah (Knox Park Lot 202 DP 755724) and Tweed Heads (Anzac Memorial Precinct Lot 2 DP 1150839) were surrendered.

The conduct of the markets has historically been for a three year period. At the expiration of each three year period Council again calls for expressions of interest from the community to determine the most suitable operator for the following specified period.

Given the impending expiry date of June 2015 it is appropriate that expressions of interest now be called should Council wish for the market operations to continue. However Council is currently undertaking a review of the Events Strategy. The aims of the strategy are to provide a framework to assist the community and guide Council in developing and supporting vibrant and successful festivals and events in the Tweed. It is considered this process may take a further three months. In addition, the process for calling and appointing successful market operators takes a further three months therefore it is considered that the existing approvals be extended for a period of six months, should the current operators nominate to do so, until the review is complete.

Each of the current market operators have been consulted and do not raise any concerns or objections to the extension.

## **OPTIONS:**

### **Allow the current approvals to lapse without any extension**

*Officers comment:*

*The markets are an attraction to visitors and residents and provide income sources to the numerous stall holders involved. In addition the Market managers pay Council between 15% to 25% of total income from stall fees and several make donations to charitable groups as well.*

### **Procedure with the Expressions of Interest Process**

*Officers comment:*

*The existing arrangements may not align with the outcomes of the current community consultation process and delay the implementation of those outcomes and subsequent policy strategies until 2018 to align with the next market approval period.*

## **CONCLUSION:**

It is appropriate that Council await the outcomes of the current community consultation process prior to proceeding with calling for the expressions of interest to operate community markets.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

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

Should the market approvals lapse without extension Council will not receive a direct budget input of approximately \$5,000.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

### 9 [CNR-CM] Arkinstall Park - Stage 2

**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:

Council has been engaging with the community since 2002 to plan for the delivery of regional level recreation facilities across the Shire. The Murwillumbah Hockey Centre and Arkinstall Park Stage 1 are examples of regional facilities that have emanated from these planning processes and attracted State and Federal funding.

Arkinstall Park Stage 2 is a major component of the regional facilities network and will include:

- an indoor sports complex with associated administration/meeting rooms/kiosk/shop;
- a regional multi-use field with covered seating and lights and associated parking;
- a forecourt/plaza area fronting the multipurpose indoor facility which will function as a civic meeting space

The next phases of planning for Arkinstall Park Stage 2 including a feasibility study, master plan and concept designs have been completed through an extensive consultation and engagement process and are presented in this report.

### RECOMMENDATION:

That:

1. **The Arkinstall Park Stage Two Master Plan and Concept Design be placed on exhibition for 42 days.**
2. **Council staff submit a further report to Council at the close of the exhibition period.**

## REPORT:

### Background:

Council has been engaging with the community since 2002 to plan for the delivery of regional level recreation facilities across the Shire. A key recommendation identified in the initial strategies included the development of Arkinstall Park, Tweed Heads as a regional sports hub for the Shire. The subsequent layers of planning have continued to refine the concept and master plan as outlined below.

#### *2002: Tweed Shire Open Space Infrastructure Policy:*

The policy identified that Tweed Shire's population has reached a threshold where shire wide open space of a higher order is required to meet future demand. The policy recommended that *Contributions for shire wide facilities including sports fields will be sought on a shire wide basis . . . contributions will be directed towards costs of major sports facilities including Arkinstall Park.*

#### *2002: Contribution Plan 26 – Shirewide/Regional Open Space:*

Subsequent to the adoption of the Tweed Shire Open Space Infrastructure Policy, Contribution Plan 26 – Shirewide/Regional Open Space (CP 26) was developed. The purpose of CP 26 is to implement the relevant recommendations of the Tweed Shire Open Space Infrastructure Policy in relation to provision and embellishment of shire wide/regional public open space.

#### *2005: Regional Sport and Recreation Facilities Plan:*

The aim of the Regional Sport and Recreation Facilities Plan was to identify and analyse the present and future needs for sporting and recreation facilities at a regional or higher level in the Tweed Shire until 2022. The main recommendation of the plan is the staged development of Arkinstall Park, Tweed Heads as a regional sports complex. The plan was adopted by Council in February 2006. CP 26 was amended to reflect the recommendations and costing within the plan.

The Regional Sport and Recreation Facilities Plan recommended the establishment of the following facilities at Arkinstall Park:

- Regional hard court tennis complex.
- Two court indoor sports complex.
- Multi-user clubhouse, changing facilities and meeting rooms.
- Regional level rectangular multi-use field with grandstand/s and lights.
- Regional netball complex.

#### *2008: Feasibility and Master Plan Study for Proposed Regional Sports Complex at Arkinstall Park - Tweed Heads.*

The plan investigated the feasibility of the proposed regional sports complex and developed a master plan for the site. The plan recommends a four court Indoor facility instead of the two court facility recommended in the previous study.

The development of the plan included comprehensive community and stakeholder consultation which identified a desire for the facility to provide opportunities for general community use and not simply "wall to wall" sports surfaces. The master plan included community facilities such as a playground and barbecue area.

The recently completed stage 1 of Arkinstall Park preserved a heavily treed area of the park and includes a community playground area. The design also provides legible access throughout to invite broad community use.

### **Arkinstall Park Stage 2 Feasibility Study and Concept Plan**

The next planning phase for Arkinstall Park Stage 2 was to undertake a comprehensive feasibility study for the various elements to inform the refinement of the master plan and the development of concept plans. @leisure Recreation Planning consultants were engaged to undertake the study with the scope of the brief including:

- an indoor sports complex including associated administration/meeting rooms/kiosk/shop,
- a regional multi-use field with grandstand and lights and associated parking.
- a forecourt/plaza area fronting the multipurpose indoor facility which will function as a civic meeting space.

The purpose of the feasibility study and master plan project was to progress the next stage of review and design of the Arkinstall Park Regional Sports Complex to provide Council with robust information on the likely capital and operational costs of the facility and validation of potential use.

### **Methodology:**

A market analysis was undertaken using the following research:

- Exercise, recreation and sport survey (Australian Sports Commission, 2010)
- Sports and Physical Recreation: A Statistical Overview, Australia, 2012 (Australian Bureau of Statistics, 2013)
- Tweed Shire demographic data (Forecast ID June 2013)
- Available membership data and a benchmarking exercise conducted for this project.
- Demographic analysis
- Secondary demand
- Current supply of indoor sports in Tweed
- The catchment of a regional sports centre at Arkinstall Park
- Activities with potential for inclusion in an indoor sports centre.
- Priority activities
- Gap in unmet demand for indoor sports
- Secondary uses for the indoor court sport facility
- Likely benefits of an indoor court sports facility
- Demand for an outdoor spectator venue
- Potential use of an outdoor spectator venue
- Likely benefits of an outdoor spectator venue
- Commonwealth Games use of a regional sports centre in Tweed

Community and stakeholder engagement included:

- An online survey with over 100 responses
- Collection and analysis of submissions
- Over 50 telephone interviews with local sporting clubs, existing facility providers, associations and peak bodies as well as schools, other facilities and Council staff
- Workshops and forums with opportunities for stakeholders and community members to provide feedback on demand and issues.
- Feedback regarding the indoor court centre focused on demand for activities, existing patterns of use and current service provision.

The market and demand analysis identified the following components as being required for the indoor facility:

- Three sprung timber floor courts suitable for regional competition level basketball, futsal and indoor netball
- One equivalent court purpose-built for gymnastics including training pits provided for all vaulting and parallel beam training. Also used for activities such as parkour, indoor rock climbing, diving training etc.
- Two multi-purpose rooms to cater for group fitness and spin activities, or be a social space directly associated with the soccer pitch No 1
- A dedicated gymnasium, to cater for cardio and weight training/ fitness.
- A crèche/occasional care space has been provided for, including outdoor play space
- A centre operated sports administration area, as well as independent sports offices for local sport programming or club admin
- A precinct managed cafe which can cater for both stadium (indoor) and outdoor patrons
- Spectator seating (telescopic stadia seating) in both the gymnastics hall and sports hall to cater for both training and competition usage
- Associated break out areas to assist with event marshalling or game day competitions. These break out spaces can cater for both indoor and outdoor events
- Future expansion area (to the south) for at least 1 additional court and gym space.

The market and demand analysis identified the following components as being required for the outdoor football spectator venue and associated spaces:

- Four grass pitches suitable for regional competition level soccer- football, (to FIFA 2014 pitch standards) to serve rugby league, rugby union and touch football.
- Under cover seating at 300 seats at pitch no. 1. 200 at pitch 2. and 100 at pitch No. 3. and 4
- Provision for State and regional matches for amateur competition ie. state youth championships
- A separated 'soccer' dedicated canteen and amenities (located between pitches 2 and 3 to minimise distance of travel to the stadium)
- Civic hub/piazza at the frontage of the stadium connects the soccer precinct to the northern Tennis and Netball Precinct
- Family BBQ area amongst shaded landscaped area
- Team and spectator covered seating for all soccer pitches
- Landscape buffer to all adjacent properties is a minimum depth of 15m
- Car park has an additional 240 spaces in the east and 61 spaces to the north
- Court expansion space to the south
- Sport lighting to 250 lux is proposed to the southern 3 pitches. No lighting will be provided to pitch No. 4. to ensure no light spread (pollution) to the adjoining residential properties to the west of soccer pitch No.4
- External storage zones have been provided to all individual soccer pitches.

### **Building Design Elements:**

The vision for the design of the multi-purpose indoor stadium is to provide an iconic landmark for the Tweed that meets and anticipates the needs of the local community while also attracting growth to the region.

The site master plan was gradually informed by the design and functional requirements of the project. Pivotal design considerations were explored and achieved as described below:

1. Civic hub as central transition zone:

Situating the piazza area between the two stages and adjacent to the existing road allowed for a central meeting point and opportunities to visually and physically link the entire site.

The orientation of the civic hub from east to west presented a circulation pathway from which to connect the fields, stadium and car parking.

2. Fields situated from North/South.

Branching off the civic hub are the fields which run along a north to south axis for optimum playing conditions. The stadium itself naturally became a north-south rectangular form that complimented the outdoor fields.

3. Traffic and access:

On site requirement for vehicle traffic has been mitigated by keeping traffic toward the boundaries.

4. Landscaping:

The landscaping considers overshadowing for function situation and provision of daylight. An offset of at least 15 metres is retained from adjacent properties and supplemented with a landscape buffer. Crime prevention through environmental design principles are applied as with environmentally sustainable design through both material selection and local ecosystem preservation.

**Environmental design considerations:**

Environmentally sustainable design (ESD) considerations are important design components in all building projects. The ability to minimize water use, energy consumption, and provide comfort to users is paramount in any public facility. The key ESD items integrated into this proposal are:

Site Orientated Considerations:

*Power generation:*

Potential for Solar or wind (on stadium roof). Geo-thermal (heating/cooling) via deep bored closed system, or ground source heat exchanger may be considered pending geological assessment.

*Permeable paving:*

Minimise water run-off and allows for water soak.

*Shading:*

Comfort control to external environments.

*Water collection:*

Ground water collection (from permeable pavements) should be considered firstly for irrigation purposes or return water to cisterns.

*Water sensitive urban design:*

Includes provision of site rainwater collection and storage; elimination of kerbing to paths (where appropriate) to allow for surface run off to planted zones; irrigation via site collected rainwater; reduction in discharge velocities from site and improvement of discharge water quality in the provision of rain-fed garden spaces.



*Prevailing Winds:*

Natural wind movement across the site to be maintained as much as possible for preserving airflow patterns, with some protection provided by the multi-purpose stadium and vegetation locations for user shelter.

*Vegetation selection*

The use of locally occurring species will ensure the vegetation is most suitable to site conditions. This in turn protects and enhances the local flora/fauna communities. Key locations for canopy trees should give consideration to the prevailing winds and provide suitable buffer to adjoining properties.

Building Orientated Considerations:

*Material Selection:*

Careful specification of materials that have low embodied energy and can potentially be sourced locally to mitigate transportation.

*Construction Assemblies:*

Ensure choice of construction techniques that optimise material use.

*Use of recycled materials:*

Consideration of Cradle-to-Grave lifecycles for materials such as aluminium, timber and rubber compound sports flooring.

*Water collection:*

Roof collection (harvesting from stadium) should be considered firstly for irrigation purposes or return water to cisterns. Looking at average rainfall, the multi-purposes stadium has a potential to collect 14 GL per annum.

*Water sensitive fittings and fixtures:*

Examples include low water urinals vs. waterless urinals Water, No Water vs. maintenance.

*Sensor motion lighting:*

To all nonessential areas such as offices, change rooms and storeroom, installation of motion sensor lighting to control switching and minimising potential glare. Reduces the load on the required operational energy consumption.

*Day lighting:*

Maximising day lighting into activity areas such as the sports hall, while minimising potential glare. This reduces the load on the required operational energy consumption.

*Insulation:*

Provide insulation (thermal & acoustic) to both walls/floors and roofs. A high thermally efficient wall/floor/roof building system will reduce the load of the heating ventilation air conditioning needs, thus reducing operational energy requirements.

*Hot water:*

Solar, gas, instantaneous or direct heat exchanger heat loads and heat domestic water.

**Capital and operation costs**

Based on the concept design, the estimated capital cost of Stage 2 is \$28,100,000 comprising:

- The approximate value of Sports Fields/External Works - \$7,518,500
- The approximate value of the Sports Stadium - \$13,470,000
- Environmental Sustainable Design costs estimated at \$630,000
- Contingency fees of \$2,151,000
- Professional and Authority Fees of \$2,330,450
- The approximate equipment, furniture and fittings - \$2,000,000

A program of use was developed based on the demand assessment and financial projections and suggested fees. The program as proposed will result in an estimated 351,360 participants and spectator visits per year. The predicted annual net result is (\$20,832.17)

The Feasibility Study includes:

- A sensitivity analysis
- Year 1 monthly profit and loss
- Years 1 to 3 quarterly profit and loss
- Profit and loss 20 year forecast
- Year 1 monthly cash flow
- Years 1 to 3 quarterly cash flow
- 20 year cash flow forecasts
- Base case balance sheet
- Year 1 balance sheet
- Years 1 to 3 quarterly balance sheet
- 11 to 20 year balance sheet

**OPTIONS:**

1. Adopt the Arkinstall Park Stage Two master plan and concept design and place on exhibition.
2. Place the Arkinstall Park Stage Two master plan and concept design on exhibition and bring back a further report to Council at the close of the exhibition period.
3. Take no action.

**CONCLUSION:**

Arkinstall Park Stage 2 will be a sporting precinct that not only provides an iconic landmark for the region, but will also unify the local and greater community. The proposal integrates the desired functions for the site such as the new outdoor sport fields and the indoor hard-court stadium all within a comprehensive site master plan. This new precinct will promote growth in the area and also attract regional and national interest as both a sporting and cultural centre.

Future expansion opportunities are facilitated in this vision for the precinct as physical extension and the integration of additional communal activities. The vision is to not only create an essential facility for the local community to continue to enjoy, but also as an iconic landmark in which to inspire and attract growth in the region that encourages well-being and community spirit.

The development of the feasibility study included extensive community and stakeholder engagement and built on the layers of previous planning and engagement. The master plan and concept design are refinements of a previously adopted master plan.

The feasibility demonstrates due diligence from Council in anticipating potential capital and operating costs for the proposed facility. The concept plans provide a vision for an iconic landmark for the Tweed and will provide the basis for future planning and attracting funding.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

2002: Tweed Shire Open Space Infrastructure Policy:

2002: Contribution Plan 26 – Shirewide/Regional Open Space:

2005: Regional Sport and Recreation Facilities Plan:

2008: Feasibility and Master Plan Study for Proposed Regional Sports Complex at Arkinstall Park - Tweed Heads.

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

\$28,000,000 capital costs (unfunded).

\$20,000 annual operational costs.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.	Draft Tweed Regional Sports Centre Feasibility and Concept. Market Analysis (Part 1): Demand and Consultation Findings (ECM 3689626)
Attachment 2.	Arkinstall Park Stage 2: Feasibility and Business Case (Draft) (ECM 3624815)
Attachment 3.	Arkinstall Park Stage 2 Master Plan and Concept Design Display Boards (ECM 3689637)

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## 10 [CNR-CM] Seniors' Exercise Equipment

**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 its meeting held 19 March 2015, Council resolved:

*"That Council:*

- 1. Includes the consideration of seniors' exercise equipment in the development of the Shire Wide Open Space Strategy.*
- 2. Includes funding in the draft 2015/2016 Budget for the installation of additional seniors exercise equipment and bring back a report on suitable locations.*
- 3. Brings back a report on establishing infrastructure in parks that reflect the demographics of the surrounding area."*

This report responds to items two and three of the resolution.

#### **RECOMMENDATION:**

**That Council:**

- 1. Notes that information on establishing infrastructure in parks that reflect the demographics of the surrounding area will be included in the development of the Shire Wide Open Space Strategy.**
- 2. Undertakes a consultation process with the community in the area surrounding John Follent Park, Tweed Heads on the proposal to replace the old exercise equipment in John Follent Park with new aged-friendly equipment similar to that installed at Kingscliff.**

## REPORT:

At its meeting held 19 March 2015, Council resolved that Council:

- "1. *Includes the consideration of seniors' exercise equipment in the development of the Shire Wide Open Space Strategy.*
2. *Includes funding in the draft 2015/2016 Budget for the installation of additional seniors exercise equipment and bring back a report on suitable locations.*
3. *Brings back a report on establishing infrastructure in parks that reflect the demographics of the surrounding area."*

The Issues Paper and Profile of People with a Disability were adopted by Council on 22 January 2015. The Issues Paper was prepared following a number of community consultations including:

- Consultations lead by the Healthy Ageing Officer in 2008 that documented perceptions, opinions and first hand experiences of seniors within the Shire.
- Research conducted by ASLaRC Aged Services Unit, Health and Wellbeing Research Cluster of the Southern Cross University in preparing the *Strategic Planning for an Age-Friendly Community Tweed Shire NSW* document (2011).
- Evaluation of the Banora Point Community Centre Seniors Program (2011) to gain community feedback in relation to accessibility, quality of services and general satisfaction of activities and programs offered through the Banora Point Community Centre Seniors Program, incorporating the Seniors Information Hub (SIH or the Hub for short) and Fun Activities Banora Seniors (FABS).

Consultations have identified the importance of accessible well-designed public open space close to public transport but not the need for exercise equipment. Research suggests social isolation is a major issue for the health and wellbeing of seniors which can exacerbate physical diseases such as Alzheimer's, obesity diabetes, high blood pressure, heart disease, neurodegenerative diseases, and even cancer-tumours can metastasize faster in lonely people.

The Draft Age Friendly Community Plan, informed by these consultations, is due to be presented to Council later in 2015. The draft Plan supports the installation and maintenance of aged friendly exercise equipment in designated council parks and sports fields social participation section. The Plan also makes reference to park design that includes the needs of older people such as adequate shade, seating, BBQ furniture, lighting, paths and toilets.

Council will be undertaking a comprehensive community engagement process through 2015/2016 in the development of a Shire Wide Open Space Strategy (SOSS). The community engagement for the SOSS will integrate with the broader engagement strategy undertaken through *the future is ours* process.

One of the outcomes of the SOSS will be to provide guidance on the type and level of embellishment required for the various classifications of public open space, and specific locations where appropriate. This will include consideration to key elements such as where playgrounds (including exercise equipment), barbeques and public toilets should be located.

The information requested in items two and three of the above resolution are most appropriately explored and reported as components of the development of the SOSS.

Should Council wish to proceed with the installation of exercise equipment in the short term, it is recommended that consideration be given to replacing old exercise equipment located along the cycle path in John Follent Park, Keith Compton Drive Tweed Heads (photos below).

Approximately 70% of the population of the area surrounding John Follent Park are aged over 60. The linear nature of John Follent Park, with a heavily utilised footpath and pleasant location next to the river provides a setting that has similar characteristic to Kingscliff where the aged-friendly exercise equipment has proven popular. These factors would indicate that this would be a suitable location for exercise equipment.

The existing equipment in John Follent Park is no longer functional and needs to be removed or replaced. Council may wish to consult with the local community to gauge interest in replacing the equipment, the likely levels of usage and preferred types of equipment.









**OPTIONS:**

1. That Council supports the recommendations.
2. That Council notes this report and takes no action.

**CONCLUSION:**

The Shire Wide Open Space Strategy will undertake a comprehensive community engagement process which will include consideration of requirements for facilities in the shires open spaces including consideration to the demographics of various areas.

The old exercise equipment in John Follent Park requires removal or replacing. As approximately 70% of the population of the area surrounding John Follent Park is over 60, and the setting has the characteristics that appear to make aged-friendly exercise equipment installations successful, Council may wish to consult with the community on the proposal to replace the old exercise equipment with new equipment similar to that installed at Kingscliff.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Nil.

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

\$60,000 for installation of seniors exercise equipment.

**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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11 [CNR-CM] RFP2015-062 Construction of Knox Park Youth Precinct

**SUBMITTED BY:** Community and Natural Resources

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:

Tender RFP2015-062 Construction of Knox Park Youth Precinct was called to engage a suitably qualified and experienced organisation to construct a youth precinct comprising of a Skate Park and associated hard and soft landscaping. The work is part of the upgrade of the Knox Park community open space redevelopment project.

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 20 May 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah.

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 RFP2015-062 Construction of Knox Park Youth Precinct:**

1. Council awards the contract to VFG Skateparks (ABN 51 656 509 153) for the amount of \$789,575.27 (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 mid contract and 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:

### Tender Background

Tender RFP2015-062 Construction of Knox Park Youth Precinct was called to engage a suitably qualified and experienced organisation to construct a youth precinct comprising of a Skate Park and associated hard and soft landscaping. The work is part of the upgrade of the Knox Park community open space redevelopment project.

### Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for RFP2015-062 on 28 April 2015 in The Sydney Morning Herald. The tender was also advertised in Brisbane Courier Mail, Gold Coast Bulletin on 25 April 2015 and the Tweed Link on 27 April 2015.

### Tender Addendums

There was a Tender Addendum issued on 5 May 2015. Addendum No. 01 was issued to advise tenderers that the Geotechnical Report prepared by Cardno Bowler on 31 July 2014 had been made available for download from the TSC website. It was added to the documents for tender RFP2015-062.

### Tender Evaluation Panel

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender. The Tender Evaluation Panel of 2 x Contract Engineers, Landscape Architect and Rec Services Site Foreman conducted the tender assessment.

### Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00PM (local time) on 20 May 2015 in the Tender Box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah. The following table lists the two complying tenders received:

Tenderer	ABN	Tendered Amount (incl GST)
Convic Pty Ltd - Julius Turanyik	23 159 140 137	Confidential Information
VFG Skateparks - Kieran Avington	51 656 509 153	

### Post Tender Correspondence

A post tender correspondence letter was sent to the tenderers on 27 May 2015. The letter outlined Councils proposal to reduce the scope of work in order to reduce the costs to within Councils budget limits. Items removed from the scope were the demolition of existing netball court, demolition of existing skate park, dance wall and feature walls, hand rails, taps, drinking fountains, bike racks and all soft landscaping. These elements will now be undertaken internally to reduce costs.

Convic Pty Ltd forwarded their post tender response by email on 1 June 2015.

VFG Skateparks forwarded their post tender response by email on 3 June 2015.

### Tender Evaluation Criteria

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

Criterion	Document Reference	Weighting (%)
Value for Money (Normalised Tender Price) (Mandatory but Chairperson sets weighting)	Schedule 2 & 3	40
Price Compared with TSC Estimate	Schedule 2 & 3	Yes/No Item
Financial Details and Capacity	Schedule 4	Yes/No Item
Previous and Current Works (Experience)	Schedule 4	10
Project Management (Key Personnel)	Schedule 5	10
Methodology and Work Program (Time)	Schedule 6	10
WHS and Risk Management	Schedule 7	5
Environmental Management	Schedule 7	5
Quality Management	Schedule 7	10
Proposed Subcontractors (Experience)	Schedule 8	Yes/No Item
Company Insurances	Schedule 9	Yes/No Item
Sustainable Procurement	Schedule 10	Yes/No Item
Local Content (Development of Local Business/Industry) (Mandatory 10% assessment as per Policy)	Schedule 11	10
Innovation	All Schedules	
Maintenance and Running costs	All Schedules	Yes/No Item
Life of Proposed materials and equipment	All Schedules	Yes/No Item
Warranty Periods Offered	All Schedules	Yes/No Item
Council's Contract Administration Costs	Schedule 6	Yes/No Item
	Total	100

### Evaluation Summary

A copy of the Tender 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 tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

## Recommendations

It is recommended that the tender from VFG Skateparks be accepted to the value of \$789,575.27 excluding GST. VFG Skateparks achieved the highest overall assessment score and is therefore deemed as the most advantageous option for Council.

And therefore that in respect to Contract RFP2015-062 Construction of Knox Park Youth Precinct:

1. Council awards the contract to VFG Skateparks (ABN 51 656 509 153) for the amount of \$789,575.27 (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 mid contract and 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.

## 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 Tender Evaluation Panel's recommendations, it is recommended that Council awards the contract to VFG Skateparks (ABN 51 656 509 153) for the amount of \$789,575.27 (exclusive of GST). VFG Skateparks achieved the highest overall assessment score and is therefore deemed as the most advantageous option for Council.

## COUNCIL IMPLICATIONS:

### a. Policy:

Procurement Policy v1.5 and in accordance with Local Government (General) Regulations 2005.

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

The project has funding allocated from within the Community and Natural Resources budget and from Federal Grants Regional Development Fund confirmed through applications by Recreation Services Unit.

### 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 3695199)

*(Confidential)* Attachment 2. Tender Evaluation Scoresheet (ECM 3695200)

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## 12 [CNR-CM] Composition of Community Halls Advisory Committee

**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:

On 16 October 2014 Council resolved to form the Community Halls Advisory Committee to improve the sustainability of Council's nine community halls and to assist community hall management committees to comply with and improve on governance and management practices. On 16 April 2015, Council endorsed the composition of the Community Halls Advisory Committee however, subsequent to this, Council received notice from Crystal Creek Community Hall Committee to advise proposed delegates for Council's Community Hall Advisory Committee have changed following their annual general meeting.

#### RECOMMENDATION:

**That Council endorses the following appointments to the Community Halls Advisory Committee:**

Community Hall Management Committee	Nominated Delegate
Crystal Creek Community Hall Committee	Agnes Nesci Ben Law (alternate)



**REPORT:**

On 16 April 2015, Council endorsed the composition of the Community Halls Advisory as follows:

<b>Community Hall Management Committee</b>	<b>Nominated Delegate</b>
Chillingham Community Hall Committee	Marie Edwards John Logan (alternate) Gwenda Shoobridge (alternate)
Crabbes Creek Community Hall Committee	Reg (Arthur Reginald) Robinson Margaret Hulburt (alternate) Tracy Butler (alternate)
Crystal Creek Community Hall Committee	Sylvia Conroy Sue Gresham (alternate) Rita Loughman(alternate)
Doon Doon Community Hall Committee	Steve Sweetnam Desiree Saunders (alternate) Barry Saunders (alternate)
Fernvale Community Hall Committee	Rick Dobbie Peter Hurcombe (alternate)
Limpinwood Community Hall Committee	Russell Costin Claire Masters (alternate)
Piggabeen Community Hall Committee	Marlene Protheroe Kathy Jobson (alternate) Geoff Davis (alternate)
Pottsville Beach Community Hall Committee	Janet Tkachenko Kaye Seiler (alternate) Ruth Clarke (alternate)
Tumbulgum Community Hall Committee	Ann Carkery Brian Breckenridge (alternate) Sue Breckenridge (alternate)

On 24 April 2015 Council received notice from the Crystal Creek Community Hall Committee to advise proposed delegates for Council's Community Hall Advisory Committee have changed following their annual general meeting to:

- Agnes Nesci
- Ben Law (alternate)

**OPTIONS:**

1. That Council appoints delegates to the Community Hall Advisory Committee from Crystal Creek Hall as nominated by the management committee.
2. That Council does not appoint delegates to the Community Hall Advisory Committee from Crystal Creek Community Hall as nominated the management committee.

**CONCLUSION:**

Council resolved to form an Advisory Committee to oversee management and operations of community hall management committees. Composition of the committee includes a primary and up to two alternate delegates from each of the nominated community hall management

committees, a member (and alternate) from Council's elected body and a staff member in attendance in an ex officio capacity. Appointments to the Community Hall Advisory Committee will be amended from time to time as membership of individual Community Hall Management Committees change following annual general meetings or resignations of committee members.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not applicable. The draft Community Halls Policy is yet to be adopted.

**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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**13 [CNR-CM] Community Halls Governance Framework Issues Paper and Draft Community Halls Policy**

**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 purpose of this report is to provide the Community Halls Governance Framework Issues Paper for Council's consideration and notation and the draft Community Halls Policy for public exhibition which have been developed in consultation with the Community Halls Advisory Committee. The draft Policy formalises the partnership between Council and the community for the efficient and effective management of community halls and will be operationalised by leases or licenses for halls on crown land and management agreements.

### RECOMMENDATION:

**That Council exhibits the draft Community Halls Policy for a period of 28 days and accepts public submissions for a period of 42 days as per Section 160 of the Local Government Act 1993.**

## REPORT:

In October 2013, CT Management Group was engaged to undertake and deliver a comprehensive assessment of community buildings and facilities managed by the Community and Natural Resources Section of Tweed Shire Council. As part of this undertaking, CT Management Group provided: building condition assessments; a review of governance and leasing arrangements; and an evaluation of capacity and sustainability issues for twelve Council-owned community halls.

The Community Hall Governance Framework Issues Paper (Issues Paper) [Attachment 1] has built on options and recommendations outlined by CT Management Group. Research for the Issues Paper included examining the community halls in relation to their local demography, intrinsic historical and social significance, current patronage and fitness for purpose in the context of various legislation, policies and protocols. The Issues Paper also provides a review of the hall committees' and Council's roles and responsibilities in ensuring a viable, sustainable future for the halls.

Consultations with community hall committees, Council staff, associated service providers, and members of the broader community were held over the past twelve months. A number of issues were identified that affect ongoing activation of the halls, and the risk exposure of both Council and individual hall committees ie. hall patronage and investment; management arrangements; legislative compliance; and inadequate insurance.

Two of the key recommendations outlined in the Issues Paper were reported on 10 October 2014, and it was resolved that Council:

1. *Adopts the formation of a Community Halls Advisory Committee for the management of community halls and appoints Cr C Byrne as Delegate and Cr P Youngblutt as Alternate Delegate to this Advisory Committee.*
2. *Endorses consultation with the existing community hall management committees to develop Terms of Reference for the Community Halls Advisory Committee.*

Respective Hall Management Committees were made aware of Council's resolution in October and the first Community Halls Advisory Committee meeting was held on 16 March 2015.

Further recommendations contained in the Issues Paper are summarised in the table below:

## Recommendation

1. Develops a Community Halls Policy to formalise the Council's commitment to community managed halls.
2. Implements a governance model that balances Council's and the wider community's interest and investment in the halls. The formation of a Community Halls Advisory Committee has been adopted to:
  - 2.1 Act as an information conduit between Council and the individual hall committees overseeing management and operations of the halls.
  - 2.2 Support individual committees and Council to improve hall usage through strategic planning, marketing and promotion.
  - 2.3 Support individual committees with skills development and succession planning.
  - 2.4 Enable hall committees and Council to comply with legislative and policy requirements.
3. Continues to fund a suite of insurances for all of the community hall management committees.
4. Develops Management Agreements and accompanying Terms of Reference for each of the community hall management committees
5. Continues assessment of the community halls sustainability during development of the Community and Cultural Facilities Network Plan to:
  - 5.1 Inform decisions about re-purposing or divestment of community halls.
  - 5.2 Ensure decisions regarding halls on public land zoned 'community land' are made in consultation with the local community.
  - 5.3 Investigate opportunities to re-invigorate community halls through linkages with human services; and social, economic and environmental stakeholders in the region.
6. Ensures consideration is given to community halls in the Cultural Plan, including specific actions that foster the use of community halls to enhance or re-invigorate cultural activity at a local level across all ages and cultures.

## Status

1. Draft Policy prepared for public exhibition effective 18 June 2015.
  2. Community Halls Advisory Committee model adopted 10 October 2014.
  3. Insurance Policies secured including: Public and Products Liability insurance, Personal Accident (Volunteers) insurance, and Associations and Officials Liability insurance.
  4. The Community Halls Advisory Committee Terms of Reference was endorsed by the Community Halls Advisory Committee meeting on 16 March 2015 and adopted by Council on 16 April 2015.
- The draft Management Agreement template was discussed with each management committee and endorsed at the Community Halls Advisory Committee meeting on 4 May 2015.
5. Scheduled for inclusion in Community and Cultural Facilities Network Plan 2015.
  6. Scheduled for inclusion in Cultural Plan 2015.

The findings of the Issues Paper informed the development of the draft Community Halls Policy [Attachment 2] and have implications for how Council manages all of its facilities in

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future. Specifically, Tweed Shire Council must consider how to improve asset management and activation of existing facilities, even as it is planning for future growth, and the challenges that will accompany that growth. The Issues Paper was reported to the Community Halls Advisory Committee on 4 May 2015 where it was recommended that:

*the Draft Community Halls Governance Framework Issues Paper, as amended, be reported to Council for endorsement.*

The draft Community Halls Policy formalises the commitment to an ongoing partnership between Council and the community for the efficient and effective management of community halls. The draft Community Halls Policy was reported to the Community Halls Advisory Committee on 4 May 2015 where it was recommended that:

*the draft Community Halls Policy, as amended, be reported to Council for endorsement.*

**OPTIONS:**

1. That Council considers and notes the Community Halls Governance Framework Issues Paper.
2. The draft Community Halls Policy is placed on public exhibition for a period of 28 days and Council accepts public submissions for a period of 42 days.
3. The draft Community Halls Policy is not placed on public exhibition and Council seeks further information.

**CONCLUSION:**

Council can delegate its responsibility for the care, control and management of community halls to committees under provisions of the Local Government Act 1993 and the Crown Lands Act 1989. However, as property owner, Council is required to have control of its assets, and in administering that control should have a Community Halls Policy in place. In the absence of a clear policy position, Council has not articulated to the hall committees their administrative and reporting responsibilities, decision making limitations, and / or statutory and legislative compliance requirements.

Approval for the draft Community Halls Policy and endorsement of the Community Hall Governance Framework Issues Paper is vital to Council meeting its responsibilities and obligations under legislation specifically: the Local Government Act 1993 and the Crown Lands Act 1989. It also demonstrates Council's leadership with respect to creating and maintaining spaces that contribute to the social, cultural, environmental and economic fabric of the Tweed Shire community.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Access and Inclusion v1.1

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

Resources required to implement the recommended Community Halls Policy will be provided from the Community and Cultural Services Unit budget allocation in the Long Term Financial Plan. The total budget for these halls is \$24,864.

**c. Legal:**

- Local Government Act 1993
- Crown Lands Act 1989

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.                      Community Halls Governance Framework Issues Paper  
(ECM 3691618)

Attachment 2.                      Draft Policy - Community Halls (ECM 3691610)

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14 [CNR-CM] Future Use of Murwillumbah Railway Station

**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:

This report is made in response to Council's December 2013 resolution that a further report on the possible community/cultural uses of the Murwillumbah railway station is received following the release of the Casino to Murwillumbah Rail Trail Feasibility Study. Enquiries made concerning the use of railway station buildings for meeting, exhibition, performance or rehearsal spaces have determined that available space is not suited to meeting, exhibition, performance or rehearsal use. However, the incorporation of other historic station buildings or features and infrastructure into the Murwillumbah to Tweed Art Gallery section of the Rail Trail will be considered as part of ongoing planning by Council for this project.

### RECOMMENDATION:

**That Council notes that the best use of Murwillumbah railway station precinct for community/cultural activity is its integration with the Murwillumbah to Tweed Art Gallery Rail Trail.**



## **REPORT:**

This report furnishes advice to the Council in response to its December 2013 resolution that a further report on the possible community/cultural uses of the Murwillumbah railway station is received following the release of the Casino to Murwillumbah Rail Trail Feasibility Study. A preceding and directly related Notice of Motion, made in June 2013, particularly requested advice on the capacity of the railway buildings to serve the community uses of meeting, exhibition, performance or rehearsal spaces.

With respect to the possible use of extant railway buildings for meeting, exhibition, performance or rehearsal spaces, consultation with John Holland Rail Pty Ltd, the contractor that manages the Murwillumbah railway infrastructure asset, established that the available vacant spaces are the open platform area north of the main (historic) station building, as well as a narrow fibro-clad building located to the south of the vacant platform area. The fibro-clad building was formerly used by the engine driver and for other staff facilities. The remaining buildings and platform area adjacent to these areas are occupied and / or utilised by NSW Trainlink.

In their present form and/or scale both the open platform area and the former engine driver and staff rooms are inadequate and inappropriate for meeting, exhibition, performance or rehearsal spaces. The platform area is open to the elements, the engine driver and staff rooms are small and narrow spaces. The potential future use of railway station buildings, noted in the Casino to Murwillumbah Rail Trail Study, as WiFi Hubs, refreshment stops and facilities, cafe style rail trail tourism centres, cycle hire and bike servicing stations are more appropriate uses for these areas.

The incorporation of historic railway infrastructure located within the immediate precinct of the Murwillumbah railway station, as well as beyond the station area, into the Rail Trail is not elaborated on in this report. The potential incorporation of remnant railway infrastructure into the Rail Trail remains under consideration as part of the ongoing rail trail project process administered by Council's engineering directorate.

## **OPTIONS:**

1. That Council notes that the best use of Murwillumbah railway station precinct for community/cultural activity is its integration with the Murwillumbah to Tweed Art Gallery section of the Rail Trail.
2. That Council receives further information on the potential community/cultural use of the Murwillumbah railway station precinct as part of the Murwillumbah to Tweed Art Gallery section of the Rail Trail.

## **CONCLUSION:**

Recent enquiries concerning the potential use of Murwillumbah's historic railway station buildings for community/cultural use as meeting, exhibition, performance or rehearsal spaces have revealed the inappropriate nature of currently available spaces for these purposes. The potential incorporation of the currently vacant and other historic station buildings or features and infrastructure into the Murwillumbah to Tweed Art Gallery section of the rail trail is subject to further consideration by Council as part of ongoing planning for this project.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable.

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

Nil.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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15 [CNR-CM] Family and Community Services Funding Agreement 2015-2018

SUBMITTED BY: Community and Cultural Services

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

### SUMMARY OF REPORT:

Council is in receipt of a Funding Agreement 2015-2018 for \$883,019 from NSW Government Family and Community Services, Ageing Disability and Home Care which replaces the existing agreement due to expire on 30 June 2015. This funding enables Council's Community Services team through Community Options programs, to provide support to eligible residents aged under 65 years (under 50 years for Aboriginal and Torres Strait Islander people) as well as contributing to the cost to employ Council's Community Development Officer - Ageing and Disability.

### RECOMMENDATION:

That Council:

1. **Accepts the annual funds of \$883,019.33 for the period from 1 July 2015 up to 30 June 2018 from the NSW Government Family and Community Services, Ageing Disability and Home Care.**
2. **Votes the expenditure.**
3. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:**
  - (d) **commercial information of a confidential nature that would, if disclosed:**
    - (i) **prejudice the commercial position of the person who supplied it, or**
    - (ii) **confer a commercial advantage on a competitor of the council, or**
    - (iii) **reveal a trade secret.**

**REPORT:**

Council is in receipt of a Funding Agreement 2015-2018 from NSW Government Family and Community Services, Ageing Disability and Home Care which replaces the existing agreement due to expire on 30 June 2015. The new funding agreement may terminate earlier than 2018 as a result of people transitioning to the National Disability Insurance Scheme (NDIS). This funding enables Council's Community Services team, through Community Options programs, to provide support to eligible residents aged under 65 years (under 50 years for Aboriginal and Torres Strait Islander people) as well as contributing to the cost to employ Council's Community Development Officer - Ageing and Disability.

Details of the agreement can be found within the attached funding agreement and is summarised as follows:

Service Type/Output Description	Output Units (Hours/\$)	2016 Funding (\$)	2017 Funding (\$)	2018 Funding (\$)
Domestic Assistance Hours	177	\$7,007	\$7,007	\$7,007
Social Support Hours	683	\$14,014	\$14,014	\$14,014
Personal Care Hours	288	\$12,613	\$12,613	\$12,613
Meals Services Meals	335	\$2,335	\$2,335	\$2,335
Respite Hours	248	\$11,678	\$11,678	\$11,678
Case Management Hours	3804	\$228,848	\$228,848	\$228,848
Home Modifications Dollars	\$8,408	\$8,408	\$8,408	\$8,408
Transport Trips	326	\$4,670	\$4,670	\$4,670
Goods & Equipment Items	\$15,673	\$15,673	\$15,673	\$15,673
Allied health hours	100	\$7,304	\$7,304	\$7,304
Support Coordination for OPC	4118	\$247,319	\$247,319	\$247,319
Carer Assistance Packages for OPC	\$289,894	\$289,894	\$289,894	\$289,894
NGO Individual Respite	\$4,656	\$4,656	\$4,656	\$4,656
Community HACC Worker	\$28,600	\$28,600	\$28,600	\$28,600
		\$883,019	\$883,019	\$883,019

**OPTIONS:**

That Council:

1. Accepts the funding and continue this service to the community.
2. Declines the funding and discontinue this service to the community.

**CONCLUSION:**

That Council continues to support the Community Services team delivering the Community Options Program to eligible residents aged under 65 years (under 50 years for Aboriginal and Torres Strait Islander people) and the continuation of the Community Development Officer Ageing and Disability.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable.

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

Adequate allowance has been made in the 2015/2016 Budget to fund this project which includes the grant funding. Future Budgets will have to take into account that no CPI increases have been included in this grant funding.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Funding Agreement 2015-2018 (ECM 3674914)

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16 [CNR-CM] Impact of Cats on Native Fauna - Preliminary Report

SUBMITTED BY: Natural Resource Management

Valid



**Civic Leadership**



**Caring for the Environment**

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
  - 1.1.2 Create a sustainable, social and environmentally aware community through education
  
  - 4 Caring for the Environment
  - 4.1 Protect the environment and natural beauty of the Tweed
  - 4.1.2 Protect, regulate and maintain natural assets (the coastline, coastal and inland waterways, biodiversity, bushland and scenic landscapes) for current and future generations
- 

**SUMMARY OF REPORT:**

This report is in response to the following Council resolution.

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

*This report to include, but not be limited to:*

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

**RECOMMENDATION:**

**That a workshop be conducted with Councillors to explore the options and possible actions and resource implications of managing cats in Tweed Shire.**

## REPORT:

At the Council meeting of 10 April 2014, the following was resolved:

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

*This report to include, but not be limited to:*

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

This report provides a response to the above resolution.

### **Summary of current research**

*The summary on current research on the interactions between cats (domestic, free-living strays and feral) and native wildlife on the eastern seaboard*

A literature review has been undertaken on current research on the interactions between cats and native wildlife. A summary of the findings is provided below, with the full literature review included as an attachment to this report.

Alongside being a valued companion animal, domestic cats (*Felis catus*) are highly skilled hunters. With no native equivalent to the domestic cat, Australia's native fauna have not evolved alongside predators of this calibre and do not have the inherent skill-base to survive the presence of cats in the landscape.

For management purposes, cats can be split into three categories - owned, stray and feral. The following definitions are provided:

- **Owned cats** - are cared for and live with humans. This relates both to cats that are confined on an owner's property or those that are allowed to roam outside of an owner's property;
- **Stray cats** - are un-owned but at least partly rely on humans for feeding and/or other husbandry, and
- **Feral cats** - survive without any human contact or assistance.

### Impacts of feral cats

The impacts of feral cats on native fauna across Australia are well researched and clearly established. To this end, they have been listed as a Key Threatening Process under both Commonwealth and NSW legislation. A federal Threat Abatement Plan was developed for the control of feral cats in 2008. Predation by cats has been implicated in the extinction of up to seven species of small mammals on the Australian mainland.

Whilst it is recognised that eradication of feral cats is unlikely to be achieved on the Australian mainland, properly coordinated and resourced control programs can achieve meaningful benefits for Threatened fauna populations.

#### Impacts of owned cats

The true extent of the impacts of owned cats on native fauna in Australia is not yet fully understood, as effective research techniques have only become available very recently. Most previous studies on predation by owned cats have relied on assessing the numbers and type of prey species returned to the home by the cat.

One such study undertaken in Canberra, found that 75% of owned cats hunt, and a total of 67 different species were preyed. Estimates based on this study indicate that owned cats in the Canberra urban environment hunt approximately 480,000 animals each year, including 20-27% of the total number of native birds present.

A recent study (2013) employing the use of 'KittyCam' video cameras found that cats bring less than a quarter of their captures back to their place of residence. This suggests that previous studies of cat predation that depended on data collected from 'prey returns', such as the Canberra study outlined above, may have vastly underestimated the total take of hunting from owned cats.

Free-roaming or unconfined owned cats also represent a source of neighbour aggravation and nuisance to Council. Impacts include: excessive noise at night; territory marking; defecating in neighbours gardens, and attacking other pets. Neighbour aggravation also arises where neighbourhood cats encroach into gardens intended to provide habitat for native wildlife. Since February 2011, there have been 345 complaints made to Tweed Shire Council about cats.

The literature review also found:

- Owned cats are present throughout the landscape, and can reach very high populations in urban areas.
- Domestic cats serve as a reservoir for numerous significant wildlife and human diseases, including *Toxoplasmosis*.
- Unlike some predators, a cats desire to hunt is not suppressed by being provided with adequate supplemental food.
- A large proportion of owned cats hunt. Within the group of owned cats that hunt, some hunt more than others. A small number of owned cats will focus specifically on one prey type whilst most cats will prey on whatever they come across.
- Owned cats that have access to natural areas (or access to parks or gardens with good wildlife habitat) with higher numbers of native fauna present will predate more native fauna.
- Many cat owners are unaware of the hunting behaviour of their owned cat, as many cats that are hunters do not bring home any trophies.
- There are significant impacts on native fauna associated with 'non-fatal' hunting attempts by cats. These include: reduced reproduction; competition with native predators for prey, and change in normal foraging behaviours by native fauna in response to the risk of predation.
- Owned cats are hunting in areas of bushland and throughout the urban landscape, and are actively hunting both during the day and night.



- A monitoring study undertaken in Tweed Shire recorded an owned cat roaming 1.5km from its place of residence in an urban area, into an important bushland area. This cat was also recorded predated native fauna.
- A significant number of the studies on owned cats recommend the development and implementation of policy and other management measures to reduce the impact of cats on native fauna.

Many natural areas in Tweed Shire are fragmented, representing 'island habitats'. Native fauna, particularly threatened fauna are subject to increased risk from cats in these areas. Island habitats and fragmented bushland often occur adjacent to new and existing residential areas that allow cat ownership. The native fauna isolated in these areas, particularly populations of Threatened fauna, are at risk of localised extinction from cat predation.

### **Measures successfully employed by other Australian Councils to reduce the impacts of cats on native wildlife**

A range of cat related by-laws and policies are currently applied by various Local Councils across Australia. These include, but are not restricted to:

- dusk until dawn cat curfews (eg. Wodonga City Council and City of Kingston);
- 24 hour cat curfews where cats must be confined to owners property at all times unless on a leash (eg. Gold Coast City Council and Logan City Council);
- council policies restricting the number of cats permitted per household (eg. City of Mitcham and Gold Coast City Council);
- mandatory de-sexing (registered breeders excluded) (eg. Shire of Busselton and Logan City Council);
- cat prohibited or 'no go' zones (eg. Parramatta Council and Blue Mountains City Council), and
- 'Last Cat' Policy. This has been implemented on island communities, such as Bruny Island and Lord Howe Island.

### **The use of planning and development controls to manage cat predation**

In many areas environmental planning laws are used to impose controls and prohibitions on the ownership of domestic cats, using planning agreements and/or conditions attached to development consents.

Examples of other Local Government Areas that have controls to prohibit cats from being permitted within a specific development are Casey City Council, Wodonga City Council, and the township of Eynesbury in Victoria.

Examples of development controls currently in existence in Tweed Shire Council are:

- registering an instrument on title to prohibit cats in a residential estate, for example at Koala Beach and Black Rocks Estates;
- the requirement to confine cats to the owners property at all times (unless under the control of a leash or other suitable method), for example in some sections in Pottsville Waters;
- cat curfew (dawn to dusk) covenants on titles, for example at Sea-breeze Estate and some sections in Casuarina Estate.

Due to the multiple, different types of development controls for new estates these controls have been difficult to enforce.

### **Trapping program**

A large number of Councils have programs through which they loan cage traps to residents to catch cats that are roaming on private property. Examples are provided below.

- Alexandrina Council runs a trapping program to protect the welfare of owned and domestic cats whilst reducing the numbers of feral and un-owned cats.
- Tweed Shire Council loans cage traps to community members for trapping of cats on private property. Since June 2012, 67 cats have been trapped. All trapped cats are sent to Council's pound for assessment and re-homing.
- Gold Coast City Council lends soft jawed traps to rural areas and cage traps to urban areas for the control of roaming owned, stray and feral cats.
- Roxby Downs operates a cage trapping program to the community for a refundable fee.

### **Management Plans**

Most Local Government Areas have Animal Management Plans, which include management for cats. Some examples are included below.

- Tamworth Regional Council has introduced a Strategic Companion Animal Management Plan 2012 - 2015. Since the commencement of this plan Council has reported a decline in community nuisance complaints concerning cats, has implemented programs to support responsible pet ownership and has enforced cat regulation measures.
- Alexandrina Council is implementing a five year Animal Management Plan. This plan includes an education program on the importance of keeping cats indoors over night to minimise predation on native wildlife and provides assistance to residents with the removal of feral or un-owned cats.

### ***Possible future actions for Tweed Shire Council:***

**Effective cat management in Tweed Shire requires acknowledgment that there are distinctly different types of management required for the three types of cats we have in the Shire, being owned cats; stray cats; and feral cats.**

#### Owned cats

There is a need to establish clear protocols for the management of the impacts of free-roaming pet cats in Tweed Shire. The NSW *Companion Animals Act* 1998 is largely focused on the control of domestic dogs, and has limited provisions for the control of cats, thus providing little in the way of protection for native wildlife.

The protection of wildlife is a challenging task for land managers in areas where suburbs are adjacent to natural areas. The effectiveness of existing development control measures to manage the impacts of cats is limited due the difficulties in enforcement including complexity of different regulations and resource constraints.

#### Feral and stray cats

It is known that both feral and stray cats are present in Tweed Shire. The management of the impacts of these animals is limited by existing resource levels.

The following recommendation aims to build on existing cat management programs in Tweed Shire.

### **Recommendation - Develop Cat Management Action Plan**

It is recommended that Tweed Shire Council develop a Cat Management Action Plan. This should be included as a chapter in an overall Vertebrate Pest Management Strategy that

guides the management of the impacts of all declared and environmental pests species present in the Shire.

The Cat Management Action Plan should be developed jointly between the Natural Resource Management Unit, and the Development Assessment and Compliance Unit. Resources will need to be allocated for the development of this strategy.

This Action Plan should aim to promote and facilitate the effective management of cats in Tweed Shire and should address the specific issues surrounding the effective management of owned pet cats, stray cats, and feral cats.

It should promote animal welfare and the benefits of animal companionship, addressing the legitimate needs of pets and their owners while respecting the rights of other members of the community and protecting the environment.

The development of such a document would allow for the resourcing implications of implementing effective cat management in Tweed Shire to be explored in depth for future decisions of budgets.

As well as reduced impacts to native fauna, the development of a cat management action plan has the potential to considerably reduce public nuisance experienced by residents of Tweed Shire as well as provide significant protections and animal welfare benefits to cats.

#### **Estimated resources required to develop cat management strategy.**

The management approach needed and the tasks required to develop management measures will vary significantly between owned, stray and feral cats. The estimated time required to develop each component of the cat management action plan is:

- Owned Cats - Developed jointly by Development Assessment and Compliance Unit and Natural Resource Management staff - approximately 290 days;
- Feral Cats - developed by Natural Resource Management staff - 32 days, and
- Stray Cats - developed jointly by Development Assessment and Compliance Unit and Natural Resource Management staff - 37 days

#### **OPTIONS:**

1. That a workshop be conducted with Councillors to explore the options and possible actions and resource implications of managing cats in Tweed Shire.
2. That a workshop not be conducted with Councillors and this report be received and noted.

#### **CONCLUSION:**

In conclusion, the literature review summarised above, has found that owned, stray and feral cats are having an impact on native fauna in Australia. This body of work provides a convincing argument that cats are having a negative impact on native fauna in the Tweed, across all land use types.

There are a number of measures being applied by Local Councils across Australia to mitigate the impact of cats on native fauna. Foremost among these are measures that are being applied to the management of owned cats.

It is recommended that Tweed Shire Council develop a Cat Management Action Plan. This should be included as a chapter in an overall Vertebrate Pest Management Strategy, that guides the management of the impacts of all declared and environmental pests species present in the Shire.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Companion Animals Management Plan v1.0

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

This report is for information only. Regulation and control of the impact of owned, stray and feral cats on native fauna would have significant ongoing budget implications.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.                      A summary of current research on the interactions between cats (domestic, free living strays and feral) and native wildlife on the Eastern sea board (ECM 3692765)

Attachment 2.                      Estimated Time Frame (ECM 3692767)

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## 17 [CNR-CM] River Health Grant Approval May 2015

SUBMITTED BY: Natural Resource Management

Valid



## Caring for the Environment

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
- 4.3 Maintain and enhance Tweed's waterways and its catchments
- 4.3.1 Manage water resources sustainably and minimise impact on the environment by achieving more integration of water supply, wastewater and stormwater services

### SUMMARY OF REPORT:

This report provides Council with details of proposed investments in river and riparian management, through implementation of the River Health Grants Program.

The goal of this program is to improve the quality of Tweed Waterways by subsidising works on private properties, for example by erosion control, revegetation, weed control or provision of off stream water for cattle. The source of funding for this program is the Water Unit mandatory dividend for water and sewerage.

The River Health Grant program has funded projects on 18 properties improving 6,025m of waterway since July 2014. These grants total \$67,205.80. Each grant is based on the agreement that the landholder will contribute significantly to the project, in most cases by undertaking agreed works, with materials supplied by Council.

### RECOMMENDATION:

That Council approves the proposed River Health Grant listed below:

<i>Property Owner</i>	<i>Locality</i>	<i>Stream frontage (m)</i>	<i>Objective of works</i>	<i>Council contribution</i>
Sims	Tygalgah	100m	Stabilise river bank erosion	Supply of rock to maximum value of \$60,000
Stewart	Pumpenbil	140	Revegetate creek bank by providing plants	\$300
Debono	Crystal Creek	140	Revegetate creek bank by providing plants	\$300
Lazer	Bilambil	165	Revegetate creek bank by providing plants and weed control	\$550

## REPORT:

Since June 2006 Council has worked with riparian landowners to initiate projects which protect and improve water quality and stream bank condition in the Tweed Catchment. The goal of this program is to enhance the environmental condition of Tweed waterways and improve the quality of raw water extracted for treatment at Bray Park.

The River Health Grants Program has been successful in attracting a diverse range of landholders, from traditional farmers to rural lifestyle property owners. The program has made a significant improvement to the condition of creek and river banks in many parts of the Tweed Shire.

In each case of funding, an agreement with land holders is signed that details Council's contribution to the project and the commitments and responsibilities of the land holder. Each grant is based on the agreement that the landholder will contribute significantly to the project, in most cases by undertaking agreed works, with materials supplied by Council.

Three small projects are included in this report, all to provide native plants to landowners to plant along creek banks to protect against further erosion. Landowners will be given instructions in planting and maintaining revegetation sites. One site at Bilambil Creek is recommended to include weed control to eliminate a north Queensland rainforest tree which threatens to invade adjacent bushland, having spread along the riparian zone on the property.

A larger project at Tygalgah on the Tweed River is recommended for funding in this report. Work will be undertaken to stabilise river bank erosion which is located on crown land, immediately adjacent to private land, and within 8-10 metres of several structures, including a dwelling. The subject site is located on Tumbulgum Road, and shown in the figure below. It should be noted that Council's Condong boat ramp is located on the bank directly opposite.



This project is consistent with the aims and objectives of the River Health Grants Program. Undertaking the work will reduce input of sediment to the Tweed River estuary and will

increase the likelihood of mangrove recruitment and riparian revegetation at the site. In addition, the project is supported for two important reasons:

- The location and operation of the Condong boat ramp draws vessels to the area, which in turn leads to a concentration of wake wave energy on river banks adjacent to the boat ramp, and on the opposite bank (the subject site). Erosion in the area is severe, and Council has initiated a project to stabilise the river bank adjacent to the Condong boat ramp. The owners of the land subject to this agreement contend that operation of the boat ramp has increased erosion of the river bank adjacent to their property, forcing them to initiate a river bank stabilisation project.
- By supporting this project, Council attains more influence in the design and construction of the rock revetment wall that will be required to stabilise erosion and protect the dwelling and structures. The rock revetment wall is designed to incorporate a rock fillet and encourage the recruitment of mangroves at the bank toe. The riverbank above the rock revetment will also be revegetated with native riparian species.

The owners of the property have received development approval for the project, and will engage a contractor to construct the revetment wall. Their investment in the project will be substantial, estimated to be up to \$30,000.

The table below includes the four projects proposed for funding through the River health Grants scheme.

<i>Property Owner</i>	<i>Locality</i>	<i>Stream frontage (m)</i>	<i>Objective of works</i>	<i>Council contribution</i>
Sims	Tygalgah	100m	Stabilise river bank erosion	Supply of rock to maximum value of \$60,000
Stewart	Pumpenbil	140	Revegetate creek bank by providing plants	\$300
Debono	Crystal Creek	140	Revegetate creek bank by providing plants	\$300
Lazer	Bilambil	165	Revegetate creek bank by providing plants and weed control	\$550

**OPTIONS:**

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

**CONCLUSION:**

The project nominated in this round of river health grant approvals includes significant in-kind contributions from the property owners. The project will achieve the aims of the River Health Grants Scheme, and are in accord with the Water Supply Catchment Stream Bank Protection Policy.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

River Health Grants v1.0

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

The source of funding for this program is the Water Unit mandatory dividend for water and wastewater in accordance with the River Health Grants Policy.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**18 [CNR-CM] Tweed Riverbank Erosion Management Plan 2014 - Adoption**

**SUBMITTED BY: Natural Resource Management**

Valid



**Caring for the Environment**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

4	Caring for the Environment
4.3	Maintain and enhance Tweed's waterways and its catchments

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**SUMMARY OF REPORT:**

On 19 June 2014, Council resolved to place the Tweed Riverbank Erosion Management Plan 2014 on public exhibition for a period of 60 days. This occurred from 26 August to 31 October 2014.

In addition, it was resolved that a further report be prepared for Council's consideration at the close of the submission period, and that the additional report would include, but not be limited to:

- a. further investigation of potential options to minimise use of rock walls;
- b. methods to enhance outcomes for aquatic and terrestrial ecology and visual amenity where rock walls are unavoidable; and
- c. options for further reducing impacts affecting riverbank erosion.

This report:

1. addresses points a-c above,
2. details a number of minor changes made to the Tweed Riverbank Erosion Management Plan,
3. notes the content of submissions made during the exhibition period,
4. recommends adoption of the report in its final form.

This plan contains riverbank erosion stabilisation designs that seek to balance road and river protection. The plan also contains a schedule of areas for revegetation, which if implemented will improve ecological conditions and in some cases aim to offset the need for the implementation of structural protection works.

It is recommended that this plan be adopted, and that Council continue to work cooperatively across divisions to implement works in accordance with its principals, and promote these principals in dealings with the public and other government agencies.

**RECOMMENDATION:**

**That Council adopts the Tweed Riverbank Erosion Management Plan 2014.**

## REPORT:

On 19 June 2014, Council resolved to place the Tweed Riverbank Erosion Management Plan 2014 on public exhibition for a period of 60 days. This occurred from 26 August to 31 October 2014.

In addition, it was resolved that a further report be prepared for Council's consideration at the close of the submission period, and that the additional report would include, but not be limited to:

- a. further investigation of potential options to minimise use of rock walls;
- b. methods to enhance outcomes for aquatic and terrestrial ecology and visual amenity where rock walls are unavoidable; and
- c. options for further reducing impacts affecting riverbank erosion.

This report:

1. addresses points a-c above,
2. details a number of minor changes made to the Tweed Riverbank Erosion Management Plan,
3. notes the content of submissions made during the exhibition period,
4. recommends adoption of the report in its final form.

These matters are dealt with in the report below, as enumerated above.

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

The plan has been developed based on the following principals:

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

The severity of riverbank erosion in the Tweed estuary varies considerably, however overall, the scale of the problem is large.

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

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

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

It is estimated that there is 5,754 metres of roadway within the priority reach that is at risk of being affected by bank slips within the next five to 10 years. At an estimated cost of \$1,500 per lineal metre to stabilise riverbank erosion (based on the average cost per metre rate of erosion stabilisation work recently undertaken by Council), the total cost to stabilise severe erosion adjacent to roads could be as much as \$9,000,000 over 10 years. Maintenance costs would add to this figure.

**1. Further Investigation of potential options to minimise use of rock walls, mitigate impact of rock wall construction and reduce erosion.**

*1(a) Potential Options to Minimise Use of Rock Walls*

The decision on whether or not to employ a rock wall (or alternative solution) to protect a riverbank or adjacent asset from the impact of erosion will be made on the basis of risk assessment and cost/benefit. This process will be followed with varying degrees of formality by both government and private land owners, and will be based on the likelihood of the erosion occurring or worsening, and the consequence of the impact on the asset. Rock wall construction is expensive, therefore the benefit to be accrued through protecting the asset must be significant.

An obvious option to minimise the use of rock walls in the Tweed Estuary is to ensure that they are not constructed needlessly, in areas where erosion is not severe, or where the impact of the erosion on the asset is not significant. To this end, the Riverbank Erosion Management Plan identifies areas where rock walls are not required, but where bank enhancement through revegetation should occur. Section 5.1 provides a schedule of works for riverbank revegetation, with a total value of approximately \$500,000.

Council is the approval authority for applications to construct rock walls in the estuary, with works triggering either a DA where they are proposed by the public on private property, or a Part V and REF when they are being undertaken by Council. This process of assessment allows Council to consider proposed designs, consistent with the management aims of the Tweed Riverbank Erosion Management Plan (section 1.1, page 3), once it has been adopted. As such, it is possible for Council to make a judgement on the appropriateness of rock wall construction, and to advocate for best practice riverbank erosion management, in both private and public sector project assessment.

Unfortunately, as has been demonstrated through erosion mapping in the Tweed Riverbank Erosion Management Plan, the majority of severe erosion in the Tweed Estuary is threatening the Tweed Valley Way and Tumbulgum Road. Given the value of these assets and the extremely limited distance between the eroding riverbanks and carriageway, it is likely that a significant number of rock walls will need to be constructed by Council to protect the road. While in theory it may be possible to realign roads to reduce the risk of damage from erosion, it is not considered likely that realignments could occur sooner than the need for protective works to be implemented.

As such, adoption of bio-engineering approaches to riverbank erosion management, as emphasised in section 4.5 of the management plan, will be critical. Council should ensure that all future riverbank stabilisation projects undertaken with the aim of protecting roads or other infrastructure are designed consistent with the management aims of the Tweed Riverbank Erosion Management (section 1.1, page 3).

*1(b) Methods to enhance outcomes for aquatic and terrestrial ecology and visual amenity where rock walls are unavoidable*

Section 4.4 and 4.5 of the management plan provide design advice for rock wall construction (where it cannot be avoided), that incorporates features to mitigate impacts on river ecology and amenity. Additional information has been included in section 4.5 on rock wall design options that minimise the scale of wall construction (making walls smaller) and mitigate their impact (adding features of environmental value).

In preparing this additional report on the Riverbank Erosion Management Plan, Council staff have sought to ensure that recommendations being proposed for bio-engineered rock walls and rock wall mitigation options are consistent with best practice in the region, and within Australia. A field trip was undertaken with staff from the NSW Office of Environment and Heritage, Local Land Services, Soil Conservation Service and NSW Fisheries, where sites in the Bellinger, Nambucca and Orrara Rivers were inspected. Based on what has been able to be observed in the Northern Rivers Region, consultation with other practitioners and a review of relevant publications and research, it is considered that the generic design recommendations made and Tweed Riverbank Erosion Management Plan are consistent with best practice in the discipline. It would not be appropriate for the Tweed Riverbank Erosion Management Plan to contain more detailed design specifications for individual sites, as constraints and opportunities must be assessed and overcome through a detailed site assessment and design process.

Council has also been provided with a grant from the NSW Office of Environment and Heritage under the Estuary Management Program to trial a number of bank stabilisation designs on an eroding riverbank in Murwillumbah. This project will provide valuable experience for Council in the trial and development of innovative and sustainable bank stabilisation structures, which may be able to be adapted to protect roads.

*1(c) Options for further reducing impacts affecting riverbank erosion.*

Section 2.1 of the riverbank erosion management plan details the causes and factors influencing the scale and severity of bank erosion. These are as follows:

The scale and severity of riverbank erosion in the Tweed estuary varies from site to site, depending on a range of natural and disturbance related factors including:

- Height of the riverbank
- Bank position within the meander and shoal pattern of the river
- Frequency and intensity of vessel wake wave creation
- Flood severity
- Presence and condition of natural vegetation, at bank toe and top of bank
- Erosion resistance of riverbank material
- Presence and condition of bank armouring
- Adjacent land use

The following table notes the causes of riverbank erosion and factors influencing scale and severity into categories that can, and cannot be influenced by Council. A comment on

options and actions that can be undertaken to further reduce the cause of erosion is also provided.

**Table 1. Factors influencing scale and severity of erosion**

<b>Factors affecting riverbank erosion</b>	<b>Ability for Council to control or reduce</b>	<b>Options and comments</b>
Height of the riverbank.	Cannot be managed or reduced, except through earthworks.	Some riverbanks are re-profiled to increase stability when bank stabilisation works are undertaken.
Bank position within the meander and shoal pattern of the river.	Cannot be managed.	Outside river bends are more prone to slumping following floods and destabilisation from wake waves.
Erosion resistance of riverbank material.	Minimal ability to influence.	Planting can add resistance to erosion, however where severe erosion already exists, this will be of limited value in the short term.
Flood severity.	Cannot be managed.	Revegetation of the upper catchment is recognised as being of benefit in reducing flood intensity, however this will not address the severity of existing erosion.
Frequency and intensity of vessel wake wave creation.	Minimal ability to influence.	Vessel regulation primarily managed by Department of Roads and Maritime Services. Council has ability to control commercial use through DA process.
Presence and condition of natural vegetation, at bank toe and top of bank.	Moderate ability to influence.	The Riverbank Erosion Management Plan sets out a schedule of revegetation works to be undertaken on public land. River Health Grants are available for revegetation of private land. Revegetation of riparian areas in the upper catchment is also of importance in the moderation of flooding in the estuary. Revegetation will have limited benefit in areas of severe existing erosion.
Presence and condition of bank armouring.	Significant ability to influence.	Council is the primary agency with the ability to design and implement riverbank erosion stabilisation structures.
Adjacent land use.	Significant ability to influence.	Council can exercise decision making and approval powers to ensure that land use adjacent to an erosion prone riverbank does not worsen erosion, or result in the need for armouring works to be undertaken, due to development proximity.

## **2. Changes made to the Tweed Riverbank Erosion Management Plan**

Three minor changes have been made to the Tweed Riverbank Erosion Management Plan since it was exhibited in 2014.

- (i) Paragraph inserted at section 4.5, page 22.

*"This design should be investigated and employed wherever possible by both Council and land owners when riverbank stabilisation works are being proposed in the Tweed Estuary. In assessing or reviewing applications or designs for structural riverbank stabilisation works, Council will assess the degree to which the elements of this typical design have been incorporated, and the commitment made towards mitigating the aesthetic and ecological impacts of rock wall construction."*

This paragraph seeks to increase the emphasis on designing structural erosion stabilisation works in a manner that protects the aesthetic and ecological values of the river. The design referred to is provided as figure 7 in the Riverbank Erosion Management Plan. It is not possible for Council to mandate a certain detailed design, as in some cases geomorphic conditions will preclude the type of bio-engineered design referred to.

- (ii) Diagram inserted in section 6.2, page 32.

A flow-chart diagram has been inserted to provide guidance on the approvals pathway for members of the public who propose to undertake riverbank erosion stabilisation works on private land.

- (iii) Reclassification of erosion severity of bank section 280-281 at Chinderah

A small length of riverbank (270m) downstream from the entrance of the Oxley Cove Canal Estate has been reclassified from 'generally stable' to 'vulnerable'. This change was suggested in a public submission. The change is justified based on the fact that the area is eroding, and that works to reduce or stabilise erosion are highly unlikely to be undertaken due to the fact that it is a natural riverbank with no assets to be protected. The area has important natural values and will remain vulnerable to erosion.

### **3. Submissions during the public exhibition period**

Three written submissions were received on the Tweed Riverbank Erosion Management Plan during the public exhibition period, and these are included in the table below. While there were a limited number of public submissions on the document, it should be noted that the plan has been developed over a two year period and includes continual consultation with the Tweed River Committee. As such, the plan has been subject to review from the NSW Government agencies and community stakeholder representative groups that comprise the Tweed River Committee.

**Table 2. Summary of submissions made on the Riverbank Erosion Management Plan**

<b>Submitted by</b>	<b>Comment/request</b>	<b>Response</b>
Claire Masters	<p>I support this Plan that sets out Council priorities for riverbank erosion management.</p> <p>It is of great concern and deeply saddening that such very large areas of the riverbank are degraded to a degree that so much structural erosion stabilisation is recommended.</p> <p>As a landholder, Landcarer and member of the Tweed River Committee since 2004, I am committed to maximising the environmental and amenity values of the riverbank in the long term.</p> <p>The recommendations in the Plan take into account the need to maintain and increase the environmental and amenity values of the riverbank as a priority. I support these Recommendations and Council's work on behalf of community to maintain and increase these values into the future.</p>	Noted.
Tweed Landcare	<p>Tweed Landcare supports this Plan that sets out Council priorities for riverbank erosion management.</p> <p>It is of great concern and deeply saddening that such very large areas of the riverbank are degraded to a degree that so much structural erosion stabilisation is recommended.</p> <p>As a landcare network that has been represented on the Tweed River Committee since 2004, Tweed Landcare is committed to maximising the environmental and amenity values of the riverbank in the long term.</p> <p>The recommendations in the Plan take into account the need to maintain and increase the environmental and amenity values of the riverbank as a priority. Tweed Landcare supports these recommendations and Council's work on behalf of community to maintain and increase these values into the future.</p>	Noted.



<p>Ross Purdon</p>	<p>With reference to the Draft Tweed Riverbank Erosion Management Plan 2014 I believe that all sections of the Southern Left Bank of the Peninsula at the end of Bosun Blvd. should be re-classified to highly vulnerable to erosion / high risk. It would be a mistake to consider that sections 280-282 can be rated less than high risk when you consider the eco importance and the historical heritage significance of this part of the Tweed River.</p> <p>We must protect this vulnerable eco area by limiting activities that contribute to erosion damage and have an adverse impact on other River Users.</p> <p>I have marked up (roughly) a copy of Map 14 – Reach L7 of your documentation to reflect this change. Would you please adopt this recommendation as the effects of erosion are increasing annually and the rate of erosion will only increase as boats are forced closer to this bank following the construction of the Chinderah Pontoon.</p> <p>The SMEC, impact of Wake on Tweed Riverbank Erosion Study 3001906, 2010 exclusion Zones and compatibility of use, in Vulnerable Areas must form part of the Tweed Riverbank Erosion Management policy recommendations.</p>	<p>Classification of the erosion severity and risk of bank sections 281-282 (approx 270m) as 'generally stable' is generally consistent with the classification system applied to the whole river. However, it is agreed that erosion is affecting a valuable natural area and there is no scope to undertake stabilisation work, and therefore the area will remain exposed to the impact of erosion. As such, the classification of the bank section has been changed from 'generally stable' to 'vulnerable'. Map 14 in the Riverbank Erosion Management Plan has been amended to reflect this change.</p> <p>The Riverbank Erosion Management Plan's scope and objectives do not include placing limitations on activities.</p> <p>Recommendation supported, as per comment above.</p> <p>The scope of the Tweed Riverbank Erosion Management Plan is clearly linked to the management riverbanks, not to the management or regulation of factors which cause erosion.</p>
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**OPTIONS:**

1. That Council adopts this report.
2. Council requests further revision and amendments.

**CONCLUSION:**

The Tweed Riverbank Erosion Management Plan provides valuable information on the current condition of riverbanks in the Tweed, and proposes adoption of principles for their management that recognise the aesthetic and ecological values of the river, and the need to protect public infrastructure. Council faces a significant challenge in managing riverbank erosion over the next decade, in particular, the threat of existing and ongoing damage to the Tweed Valley Way, Tumbulgum and Dulguigan Roads. While traditional engineering approaches to riverbank stabilisation can be applied to these problems, the impact of a

comprehensive program of stabilisation works would severely detriment the visual character and ecological condition of the estuary.

This plan contains riverbank erosion stabilisation designs that seek to balance road and river protection. The plan also contains a schedule of areas for revegetation, which if implemented will improve ecological conditions and in some cases aim to offset the need for the implementation of structural protection works.

It is recommended that this plan be adopted, and that Council continue to work cooperatively across divisions to implement works in accordance with its principals, and promote these principals in dealings with the public and other government agencies.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

While there has been an estimate made of the potential cost of works to stabilise erosion in the Tweed Estuary, that is, up to \$9,000,000 over 10 years, this work is currently unfunded. The report identifies costs but not the source of funds to undertake the works.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Tweed Riverbank Erosion Management Plan (ECM 3692066)

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## REPORTS FROM THE DIRECTOR ENGINEERING

### 19 [E-CM] Revised Policy - Discharge of Liquid Trade Waste to the Sewerage System

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
2.3.3	Provision of high quality and reliable wastewater services which meets health and environmental requirements and projected demand

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### SUMMARY OF REPORT:

Council adopted the Policy - *Discharge of Liquid Trade Waste to the Sewerage System (Version 1.0)* on 16 May 2013.

The policy has been amended and Version 2.0 is attached. The amendments are necessary due to changes to Council's Revenue Policy and alignment of the Policy with the NSW Office of Water (NOW) Liquid Trade Waste Regulation Guidelines. At the same time, minor errors in Version 1.0 have been corrected.

The draft revised Policy was forwarded to the NSW Office of Water for concurrence. Comments on the draft Policy and additional amendments were received from the NSW Office of Water and are attached to this report as *Attachment 1*.

The amendments requested by NOW have been addressed in the revised Policy. Council has received the concurrence of the NSW Office of Water with the revised Policy - Version 2.0 and can therefore proceed to place the amended Policy on public exhibition.

### RECOMMENDATION:

That:

1. As per Section 160 of the Local Government Act 1993, Council exhibits the draft Policy - *Discharge of Liquid Trade Waste to the Sewerage System (Version 2)* - and invites public submissions for a period of 42 days.
2. Council considers all submissions received during the exhibition period prior to adoption of the revised Policy.

3. **Post-exhibition, Council seeks the concurrence of the NSW Office of Water prior to making any further amendments to the Policy.**

## REPORT:

Council adopted a Policy for *Discharge of Liquid Trade Waste to the Sewerage System (Version 1.0)* on 16 May 2013.

Amendments to the Policy are necessary due to changes to Council's Revenue Policy and alignment of the Policy with the NSW Office of Water (NOW) Liquid Trade Waste Regulation Guidelines. At the same time, minor errors and anomalies identified in Version 1.0 have been corrected.

### Summary of Amendments

- Page 9, Part 1 Exemptions
  - The list of Exemptions has been amended as per advice from NOW in September 2014.
  - Community Hall, Funeral Parlour, Sandwich Shop, Salad Bar, Juice Bar and Coffee Shop (no hot food prepared) have been removed from the Exemptions list.
- Pages 37-39, Appendix A, Sewer Discharge Factors (Volumetric)
  - The list of discharge factors has been expanded and updated.
  - Clause 9 has been added.
  - Manager Water has been amended to Manager Water and Wastewater.
- Pages 40-41, Appendix B, Trade Waste Proportion of Discharge
  - The list of discharge factors has been expanded and updated.
  - Equation for Calculation of Quantity of Liquid Trade Waste has been corrected to be consistent with Council's charging policy.
  - Note regarding sewer discharge allowance has been removed as this no longer exists.
- Page 47, Execution of Agreement
  - Manager Water has been amended to Manager Water and Wastewater.

As per the NSW Office of Water (NOW) Liquid Trade Waste Regulation Guidelines, April 2009, the proposed amendments to the Policy listed above were forwarded to NOW for concurrence.

Comments on the draft revised Policy and additional amendments were received from the NSW Office of Water and are attached to this report as *Attachment 1*. The majority of the amendments requested by NOW have involved updating references, nomenclature and position titles.

The amendments requested by NOW have been considered in the revised Policy. Council has received the concurrence of the NSW Office of Water with the revised Policy - Version 2.0 and can therefore proceed to place the amended Policy on public exhibition.

**OPTIONS:**

Council is required to exhibit the amended Policy as per Section 160 of the Local Government Act 1993.

**CONCLUSION:**

The NSW Office of Water has granted its concurrence with the amended Policy. Council can proceed to exhibit the amended Policy publicly before any final amendments and adoption. If further amendments to the Policy are required as a result of submissions received during the exhibition period, the concurrence of NOW will need to be sought.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Discharge of Liquid Trade Waste to the Sewerage System v1.0.

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

Nil.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Comments received from the NSW Office of Water, 5 May 2015 (ECM 3688359).

Attachment 2. Draft Policy - Discharge of Liquid Trade Waste to the Sewerage System V2.0 (ECM 3688327).

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20 [E-CM] Rainwater Tanks in Serviced Areas - Revision of Rainwater Tank Policy

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

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### SUMMARY OF REPORT:

In April 2015 Council resolved to review the "*Rainwater Tanks in Urban Areas (Version 2.1)*" Policy to cater for commercial and industrial development. The revised Policy was to be renamed to "*Rainwater Tanks in Reticulated Areas of Tweed Shire*".

The Policy has now been reviewed and is ready to be placed on public exhibition. For simplicity, the revised Policy is now called "*Rainwater Tanks in Serviced Areas*".

The revised policy caters for rainwater tanks in areas of Tweed Shire serviced by the reticulated water supply. It caters for rainwater tanks on residential as well as non-residential properties.

### RECOMMENDATION:

That:

1. As per Section 160 of the *Local Government Act (1993)*, Council exhibits the draft Policy "*Rainwater Tanks in Serviced Areas (Version 3.0)*" and invites public submissions for a period of 42 days.
2. Council considers all submissions received during the exhibition period prior to adoption of the revised Policy.

## **REPORT:**

Council's rainwater tank policy was reviewed and significantly amended in 2011. The current Policy, *Rainwater Tanks in Urban Areas (Version 2.1)*, was subsequently adopted in September 2011. It covers the installation and use of residential rainwater tanks in Tweed Shire.

On 16 August 2011, while the above Policy was on exhibition and being finalised, Council resolved that a new Policy for rainwater tanks in commercial and industrial precincts within the Tweed Shire be considered.

The need for a separate policy for rainwater tanks in commercial and industrial precincts was investigated. A review of Tweed's Top 20 and Top 100 water saving programs for non-residential water users showed that the demand for a policy on rainwater tanks by this sector was very low.

Much of the content of a Policy relating to the installation, operation and maintenance of rainwater tanks in commercial and industrial precincts would be a repeat of what is presently in the Policy, *Rainwater Tanks in Urban Areas (Version 2.1)* which was adopted by Council in September 2011.

It was therefore proposed that no new policy be developed but the existing Policy, *Rainwater Tanks in Urban Areas (Version 2.1)*, be amended to cater for non-residential areas.

In April 2015 Council resolved to review the "*Rainwater Tanks in Urban Areas (Version 2.1)*" Policy to cater for commercial and industrial development. The revised Policy was to be renamed to "*Rainwater Tanks in Reticulated Areas of Tweed Shire*".

The existing Policy has been reviewed and had been revised. For simplicity, the revised Policy is now called "*Rainwater Tanks in Serviced Areas*".

The revised Policy caters for rainwater tanks in areas of Tweed Shire serviced by the reticulated water supply. It caters for rainwater tanks installed on residential as well as non-residential properties.

In accordance with s160 of the *Local Government Act (1993)*, Council is required to place the draft Policy on exhibition for a period of 28 days. Thereafter Council may consider the Policy in accordance with s161 of the *Local Government Act (1993)*. The draft Policy is ready to be placed on public exhibition. The period of exhibition proposed is 42 days as that is the period in which Council must accept submissions after the date of exhibition.

## **OPTIONS:**

Council is required to exhibit the amended Policy as per Section 160 of the *Local Government Act (1993)*.

## **CONCLUSION:**

The revised Policy now caters for rainwater tanks in all areas of Tweed Shire serviced by the reticulated water supply. It caters for rainwater tanks installed on residential as well as non-residential properties.



**COUNCIL IMPLICATIONS:**

**a. Policy:**

Rainwater Tanks in Urban Areas v2.1.

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

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Draft Policy - Rainwater Tanks in Serviced Areas (Version 3.0)  
(ECM 3694597).

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## 21 [E-CM] Rainwater Tank Rebate Scheme

**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

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

At its meeting on 16 April 2015, Council resolved to proceed with developing a rainwater tank rebate, with the Rous Water rebate scheme being used as a possible basis.

This report provides additional information about rebates for rainwater tanks, provides a rainwater tank rebate scheme, and compares rainwater tank rebate schemes with other water saving rebates. The report also outlines how a Tweed Shire Council rainwater tank rebate might work and what resources are required to implement it.

Rainwater tanks can result in water savings of typically 52kL per year where rain water from the tank is supplied to the garden, toilets and the laundry. Where used for outdoor use only, rainwater tanks may not provide water savings.

The cost to Council of running a rainwater tank rebate is significantly more, on a per kilolitre basis, than the cost of providing rebates for toilets and/or showers. Further, the cost of rainwater from the tank, to the home owner, after a rebate, is greater than the cost of water savings when rebates are provided for toilets and/or showers and 5-star WELS rated aerators and flow regulators.

#### **RECOMMENDATION:**

**That Council does not proceed with a rebate scheme for rainwater tanks on the grounds that other rebates are more cost effective.**

## **REPORT:**

At its meeting on 16 April 2015, Council resolved to proceed with developing a rainwater tank rebate, with the Rous Water rebate scheme being used as a possible basis.

This report provides additional information about rebates for rainwater tanks, provides a rainwater tank rebate scheme, and compares rainwater tank rebate schemes with other water saving rebates. The report also outlines how a Tweed Shire Council rainwater tank rebate might work and what resources are required to implement it.

### **Efficacy of Rainwater Tanks in Water Conservation**

The estimated water saving resulting from the installation of rainwater tanks varies significantly depending on what water using activities are supplied with tank water.

A tank connected to outdoor water use alone is unlikely to result in a measureable water saving. This is because the tank water is seen as "extra" water available for watering the garden or topping up the pool, rather than replacing valuable potable water consumption.

The maximum benefit of a rainwater tank is realised when the tank water is used internally within the home to flush toilets and/or launder clothes. This is the reason why BASIX for new homes makes internal connections mandatory.

Other key factors in maximising water savings from rainwater tanks include:

- The number of household end uses connected to tank water.
- The size of the roof catchment area diverted to the rainwater tank.
- The size of the rainwater tank installed.

Rainwater tank modelling undertaken as part of The Future Water Strategy for Rous Water indicates that rainwater tanks installed in accordance with the Rous Water retrofit program would achieve average water savings of 52 kilolitres per year when tank water is used internally to flush toilets and launder clothes. This result is supported by an earlier Rous Water analysis of the actual water savings associated with retrofit rainwater tanks, which estimated average water savings of 50 kilolitres/connection/year following rainwater tank installation.

In summary, rainwater tanks can result in water savings of typically 52kL per year where rain water is supplied to toilets and the laundry. Where used for outdoor use only, rainwater tanks may not provide water savings.

### **Rainwater Tank Rebates Elsewhere**

A number of local water utilities in NSW and Victoria currently offer rebates for rainwater tanks. The table below summarises them:

<b>Water Utility</b>	<b>Brief Summary</b>	<b>Maximum Rebate</b>
Rous Water (after 1 April 2015)	\$200 to \$1,000 for the tank depending on volume Extra \$620 if connected to toilet/s Extra \$550 if connected to laundry	Maximum rebate of \$2,170 for 9,000L tank connected to toilet/s and laundry
Rous Water (before 1 April 2015)	\$100 to \$500 for the tank depending on volume Extra \$500 if connected to toilet/s Extra \$500 if connected to laundry	Maximum rebate of \$1,500 for 9,000L tank connected to toilet/s and laundry
Shoalhaven Water	\$500 for tank >2,000L	Maximum rebate of \$500 for tank more than 2,000L
Midcoast Water	Point system for selected water saving devices \$200 to \$1,100 for the tank depending on volume and connections Must be >2,000L	Maximum rebate of \$1,100 for tank more than 4,000L connected to garden, toilet and laundry
Clarence Valley Council	\$450 to \$1,100 for tank depending on volume Must be >2,000L Must be connected to toilet or laundry	Maximum rebate of \$1,100 for tank 10,000L or above and connected to toilet or laundry
Living Victoria (applies to all VIC water utilities)	\$850 to \$1,500 depending on volume Must be >2,000L Must be connected to toilet/s or laundry	Maximum rebate of \$1,500 for tank 4,000L or greater and connected to toilet <u>and</u> laundry

### **Proposed Rainwater Tank Rebate Schemes**

Rainwater tank rebate schemes typically centre on a financial contribution to the cost of the tank, the size of the tank and the use of the water.

Present BASIX requirements require new houses to reduce water consumption. Typically this is undertaken by the installation of a rainwater tank. Therefore the situation is that no further incentive is required for the installation of a rainwater tank at new residences. The incentive is only required for the retro-fitting of rainwater tanks at existing residences and commercial and industrial developments.

Rebate schemes provide little or no water savings unless connected to internal uses of laundry and toilets or provide water for industrial and commercial uses.

In respect to existing residences any rebate scheme, to be effective in saving water, should require the connection of the tank to the laundry and the toilets.

In respect to commercial and industrial developments, both new and existing, the proponent would need to demonstrate a saving in potable water use through the use of rainwater tanks before a rebate would be considered.

The quantum of the rebate needs to reflect the cost of saving water. Based on a capital cost of approximately \$5,000 to install a rainwater tank to provide water to toilets and laundry and a cost of \$3,000 to install a tank for external use, the costs to Council and the home owner have been calculated for various rebate options.

Water Saving Action	Rebate Amount (\$)	Estimated Water Saving (kL/year)	Life of Product (yrs)	Annualised Cost to Council (\$/kL)	Annualised Cost to Home (\$/kL)
Rainwater Tank (external + toilet/s + laundry)	\$2,500	52.0	25	\$1.92	\$1.92
Rainwater Tank (external + toilet/s + laundry)	\$1,500	52.0	25	\$1.15	\$2.69
Rainwater Tank (external + toilet/s + laundry)	\$1,000	52.0	25	\$0.77	\$3.07
Rainwater Tank (external + toilet/s + laundry)	\$500	52.0	25	\$0.39	\$3.45
Rainwater Tank (external only)	\$2,500	5.0 or less	25	>\$20.00	>\$3.84
Rainwater Tank (external only)	\$1,500	5.0 or less	25	>\$15.00	>\$3.84
Rainwater Tank (external only)	\$1,000	5.0 or less	25	>\$10.00	>\$3.84

The annualised cost to Council can be compared to the marginal cost of production of water of about \$0.35 /kL. Other Council costs are fixed costs which need to be met.

The annualised cost to the home can be compared to the present cost of water of \$2.45/kL.

No rebate scheme provides a financial benefit to Council and only one provides a financial benefit to the home owner.

The above is only applicable to residential developments. To apply to commercial and industrial development an estimate of water savings would be required so that the cost effectiveness of any rebate could be determined.

In both residential and industrial/commercial situations the key factors in maximising water savings from rainwater tanks include:

- The number of household end uses connected to tank water.
- The size of the roof catchment area diverted to the rainwater tank.
- The size of the rainwater tank installed. For example, tanks less than 9,000L in volume are unlikely to deliver significant water savings.

These would need to be considered in any rebate scheme.

## Draft Rebate Scheme

The estimated total budget available in the first year would be \$400,000.

The rebate would be \$1,000, up to a maximum of \$2,170 for existing residences subject to:

- Connection to at least one toilet and the laundry.
- Minimum tank volume of 5,000 litres.
- Maximum rebate for 9,000 litres.

The rebate for commercial/industrial properties would be up to \$2,170, based on demonstrated water savings.

## Comparison of Tank Rebate Scheme with Other Rebate Schemes

The rainwater tank rebate scheme can be compared to other rebate schemes.

For each rebate scheme, it is possible to calculate the annualised cost by taking into account, the amount of the rebate and the estimated water saving over the life of the product in question.

Water Saving Action	Rebate Amount (\$)	Estimated Water Saving (kL/year)	Life of Product (yrs)	Annualised Cost to Council (\$/kL)	Annualised Cost to Home (\$/kL)
Rainwater Tank (external + toilet/s + laundry)	2,170	52.0	25	1.67	2.18
3L/4.5L Dual flush Toilet (\$400)	200	20.0	15	0.67	0.66
3-star WELS rated Showerhead (\$100)	50	15.0	5	0.67	0.66
5-star WELS rated Tapware (\$100)	50	5.0	5	2.00	2.00
5-star WELS rated Aerators and/or Flow Regulators /Controllers (\$50)	50	5.0	5	2.00	0.00
Garden Mulch, Pool Covers etc. (Unknown)	50	Negligible (difficult to measure)	Varies	>2.00	Unknown

From this table it is clear to see that the cost to Council of running a rainwater tank rebate is significantly more than the cost of providing rebates for toilets and/or showers. Further the cost of the tank rebate to the home owner is greater than the cost when rebates are provided for toilets and/or showers and 5-star WELS rates aerators and flow regulators.

This is only applicable to residential developments. Application to commercial and industrial development would need to be assessed on a case by case basis.

## **Financial Impact On Council**

Based on evidence from Rous Water the recent uptake rate for the rainwater tank rebate is low. In total 1,400 rebates have been paid across the Rous region. In the last six (6) years the number of rebates paid has reduced from a peak of 333 per year to less than 30. In April 2015 Rous Water doubled the rebate available but it is too early to say whether this has led to a commensurate increase in owners taking up the rebate.

This reflects a limited pool of home owners wanting to take up the rebate and those that do will do so early in a scheme.

Based on these figures and population of Tweed (which is about 70% of the Rous region) it is estimated approximately 980 home owners would take up the rebate and that the majority of these would take up the rebate in the first 4 years of the scheme. Based on a rebate of \$2,170 per tank it is estimated the annual expenditure would be \$531,650.

### **OPTIONS:**

Council has a number of options available to it:

- Resolve not to proceed with a rebate scheme for rainwater tanks on the grounds that other rebates are more cost effective.
- Resolve to proceed with a rebate scheme for rainwater tanks. The rebate would be \$2,170 for existing residences subject to the tank being connected to at least one toilet and the laundry and being at least 5,000 litres. The rebate for commercial/industrial properties would be up to \$2,170, based on demonstrated water savings. The rebate would be designed to run for four years. Based on estimates from uptake at Rous Water the annual cost would be approximately \$531,650 per year for 4 years.
- Resolve to proceed with a limited rebate scheme for rainwater tanks. The rebate would be provided for one year only with a limited total budget of \$400,000.

### **CONCLUSION:**

Rainwater tanks can result in water savings of typically 52kL per year where rain water is supplied to toilets and laundry. Where used for outdoor use only, rainwater tanks may not provide water savings.

The cost to Council of running a rainwater tank rebate is significantly more than the cost of providing rebates for toilets and/or showers when compared on a cost per kilolitre of water saved. Further, the cost of the tank rebate to the home owner, when considered on a cost per kilolitre of water used, is greater than the cost when rebates are provided for toilets and/or showers and 5-star WELS rated aerators and flow regulators.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Rainwater Tanks in Urban Areas v2.1.

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

An existing budget allocation of \$400,000 is available under the Demand Management budget. Budget for successive years has not been allocated.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**22 [E-CM] Water Supply and Sewerage Benchmarking Report 2013-14**

**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
2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.3	Provision of high quality and wastewater services which meets health and environmental requirements and projected demand

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### SUMMARY OF REPORT:

Council, each year, submits data to the Office of Water for the Office of Water to undertake benchmarking of water utilities.

In general Council's performance has been rated as satisfactory, good or very good. There are seven (7) items out of 56 criteria related to water that the Office of Water, in their suggested Action Plan, considers may require review. Each of these has been reviewed.

Similarly there are eleven (11) items out of 57 criteria related to sewerage that the Office of Water, in their suggested Action Plan, considers may require review. Each of these has been reviewed.

### RECOMMENDATION:

**That the Water Supply and Sewerage NSW Benchmarking 2013-2014 report be received and noted.**

## **REPORT:**

### **Background**

Each year the Office of Water prepares a NSW Water Supply and Sewerage Performance Monitoring Report. The Report provides an overview of the current status and future water supply and sewerage needs for NSW. The Report presents key performance indicators for all NSW urban water utilities. This enables each utility to monitor and improve its performance through benchmarking against similar utilities.

The authors of the report also provide each water utility with a Triple Bottom Line (TBL) Water Supply Report, and Water Supply Action Plan, TBL Sewerage Report and Sewerage Action Plan. Copies of the Reports and Action Plans are attached.

The Report does not address items within Council's Customer Service Charter such as response to enquiries.

### **Discussion - Water**

Council was acknowledged as receiving a "Very Good" rating in the implementation of Best Practice Requirements. Similarly it achieved a "Very Good" rating in health criteria of Physical Compliance, Chemical Compliance and Microbiological compliance with 100% compliance. Council also received a rating of "Very Good" for economic indicators of Interest Cover, Loan Payment and Water Main Cost.

Council received a "Good" rating for Renewals Expenditure, Residential Use Charges, Residential Access Charges, Typical Residential Bill, Typical Developer Charges, Revenue from Usage Charges, Number of Main Breaks, Real Losses, Economic Rate of Return, Net Debt to Equity and Capital Expenditure.

Within the Action Plan, prepared for Council by NSW Office of Water, only seven (7) items from 56 criteria were identified as "May Require Review". These are addressed below.

#### *Employees*

Council has 1.9 employees per 1,000 properties versus the state median of 1.5. This is due to, firstly, the amount of infrastructure per 1,000 properties, the requirement to operate 3 water treatment plants and the highly technical nature of the membrane treatment plants and specifically Bray Park.

Secondly, Council undertakes mechanical and electrical works in house along with a number of other reticulation activities where other authorities contract out such works. Council's present practice is considered efficient.

Further, due to rapid growth, a significant level of resources are also required to review the servicing requirements for, and financial implications associated with, new developments.

#### *Complaints*

The level of water service complaints is high at 28.2 per 1,000 properties versus a state average of 6. A review of the complaints register has shown that the definition used by Tweed Shire Council is much broader than that used by the Office of Water. As an example Tweed Shire Council presently records the notification of a leak as a complaint whereas the Office of Water would not. What is classified as a complaint is to be reviewed.

It is also noted that Council's performance in related items 25 (water complaints per 1,000 properties), 27 (average incidence of unplanned interruptions per 1,000 properties), 28 (average duration of interruption) and 30 (number of water main breaks per 100km of main) are at median values or better. This supports the proposition that actual complaint levels are not excessive.

Water quality complaints are 4.9 per 1,000 properties as compared to the state median of 3. The result may be due to high levels manganese in the water supply, a matter which is presently under investigation.

#### *Total Days Lost*

The percentage days lost is a measure of the days lost through sickness, injury or industrial dispute. Council had a total days lost of 4.3% as compared to the state median of 2.9%. A review of the data indicates the high percentage is not due to workplace injury but sickness unrelated to the work place. There were a small number of individuals who took more than 20 days sick leave which may have skewed the result.

#### *Management Costs*

Council management costs for water are \$176 per property versus a state average of \$137. Council's management cost per property has fallen from the 2012-13 result. Notwithstanding, the result is reflective of high administrative and corporate support costs via Activity Based Costing paid to General Fund.

Additionally, Council continues to be very active in preparing and updating urban water related strategies and implementing related policy, programs and actions to plan and cater for our growing community in consideration of our natural environment and achieving sustainable outcomes. Further, due to rapid growth, a significant level of resources are also required to review the servicing requirements for new developments.

These factors lead to an above average management cost for Council.

#### *Treatment Costs*

Council treatment cost per property is \$82 versus a state median of \$58. This is primarily due to the cost of operating the advanced technology at Bray Park WTP required for the treatment of manganese, dissolved organic carbon and algal blooms.

#### *Pumping Costs*

Council's pumping costs have reduced from \$47 per property to \$45 per property, just above the state median of \$43. Council will continue with initiatives such as utilisation of off peak tariffs to further reduce the pumping costs.

### **Discussion - Sewerage**

As with water, Council was acknowledged as receiving a "Very Good" rating in the implementation of Best Practice Requirements. Similarly, it achieved a "Very Good or Good" rating for Developer Charges, Sewerage Coverage and Odour Complaints. Council achieved a Satisfactory rating for renewal expenditure, Percent Tertiary Treated Sewage, and Compliance.

Within the Action Plan, prepared for Council by NSW Office of Water, only eight (8) items from 57 criteria were identified as "May Require Review". These are addressed below.

### *Renewals Expenditure*

Council's expenditure on renewals has risen from 0.3% to 0.4%. It is still below the state median of 0.5%. This may be due to a range of factors including the newness of many Council assets and previous early replacement of assets due to upgrades. Notwithstanding, Council is implementing an asset management system including My Predictor that will more accurately identify the appropriate level of asset renewal which will in turn inform future capital works programs.

### *Employees*

Council has 2.3 employees per 1,000 properties versus the state average of 1.6. This is due to firstly the amount of infrastructure per 1,000 properties, the requirement to operate 8 sewage treatment plants and the highly technical nature of nutrient removal sewage treatment plants such as Banora Point, Kingscliff, Hastings Point and Murwillumbah.

Secondly, Council undertakes mechanical and electrical works in house whereas other authorities contract out such works. Council's present practice is considered efficient.

Further, due to the rapid growth, a significant level of resources are also required to review the servicing requirements for new developments.

### *Percentage of sewage volume that complied*

The Sewerage Performance data provided by NOW recorded the percentage of sewage volume that complied was 83%. A review of Council's records indicate the low figure is due to proliferation of algal blooms in tertiary pondage which causes both the suspended solid to increase and the pH to increase. There were only three other incidents of non compliance, one being from the failure of a dosing pump, one from the requirement to take a portion of a wastewater treatment plant off line for maintenance and one from a rapid increase in load, which required an increase in biomass for adequate treatment.

### *Average Duration of Interruption*

Council has reduced the average duration of interruptions from 182 minutes to 130 minutes. Notwithstanding, this is still above the state median of 109 minutes. The reasons for this were a number of extended interruptions caused by tree roots and flooding either blocking the sewer network or rendering it unserviceable due to inundation.

### *Percentage Days Lost*

The percentage days lost is a measure of the days lost through sickness, injury or industrial dispute. Council's percentage days lost was 3.8% as compared to the state median of 2.9%. A review of the data indicates the high percentage is not due to workplace injury but sickness unrelated to the work place. There were a small number of individuals who took more than 20 days sick leave which may have skewed the result.

### *Percentage effluent reused*

Council's percentage of effluent reused, at 9%, is low compared to the state median of 12%. This is primarily due to high rainfall in the area and limited opportunities to reuse large quantities. The majority of authorities achieving high levels of reuse were located in drier and or rural areas having small sewerage schemes.

Notwithstanding, Council is actively pursuing reuse opportunities with the implementation of the Policy Financial Assistance to the Proponents of Recycled Water Schemes. Council has investigated opportunities at the Tweed River Jockey Club and the Murwillumbah Golf

Course. Council is providing financial assistance to the Tweed River Jockey Club for training track watering.

#### *Biosolids Reuse*

The Sewerage Performance report from NOW states that biosolids reuse was 87%. This figure is incorrect. Council achieved 100% biosolids reuse.

#### *Net Greenhouse gas emissions*

Council's greenhouse emissions are above the state average. Reasons for this include the number of pump stations within the reticulation network and the high level of treatment at the sewage treatment plants. Notwithstanding, Council aims to address this by seeking greater energy efficiencies in high energy consumption facilities such as the Banora Point WWTP.

#### *Compliance with Suspended Solids requirements in Licence*

Council achieved 93% compliance with suspended solids requirements. The reason this score was not 100% was due to the formation of algal blooms in maturation ponds at Banora Point, Tyalgum and Uki WWTPs. The issue of algal blooms is endemic to maturation ponds on warm climates.

#### *Operating Cost*

The operating cost is \$505 per property versus a state median of \$430. A large portion of this amount is made up of administration costs which are a payment from the Sewerage Fund to General Fund for administration based on Activity Based Costing. If this amount is subtracted from the \$505 the operating cost would be below the state median.

#### *Pumping Costs*

As with Net Greenhouse gas emissions Council pumping costs at \$101 per property are greater than the state median of \$68. This is due to the topography of the area and large number of sewage pump stations. Notwithstanding, Council aims to address this by seeking greater energy efficiencies in the high energy consuming facilities.

### **CONCLUSION:**

In general Council has performed well in the benchmarking undertaken by Office of Water.

Where it has been suggested by Office of Water in their proposed Action Plans that Council may require "*to review the result*", Council will undertake that review with the aim of improving performance or aligning Council's metrics with the Office of Water data requirements.

Irrespective of the advice from the Office of Water, Council is undertaking a range of initiatives to reduce energy consumption and costs.

### **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:**

Attachment 1.

TBL Water Supply Performance, TSC Water Supply - Action Plan, TBL Sewerage Performance, TSC Sewerage - Action Plan (ECM 3670629).

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**23 [E-CM] RFP2015-016 Registration of Interest for the Hire of Small Plant to Council**

**SUBMITTED BY: Infrastructure Delivery**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

### **SUMMARY OF REPORT:**

Tender RFP2015-016 Registration of Interest for the Hire of Small Plant was called to source a panel of providers from which small plant items will be hired for use in operational areas. Items to be hired are construction tools, for example powered hand tools, plate compactors, generators, concrete finishers etc that are used in construction work and not carried by Council as part of its plant inventory. These items are generally hired for daily or short term periods and are collected and returned from the place of hire by Council operational staff.

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 22 April 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### **RECOMMENDATION:**

**That in respect to Contract RFP2015-016 Registration of Interest for the Hire of Small Plant, Council accepts all suppliers as listed for the period 1 July 2015 until 30 June 2017 with hire decisions to be made following reference to submitted catalogue rates and additional charges that may apply.**

## REPORT:

### Tender Background

Tender RFP2015-016 Registration of Interest for the Hire of Small Plant was called to source a panel of providers from which small plant items will be hired for use in operational areas. Items to be hired are construction tools, for example powered hand tools , plate compactors, generators ,concrete finishers etc that are used in construction work and not carried by Council as part of its plant inventory. These items are generally hired for daily or short term periods and are collected and returned from the place of hire by Council operational staff.

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 22 April 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### Tender Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for RFP2015-016 Registration of Interest for the Hire of Small Plant on 1 April 2015 in the Sydney Morning Herald The tender was also advertised in Tweed Link and uploaded to Council's web page Tender section.

### Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 22 April 2015 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Seven submissions were recorded at the Tender Box opening and their details are as follows:

<b>Tenderer</b>	<b>ABN</b>
Kennards Hire Pty Ltd	69001740727
Murwillumbah Hire / Kenreach	90741296580
Onsite Rental Group Operations Pty Ltd	74126102485
Network Protection Services	13120012188
Direct Hire	23106906978
Coates Hire	99074126971
Hakka Hire	34330905573

### Tender Evaluation Panel

Council's Tender Evaluation Panel was made up as follows:

<b>Position</b>
Manager Infrastructure Delivery
Operations Coordinator - Infrastructure Delivery
Supervisor Contracts Administration
Administration Assistant - Contracts

### Tender Evaluation

Hire decisions will be made by the Operations Coordinator - Infrastructure Delivery following consideration of where the hire items are to be used in relation to the hire Company's place of business, reference to catalogue rates and additional charges that might apply. For example hire items required for works in the Murwillumbah region could be obtained from



Murwillumbah Hire or Hakka Hire and similarly for works in the Tweed Heads area could be obtained from Coates Hire or Direct Hire thus minimising any operational delays and delivery charges if the item was required to be delivered to site. As with hire decisions made for the hire of larger plant items Council's Operations Coordinator - Infrastructure Delivery is considered in the best position to direct staff to the most beneficial cost and operational hire company location for each particular small plant hire requirement.

It is recommended that Council accepts the tender submissions as submitted for RFP2015-016 Registration of Interest for the Hire of Small Plant to Council for the period 1 July 2015 until the 30 June 2017 with hire decisions to be made following reference to submitted catalogue rates and additional charges that may apply.

**OPTIONS:**

1. That Council accepts the panel of suppliers as submitted to provide for the supply of Small Plant items to Council for the period 1 July 2015 until the 30 June 2017.
2. That Council take no action to establish a panel of suppliers to hire Small Plant and Equipment to Council for the period 1 July 2015 until 30 June 2017.

**CONCLUSION:**

That Council accepts the panel of suppliers as submitted to provide for the supply of Small Plant items to Council for the period 1 July 2015 until the 30 June 2017.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.5

In accordance with Local Government (General) Regulations 2005.

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

Provision is made in maintenance and construction budgets for the hire of necessary equipment to complete works.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**24 [E-CM] RFP2015-030 (B) Level of Discount to be Applied for the Supply of Materials as a Preferred Supplier**

**SUBMITTED BY: Infrastructure Delivery**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

### **SUMMARY OF REPORT:**

Council at its meeting of 16 April 2015 received a report detailing a list of local suppliers who nominated as willing to enter into a supply arrangement on a Preferred Supplier basis for the supply of hardware, electrical and plumbing materials. Submissions have been received from previously nominated suppliers on what level of discount is to be applied for hardware, electrical and plumbing materials purchased by Council under a preferred Supplier arrangement.

Recommendations are contained in the Tender Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENT 1**.

### **RECOMMENDATION:**

**That in respect to Contract RFP2015-030 (B) Level of Discount to be Applied for the Supply of Materials as a Preferred Supplier:**

- 1. Council accepts the discount levels as submitted and formal Preferred Supplier arrangements be entered into with nominated suppliers. The Preferred Supplier arrangement will commence on 1 July 2015 until 30 June 2016 with a possible further two (2) by twelve (12) month extension options.**
  
- 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:****Tender Background**

Council at its meeting of 16 April 2015 received a report detailing a list of local suppliers who nominated as willing to enter into a supply arrangement on a Preferred Supplier basis for the supply of hardware, electrical and plumbing materials. The Preferred Supplier arrangement will be for a twelve (12) month period from 1 July 2015 until 30 June 2016 with provision for a possible further two by twelve month extension options.

The list of local suppliers identified and endorsed by Council as Preferred Suppliers is as follows:

<b>Supplier</b>	<b>Material</b>	<b>Outlet Location</b>
Aussie Fasteners	Hardware	Murwillumbah
Budds Mitre 10	Hardware/Electrical/Plumbing	Murwillumbah
J H Williams & Sons	Hardware/Electrical/Plumbing	Murwillumbah
KJ Bolt Trade Fasteners	Hardware	Tweed Heads
Tweed Heads Plumbing	Plumbing	Tweed Heads
Ideal Electrical	Electrical	Tweed Heads
Cetnaj Qld Pty Ltd	Electrical	Tweed Heads
Haymans Electrical	Electrical	Tweed Heads

In accordance with Council recommendations of 16 April 2015 the above suppliers were duly contacted and requested to nominate the level of discount that will be applied for all purchases of materials by Council over the period of the Preferred Supplier arrangement.

Submissions detailing discount provisions that would apply closed on 27 May 2015.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 which 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

The information identifies the tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

**OPTIONS:**

That Council:

1. Accepts the discount levels as submitted and enters into formal Preferred Supplier arrangements with nominated local suppliers.

2. Takes no action be taken to establish a Preferred Supplier arrangement with nominated local suppliers.

**CONCLUSION:**

That Council accepts the discount levels as submitted and enters into formal Preferred Supplier arrangements with nominated suppliers.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.5.

In accordance with Local Government (General) Regulations 2005.

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

Provision is made in maintenance and construction budgets for the purchase of necessary materials to complete works.

**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 3692141).

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**25 [E-CM] RFP2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire and Byron Shire Councils**

**SUBMITTED BY: Infrastructure Delivery**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

### **SUMMARY OF REPORT:**

Tender RFP2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire and Byron Shire Councils was called to seek registration of interest from haulage contractors to supply trucks to be hired, by either Council, to service its operational requirements for the period 1 July 2015 until 30 June 2017.

The calling of Expressions of Interest for Contract Truck Hire for both Byron and Tweed Shire Councils was a joint resource sharing initiative between the two organisations. As part of the joint sharing initiative each Council is to manage their own post tender evaluation process.

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 22 March 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Two rankings were established for each truck category and are listed in **CONFIDENTIAL ATTACHMENTS 1 and 2**.

### **RECOMMENDATION:**

**That in respect to Contract RFP2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire Council:**

- 1. Council accepts the ranking schedules for the period 1 July 2015 until 30 June 2017 as listed in the Confidential Attachment to this report.**
  - 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at mid contract and finalisation of the contract.**
-

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

## **REPORT:**

### **Tender Background**

Tender RFP 2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire and Byron Shire Councils was called to seek registration of interest from haulage contractors to supply trucks to be hired, by either Council, to service its operational requirements for the period 1 July 2015 until 30 June 2017.

The calling of Expressions of Interest for Contract Truck Hire for both Byron and Tweed Shire Councils was a joint resource sharing initiative between the two organisations. As part of the joint sharing initiative each Council is to manage their own post tender evaluation process.

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

A Rate - Truck Hourly Rate (11.5 – 15 Tonne capacity)

A Rate - Truck with 500 mm Dia. Rock Hourly Rate

A Rate – Truck and Dog Trailer Hourly Rate

A Rate – Semi Tipper

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

All submissions were listed in the nominated haulage categories with rates submitted compared to establish two (2) ranking schedules. One ranking taking into consideration the Hourly A Rate submitted, and the other ranking taking into consideration the calculated cost per tonne per hour hire rate for each truck in each category.

Hire decisions will be made over the term of the arrangement in accordance with one of the two rankings depending on the job requirements.

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 22 April 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### **Tender Advertising**

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for RFP 2015-015 Registration of Interest for Contract Truck Haulage to Tweed Shire and Byron Shire Councils on 1 April 2015 in the Sydney Morning Herald. The tender was also advertised in the Tweed Link and uploaded to Council's web page Tender section.

### **Tender Submissions**

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 22 April 2015 in the Tender Box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Following the close of submissions a total of thirty five (35) contractors submitted to RFP 2015-015. A complete list of submissions received is provided with the tender evaluation report.

The majority of submitters registered their interest to provide their truck vehicles to both Councils. As part of the joint sharing initiative each Council managed their own post tender evaluation process.

### **Tender Evaluation Panel**

Council's Tender Evaluation Panel was made up as follows:

<b>Position</b>
Manager Infrastructure Delivery
Operations Coordinator - Infrastructure Delivery
Supervisor Contracts Administration
Administration Assistant - Contracts

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 which 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

The information identifies the tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

### **OPTIONS:**

That:

1. Council accepts the rankings schedule as detailed in the Tender Evaluation Scoring Sheet for the hire of Contract Trucks to Council for the period 1 July 2015 until 30 June 2017.
2. Council takes no action to establish a ranking schedule for the hire of Contract Trucks to Council for the period 1 July 2015 until 30 June 2017.

### **CONCLUSION:**

That Council accepts the rankings schedule as detailed in the confidential report for the hire of Contract Trucks for the period 1 July 2015 until 30 June 2017.

### **COUNCIL IMPLICATIONS:**

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

Procurement Policy v1.5.

In accordance with Local Government (General) Regulations 2005.



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

Provision made in Maintenance and Construction Budgets for truck haulage.

**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 3692670).

*(Confidential)* Attachment 2. Tender Evaluation Scoring Sheets (ECM 3692612).

*(Confidential)* Attachment 3. Registrations of Interest (ECM 3692677).

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**26 [E-CM] RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed and Byron Shire Councils**

**SUBMITTED BY: Infrastructure Delivery**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

### **SUMMARY OF REPORT:**

Tender RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed and Byron Shire Councils was called to seek registration of interest from Plant and Equipment contractors to supply a wide range of plant categories to be hired, by either Council, to service its operational requirements for the period 1 July 2015 until 30 June 2017.

The calling of Expressions of Interest for both Byron and Tweed Shire Council was a joint resource sharing initiative between the two organisations. As part of the joint sharing initiative each Council managed their own post tender evaluation process.

The plant and equipment to be provided will be hired either under a plant item and operator or plant item only hire arrangement.

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 15 April 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Ranking was established by comparing hourly rates tendered for each plant category and are listed in **CONFIDENTIAL ATTACHMENTS 1 and 2**.

### **RECOMMENDATION:**

**That in respect to Contract RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed Shire Council:**

- 1. Council accepts the ranking schedule for the period 1 July 2015 until 30 June 2017 as listed in the Confidential Attachment to this report.**
-

2. **The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at mid contract and 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:-**
  - (d) **commercial information of a confidential nature that would, if disclosed:**
    - (i) **prejudice the commercial position of the person who supplied it, or**
    - (ii) **confer a commercial advantage on a competitor of the council, or**
    - (iii) **reveal a trade secret.**

## REPORT:

### Tender Background

Tender RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed and Byron Shire Councils was called to seek registration of interest from Plant and Equipment contractors to supply a wide range of plant categories to be hired, by either Council, to service operational requirements for the period 1 July 2015 until 30 June 2017.

The calling of Expressions of Interest for both Byron and Tweed Shire Council was a joint resource sharing initiative between the two organisations. As part of the joint sharing initiative each Council managed their own post tender evaluation process.

Expressions of Interest were called for the following categories of Plant and equipment:

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

### Miscellaneous Plant and Equipment:

- Cherry-picker / Travel-Tower
- Concrete Pump equipment
- Cranes
- 1 Tonne Utes
- Vacuum Excavation Equipment and/or Service Locations
- Heavy Duty Post Driver
- Weed Harvester - Aquatic
- Pipe Locator Service
- High Pressure Drain Cleaner, including Root-cutter and CCTV
- Under-road Borer
- Tilt Tray Truck – suitable for container transport
- Crane Truck
- Pole Grab
- Wheeled Tractor - with or without attachments, including flail –mower, slasher & spray units etc.

### On-site Plant and Equipment:

- Dewatering
- Directional Arrow
- Lighting Tower
- Portable Traffic Light
- Portable Toilet, including servicing
- Temporary Security Fencing (1.8m)
- Road Barriers, including New Jersey Kerbs and Water Filled Safety Barriers
- Temporary Site Sheds, including generator and associated equipment
- Tree Mulching machinery & gang
- Trenching & Shoring
- Variable Message Board.

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

Tenders 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 15 April 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### **Tender Advertising**

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for RFP2015-018 Registration of Interest for the Hire of Plant and Equipment to Tweed and Byron Shire Councils on 24 March 2015 in the Sydney Morning Herald. The tender was also advertised in the Tweed Link and uploaded to Council's web page Tender section.

### **Tender Submissions**

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 15 April 2015 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Following the close of submissions a total of one hundred and nine (109) contractors submitted to RFP2015-018. A complete list of Contractor submissions received is provided with the tender evaluation report.

The majority of submitters registered their interest to provide their plant and equipment items to both Councils. As part of the joint sharing initiative each Council managed their own post tender evaluation process.

### **Tender Evaluation Panel**

Council's Tender Evaluation Panel was made up as follows:

<b>Position</b>
Manager Infrastructure Delivery
Works Coordinator
Supervisor Contracts Administration
Administration Assistant - Contracts

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 which 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

The information identifies the tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

**OPTIONS:**

That Council:

1. Accepts the rankings schedule as detailed in the Tender Evaluation Scoring Sheet for the hire of Plant and Equipment to Council for the period 1 July 2015 until 30 June 2017.
2. Takes no action to establish a ranking schedule for the hire of Plant and Equipment to Council for the period 1 July 2015 until 30 June 2017.

**CONCLUSION:**

That Council accepts the rankings schedule as detailed into the confidential attachment for the hire of Plant and Equipment for the period 1 July 2015 until 30 June 2017.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.5.

In accordance with Local Government (General) Regulations 2005.

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

Provision made in Maintenance and Construction Budgets for the hire of plant.

**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 3693099).

*(Confidential)* Attachment 2. Registrations of Interest (ECM 3693186).

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27 [E-CM] RFP2015-022 Supply and Delivery of Selected Materials

SUBMITTED BY: Infrastructure Delivery

Valid



**Civic Leadership**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

**SUMMARY OF REPORT:**

Tender RFP2015-022 Supply and Delivery of Selected Materials was called to deliver a range of high volume usage products to Council's Buchanan Street Depot, Murwillumbah for the period 1 July 2015 until 30 June 2016.

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 22 April 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 ATTACHMENT 1 and the CONFIDENTIAL ATTACHMENT 2** available for review at the meeting with the Director Engineering. A summary of the Selection criteria is also included in the body of this report.

**RECOMMENDATION:**

That in respect to Contract RFP2015-022 Supply and Delivery of Selected Materials:

1. Council awards the supply to the following for the schedule of rates/prices submitted.

Company	A B N	Products
Rocla	13 000 032 191	Concrete Pipes CL2 RRJ Concrete Pipes CL3 RRJ Concrete Surrounds Concrete - Kerb Inlets Concrete Headwalls
Williams Group Australia Pty Ltd	28 128 744 990	Group M Herbicides Premix Cement Bag 20kg Bagged Cement 20kg Bag

<b>Company</b>	<b>A B N</b>	<b>Products</b>
		Reinforcing Mesh 90mm Dia. PVC Stormwater Pipe Electrode 12P Form Ply 2.4 x 1.2 Star Picket 1.67m Bitumen Coated
Vinidex Pty Ltd	42 000 664 942	100mm Dia. Slotted Agriculture Pipe
Geofabrics Australasia Pty Ltd	23 005 479 961	Woven Silt Film/Silt Stop 0.85m
Global Synthetics Pty Ltd	71 120 519 520	Geotextile Material

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:-
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret.



**REPORT:****Tender Background**

Tender RFP2015-022 Supply and Delivery of Selected Materials was called to engage the services of suppliers to supply and deliver a range of materials to Council's Buchanan Street Depot, Murwillumbah.

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 15 April 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

**Tender Advertising**

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for RFP2015-022 Supply and Delivery of Selected Materials on Monday, 30 March 2015 in Tweed Link and uploaded to Council's tender site.

**Tender Addendums**

There was one (1) (Notice to Tenderers) issued before close of tender.

Notice to Tenderers No. 1 was issued to include a price schedule for CL3 Rubber Ring Joints in 2.44 lengths.

**Tender Submissions**

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 15 April 2015 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Seven (7) submissions were recorded at the Tender Box opening and their details are as follows:

<b>Tenderer</b>	<b>ABN</b>
Geofabrics Australasia Pty Ltd	23 005 479 961
Global Synthetics	71 120 519 520
Rocla	31 000 032 191
Simplot Partners	56 089 309 008
Vinidex	42 000 664 942
Williams Group Australia	28 128 744 990
Wychitella Holdings Pty Ltd	23 066 860 973

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering where there was more than one submission per schedule. The details of the price and non price evaluation are shown on the attached Tender Evaluation Report.

<b>Criterion</b>	<b>Weighting (%)</b>
Comparison of tendered schedule rates received	70%
Level of appropriate resources	10%
General performance history	5%
Relevant experience with contracts of similar nature	5%
Local Preference	10%
Total	100

The Tender Evaluation Panel consisting of Acting Senior Construction Engineer and Engineering Admin Supervisor - Contracts conducted the tender assessment.

A copy of the Tender Evaluation assessment is included in ATTACHMENT 1 which 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

The information identifies the tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

**OPTIONS:**

1. That Council accepts submissions as nominated from submitting suppliers and enters into supply arrangements for the recommended items.
2. That Council takes no action to establish supply arrangements to source the required selected materials.

**CONCLUSION:**

That Council accepts the recommendation as tabled.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.5

In accordance with Local Government (General) Regulations 2005.

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

Provisions made in annual supply budgets

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Tender Evaluation Report (ECM3692616).

*(Confidential)* Attachment 2. Tender Evaluation Scoresheet (ECM3693402) which will be tabled at the meeting by Director Engineering.

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## REPORTS FROM THE DIRECTOR CORPORATE SERVICES

### 28 [CS-CM] "Fit for the Future" Improvement - Council Submission

SUBMITTED BY: Director

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
- 

### SUMMARY OF REPORT:

In 2014 the NSW Government released "Fit for the Future", its' much anticipated response to the Independent Local Government Review Panel (ILGRP) recommendations for reform of the NSW local government sector.

All Councils in NSW are required to lodge a submission addressing specific criteria dependent upon the recommendations of the ILGRP by 30 June 2015.

This report tables Tweed's Draft submission for Council's consideration.

### RECOMMENDATION:

**That Council adopts the Draft submission in response to the NSW State Government Fit for the Future proposals to be assessed by IPART and forwarded for assessment before 30 June 2015.**

## REPORT:

In 2014 the NSW Government released its much anticipated response to the Independent Local Government Review Panel recommendations for reform of the NSW local government sector.

These reforms, titled *Fit for the Future*, are about enabling each council to create its own roadmap of how it will become sustainable.

A Fit for the Future Council is one that is:

- Sustainable;
- Efficient;
- Effectively manages infrastructure and delivers services for communities;
- Has the scale and capacity to engage effectively across community, industry and government.

### Sustainability

For councils to meet the service and infrastructure needs of their communities they need to be financially sustainable.

The NSW Treasury Corporation (TCorp) defined a financially sustainable council as one that, over the long term, is able to generate sufficient funds to provide the level and scope of services and infrastructure, agreed with its community through the Integrated Planning & Reporting process.

### Effective infrastructure and services

A Fit for the Future Council is one that:

- knows the current and future infrastructure needs of the community;
- develops, maintains and renews infrastructure using the right mix of revenue and borrowing;
- works with others to deliver cost effective services;
- delivers services and infrastructure that meets the needs of communities as identified through the Integrated Planning & Reporting process; and
- delivers services and infrastructure on time and on budget.

### Efficiency

People rightfully expect modern, responsive services, that are easy to access and that offer value for money. A Fit for the Future Council provides this.

A Fit for the Future Council:

- minimises unnecessary burden on business and the community;
- provides value for money to the community; and
- manages resources well to deliver services or infrastructure.

Scale and capacity





Scale is a key component of strategic capacity – both in creating individual councils with the resources and skills to provide leadership on regional planning and to advocate on behalf of communities by creating a system of local government where State and Local Government can work together effectively.

A Fit for the Future Council is one that:

- saves money on bureaucracy and administration, freeing up funds for front-line services and community facilities;
- can contribute to projects and tackle issues that impact on its residents and extend beyond the council boundary; and
- has credibility and influence across councils, across government, and with industry.

Fit for the Future Councils – criteria and benchmarks

The Office of Local Government has developed criteria and certain benchmarks for a Fit for the Future Council. These have been based on the work of TCorp and the Independent Local Government Review Panel and have been reviewed by the Independent Pricing and Regulatory Tribunal (IPART).

Fit for the Future		
Definition:	Criteria/Benchmarks:	
 <p>Generate sufficient funds over the long term to provide the agreed level and scope of services and infrastructure for communities as identified through the Integrated Planning &amp; Reporting process.</p>	<p>Operating Performance Ratio (&gt; or equal to break-even over 3 years) Own Source Revenue Ratio (&gt;60% over 3 years) Building and Infrastructure Asset Renewal Ratio (&gt;1 over 3 years)</p>	<p><b>Strategic capacity</b></p> <p>Sustained improvement against each of the criteria to underpin the strategic capacity of Councils over the long term.</p> <p>This capacity, along with willingness and commitment to collaborate in good faith with government, communities and industry stakeholders will underpin fit for the future councils</p>
 <p>Maximise return on resources and minimise unnecessary burden on the community and business, while working strategically to leverage economies of scale and meet the needs of communities as identified in the Integrated Planning &amp; Reporting process.</p>	<p>Infrastructure Backlog Ratio (&lt;2%) Asset Maintenance Ratio (&gt;1) Debt Service Ratio (&gt;0 and less than 0.2)</p>	
 <p>Efficient service and infrastructure delivery, achieving value for money for current and future ratepayers</p>	<p>Real Operating Expenditure per capita over time</p>	
 <p>Demonstrate strong organisational and regional capacity to mobilise resources to engage effectively across community, industry and government</p>	<p>Has the scale and capacity consistent with the recommendations of the Independent Panel</p>	

Given these indicators, Tweed is identified as an Improvement Council under the "Fit for the Future" framework and has the sufficient scale and capacity to continue as an autonomous Council.

The NSW State Government has announced the appointment of the Independent Pricing and Regulatory Tribunal (IPART), as the Expert Panel to assess the NSW Local Council Submissions as part of the Fit for the Future (FFTF) Reform Process. Every Council across the state must provide a submission to the State Government by 30 June 2015, based on

four criteria that the Government has identified as being the characteristics to provide effective local government through services and infrastructure that their communities need.

The criteria our submission will be assessed against are as follows:

- Scale and capacity to engage effectively across community, industry and government
- Sustainability
- Effectively managing infrastructure and delivering services for communities and
- Efficiency

The role of IPART will be to ensure a consistent, impartial and balanced assessment of each Councils FFTF submission.

The reform process offers a great opportunity to look at the services we provide, how and when and to whom we provide them and explore ways we can enhance the ways we work from a "whole of council" perspective.

As a result, Tweed has embarked upon one of the most important future planning projects it has ever undertaken.

This body of work as an extension of the Fit for the Future process is titled: Tweed the Future is Ours. Estimated to take up to two years, Council will review the information on our built and social assets look at the service levels we provide and connect with our communities so they can actively offer feedback on their expectations and aspirations for Council and its services.

### **OPTIONS:**

That Council:

1. Adopts the Draft submission in response to NSW State Government Fit for the Future proposals.
2. Amends the Draft submission in response to NSW State Government Fit for the Future proposals.
3. Rejects the Draft submission in response to NSW State Government Fit for the Future proposals.

### **CONCLUSION:**

Tweed Shire Council has welcomed the NSW Government's "Fit for the Future" Reform Process, as an opportunity to review and assess our existing position as a strong and progressive growth Council.

### **COUNCIL IMPLICATIONS:**

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

Asset Management v1.4

Community Engagement Strategy v1.1

Customer Service Charter v1.2

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

Assessment against Financial Criteria included within the body of the submission

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

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

**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.

**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.

A strong community engagement component of this project has already commenced and will ensure Council's connection to local communities remains a significant driver in our future planning and service delivery.

Under the banner of "Tweed The Future is Ours", three focus groups have been conducted in mid-May involving a diverse representation of local residents from across the Shire.

This initial engagement was designed to gather feedback from the community on their awareness of the services Council provides, their level of satisfaction of the services they have utilised and their comments on the engagement plans Council has for rolling out the Tweed Future is Ours Project.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Draft submission in response to the NSW State Government Fit for the Future proposals (*to be circulated as a late attachment*).

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**29 [CS-CM] Integrated Planning and Reporting Framework - 2013/2017 Delivery Program, 2015/2016 Operational Plan and Resourcing Strategy**

**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
  - 1.3.2 Council will seek the best value in delivering services
- 

### **SUMMARY OF REPORT:**

Council placed the Delivery Program 2013/2017 including the Draft Operational Plan 2015/2016 and updated Resourcing Strategy 2013/2023 on public exhibition from 21 April to 29 May 2015.

The Delivery Program 2013/2017 details projects and services Council has determined to carry out over the four years. Year three of Delivery Program 2013/2017 is informed by the Resourcing Strategy 2013/2023. The Operational Plan 2015/2016 is a detailed account of year three of the Delivery Program and incorporates the 2015/2016 Budget, Revenue Policy and Fees and Charges.

In accordance with Council's Community Engagement Strategy, Council sought community input into the Draft Plans by convening two community round table sessions with community groups. In addition Council sought general community feedback by advertising in the Tweed Link and Media Releases.

This report contains a summary of community submissions received by Council during the public exhibition period together with input received from the community round table sessions.

Council must consider all public submissions received concerning the Delivery Program 2013/2017, the Operational Plan 2015/2016 and the Resourcing Strategy 2013/2023 before adopting the plans for the next year/s.

### **RECOMMENDATION:**

**That Council adopts the following plans, as exhibited and amended:**

- **Delivery Program 2013/2017;**
- **Operational Plan 2015/2016;**
- **Revenue Policy and Statement 2015/2016, Part A;**
- **Budget 2015/2016, Part B;**

- Fees and Charges 2015/2016, Part C and
- Resourcing Strategy 2013/2023.

## REPORT:

Council placed year three of the Delivery Program 2013/2017, Draft Operational Plans 2015/2016 and an updated Resourcing Strategy 2013/2023 on public exhibition, following the April Council Meeting, for a period of 39 days, with submissions closing on 29 May 2015.

In accordance with Council's Community Engagement Strategy, Council sought community input into the Draft Plans by convening two community round table sessions with invited community groups and business representatives. Council additionally sought general community feedback by advertising in the Tweed Link and through Media Releases.

Members of the following organisations participated in the round table sessions:

- Oxley Cove Community Group;
- Mooball and District Moovers;
- Tweed District Residents and Ratepayers Association;
- Banora Point & District Residents Association;
- Piggabeen and Cobaki Progress Association;
- Kingscliff and District Chamber of Commerce;
- Kingscliff Ratepayers and Progress Association;
- Pottsville Community Association;
- Pottsville Beach Business Association Chamber of Commerce ;
- Cabarita Beach / Bogangar Residents Association Inc.;
- Kingscliff Ratepayers and Progress Association; and
- Our 490

Apologies were received from

- Murwillumbah District Business Chamber Ltd;
- Tweed Landcare Inc;
- Terranora Residents Committee / Friends of Terranora;
- Caba Creative;
- Thrive 2484;
- Tweed Climate Action Now (CAN);
- Caldera Environment Centre; and
- Tweed Valley Wildlife Carers Inc.

Written submissions were kindly received from:

- Oxley Cove Community Group;
- Tweed Chamber of Commerce and Industry Incorporated;
- Pottsville Community Association;
- Tennis Terranora; and
- Individual submissions:- Rebecca Moore; Sally Collis; Colin Smith; Wayne Davison; Cameron O'Toole; Scott Nienhuis; Bob Marshall; Graham and Joan Nicoll; Robert Nienhuis; Peter Graham and June Jorgensen.

## **Summary of Round Table Discussions**

The following issues were discussed in the two community roundtable discussions held 12 May 2015:

### Roads

Sealing of gravel roads  
Darlington Drive re-sheeting  
Road maintenance repair costs  
Kennedy Drive - interruptions  
Boronia Avenue

### Others

Challenges associated with rate increases  
Cobaki development  
Senior's Project Officer - Banora Point community centre (Federal Government removal of funding for the program)  
Flood level modelling and impacts on insurance premiums  
Details on the process of facilitated discussions between Council and LEDA  
Managing the growth in coastal villages  
Wilson Park facilities (Playground etc) update  
Section 64 developer charges to fund infrastructure  
Pottsville - Berkley Lane update  
Signage maintenance  
Funding of depreciation  
Salary structures for Executive staff  
Rail Trail  
Seabreeze rotunda

Councillors Longland and Milne attended both of the roundtables and Councillor Byrne attended the afternoon session. All members of Council's Executive Management Team and Manager Financial Services attended both roundtables and were able to address and provide feedback to the questions raised by participants at each session.

## **Summary of written submissions**

### ***Oxley Cove Community Group***

- Current investment trends in TSC, redirects Banora Point rates and other income to rural areas of the Tweed Valley.

#### **Officer Comment:**

Rates are received from residents Shire wide and are expended on assets and services that Council determines the most appropriate. This may result in a change in the priority of works from year to year.

- Banora Point and Oxley Cove road pavements appear to only receive 2<sup>nd</sup> rate patch repair. Surely it is TSC key roll to repair road surfaces.

**Officer Comment:**

Roads across the Shire are maintained and repaired on a priority basis. The techniques for patching roads is standardised across the Shire and are done so to prolong the periods between major reconstruction or resurfacing. The effectiveness of road patching is very much dependant on weather with periods of prolonged rain reducing the life of a patch. Council is in the process of undertaking a condition audit which will reprioritise all sealed roads within the shire.

- River Road off Old Ferry Road is in DIRE need of reconstruction, also the River bank is eroding away at an alarming rate. This was promised to be repaired years ago.

**Officer Comment:**

The access track at the end of Old Ferry Road is not maintained as an urban street. The purpose of this track is to provide access along the bank to maintain the peninsular which protects Oxley Cove. Council agrees that the condition of this track has deteriorated and is considering options to improve the standard of the same.

- When a flood event occurs in the Tweed River, it is essential to know the storm elevations of the Tweed River near the entrance.

**Officer Comment:**

See below.

- TSC still have NOT budgeted for an automatic water level monitor.

**Officer Comment:**

Council is aware that the gauge at the river mouth has been removed however the installation of this level indicator is not Council's primary responsibility however Council will make representation to the relevant agency.

- Oxley Cove waterways collect a HUGE amount of debris and rubbish from the upper Tweed during floods. TSC policy on flood debris is ineffective and provision should be made for a better rubbish collection.

**Officer Comment:**

Council has an adopted policy, which through its development, included consultation with the community and provides for a realistic level of service. Oxley Canal is the only canal in Tweed Shire to receive this level of service following a flood. Funding for this highly effective service is from the waterways management budget.

- TSC budget for removal of unsuitable road edge trees requires attention.

**Officer Comment:**

Council responds to requests to control or trim trees in the road reserve within existing budgets.

***Tweed Chamber of Commerce and Industry Incorporated***

- The Tweed Heads Chamber of Commerce notes that the latest budget for Tweed Shire Council does not include a provision for a 9:30pm New Years firework display. New Years 2015 did not have the usual 9:30pm family edition of fireworks and the town was left very disappointed. An earlier 9:30pm fireworks display is not only enjoyed by many families in our Shire, due to its convenient time, but benefits many small businesses who gain from the trade that the event brings.

The Tweed Heads Chamber of Commerce, on behalf of the Tweed Shire business community, would strongly urge the Tweed Shire Council to amend the latest budget and reinstate funding provisions allowing a 9:30pm fireworks display at Jack Evans Boat Harbour on 31 December 2015.

**Officer Comment:**

Allocation of \$7,500 has been included in the amended budget for funding towards the 9.30pm New Years Eve fireworks display at Tweed Heads.

***Pottsville Community Association***

- All of the tables in the Delivery Program show the targets for each of the KPIs. There needs to be an easily accessible display of what was achieved in the past 12 months, as in, if the KPI target was achieved and if not, why not. Without this the identification of KPIs loses its meaning. If this information cannot be incorporated into the current documents then the Annual Report which identifies the KPIs achieved in the 2013/2014 period should be exhibited with the documents to provide more meaningful information to the community of how effective the current Delivery Program is.

**Officer Comment:**

Progress against the KPIs benchmarks are reported to Council in the Quarterly Corporate Report and six monthly through the Delivery Program Exception Report.

- Is it possible to provide suburbs for the works being done instead of street names only as this causes confusion for some in the community and allows easier identification of works. This would greatly increase the accessibility of these documents and may increase the meaningful feedback Council receives from the community on these plans.

**Officer Comment:**

Where feasible Council records the suburb of any capital works within the budget description item. In future years it is proposed to include locality names within the Delivery Program.

- The allocation of \$1.353M for Pottsville Road - Coronation Avenue allocated for 2015/2016 on p68 of last year's exhibited draft Budget which was understood to be an allocation for the future Service road behind Coronation Avenue no longer appears in the Budget for this year. In fact, the newly named Berkeley's Road does not get a mention in the budget at all as a defined works project and although Council staff advised that the

funding has been allocated and must be in the general funds we ask that Berkeley's Lane and the monies spent there are listed as a separate item in the budget.

**Officer Comment:**

The budget allocated to Pottsville Road – Coronation Avenue is for the reconstruction of the road - one a rural section of Pottsville Road (\$973,000 completed in 2014/2015) and one an urban section of Coronation Avenue between the village and Seabreeze Estate (\$380,000). The Coronation Avenue project is retained in the 2015/2016 budget, and is programmed for construction in February 2016. Berkeleys Lane construction will commence in July 2015.

- We cannot see anything in the Plans regarding necessary infrastructure for the new School at Charles Street, Pottsville including formation of Charles Street, footpaths, connecting cycleway, road widening on Overall Drive for bus turning etc apart from the mention of some sewer infrastructure upgrades in Philip St and Overall Drive. Where are these costs listed and can they please be itemised to show the community where money is being spent in our area?

**Officer Comment**

The provision of infrastructure for the new school is provided by the developer and is not included in Council's Budget.

- The Tweed River Art Gallery is a great asset for the Shire and a credit to Council but the ongoing costs each year of approximately \$580K/year to operate plus an additional \$630K/year for Gallery salaries and \$100K/year for exhibitions is very high. We would like to suggest Council gives some consideration to asking for at minimum a gold coin donation for each visitor. While being mindful that art needs to be available to all in the community the gallery needs to be made more financially self-sustainable.

**Officer Comment:**

It is important to note that the Margaret Olley bequest requires that the Gallery not charge an entry for the home studio recreation at the Gallery. However, the Gallery does have a number of donation boxes with some only recently installed and this is currently providing approximately \$900 a week (the level of donation varies with seasons and exhibitions). In addition, the Gallery raises income through various avenues including merchandising in the Gallery Shop, licence fees for the cafe, tour charges, workshop fees, artist in residence rent, special events, donations, sale of art work, and a very active Foundation and Friends group. The Gallery is also actively exploring a range of new options to attract funding and to finance new initiatives.

- We note that the Hastings Point Sewerage Treatment Plant is receiving close to half a million dollars for each of the next two financial years and thank Council for allocating this much needed funding for this half of the Shire.

**Officer Comment:**

Noted.

- p89 'Caring for the Environment' itemises a further \$200K / year will be spent on Compliance. We hope this represents an increase in the number of 'on-the-ground' compliance officers employed for the shire to address the high levels of non-compliance on dog ownership, illegal dumping and illegal camping.

**Officer Comment:**

The increase of \$200,000 as highlighted on page 89 'Caring for the Environment' is the result of an organisational restructure within the Planning and Regulation Division from Officers that previously resided within the Building and Environmental Health Unit being relocated to the Compliance Unit.

- Item A3859 - an allocation of \$170K for Boronia Avenue, Elanora to Tweed Coast Road is a much welcomed upgrade and we hope it includes kerb and guttering.

**Officer Comment:**

Noted - yes the works include kerb and gutter.

- page 24 contains simply a repeat of the two last paragraphs on page 23 and should be removed.

**Officer Comment:**

Noted - document updated.

- Document is still referring to predicted populations that have not materialised. Tweed's population is estimated at 85,100 in 2015 rather than the 2011 population estimate of 91,500 and this reduced rate base needs to be recognised in the current documents and acted on by ensuring services are condensed in existing service areas rather than expanded into new areas to avoid the associated increased infrastructure costs.
- Graphs on p38/39 lack a proper key and gives no explanation of green columns in graphs making the whole graphic difficult to interpret.

**Officer Comment:**

Noted. To be updated in next year's resourcing strategy.

- p77 Item B1953 Coast Road to Koala Beach 2 Reservoir has an allocation of \$1,603K but the building of the Koala Beach 2 Reservoir has been removed from funding allocation in the budget at item CP2.3.2.6 on page 68 of the Draft delivery program and Operational Plan and Council officers informed us that this reservoir was no longer planned to be built. This apparent inconsistency needs to be resolved.

**Officer Comment:**

Noted. The construction of the Koala Beach 2 Reservoir has been deferred to 2026 following a review of the demand and modelling of the water supply system.



- Item 2.3.6 Passive Recreation on page 22 lists "Salt Parks Maintenance" of \$240K per year and "Casuarina Parks Maintenance" of \$300K per year while Koala Beach and Seabreeze Parks maintenance is listed as \$0 per year for every year of funding allocation. As you know the community has a very strong interest in the water feature at Seabreeze pond being repaired and an alternate water source being delivered so as to reinstate the previous level of amenity this park provided. Please ensure adequate funding is allocated in the current budget to complete the works already planned and identified by Mr Peter Ganser as required.

**Officer Comment:**

This is the result of amendments to cost centre allocations. The Koala Beach and Seabreeze cost centre is no longer used and replaced by South Coast. YTD expenditure at south coast including Koala Beach and Seabreeze is \$274,000 and Salt \$140,000. The repair works planned and discussed with the Seabreeze community for the pond are budgeted for. Alternate water sources have been investigated and the diversion of addition stormwater from surrounding streets is the only viable alternative. Other proposed actions include design and operational amendments aimed at reducing water loss.

- The second major disappointment in this item listing is the upgrade to the murals in the kiosk in Ambrose Brown Park which we have been informed by your officers would occur as funding was made available and yet no funding is listed for this project in the upcoming years. The dilapidated condition of the murals greatly detracts from what is otherwise a hugely successful and heavily used passive recreation area and we request funds are allocated directly for this work in the current budget.

**Officer Comment:**

Council has not received a formal request to repair the mural. Recreation Services will liaise with Community and Cultural Services to determine if the repair can be included in next year's 2015/2016 program.

- Drainage Works at Elanora Ave. Pottsville have been allocated \$650K in 2016/2017 Please advise works to be completed?

**Officer Comment:**

These works are for the construction of a large diameter stormwater pipe from Elanora Avenue, through Boronia Avenue, under Tweed Coast Road and through the Holiday Park to Cudgera Creek. This is the second stage of a project designed to provide a large capacity outlet for overland flooding from the catchment east of Tweed Coast Road, as observed in June 2005.

- Berkeleys Lane is not listed in the Budget as an allocated item. Please list the funds to be spent on this road.

**Officer Comment:**

Berkeley's Lane construction will commence in July 2015.

## **Tennis Terranora**

- We wish to submit our total support for the 2015/2016 council budget. Our club membership and supporter numbers exceed 250, who overwhelmingly support our submission. While we consider the budget to be well balanced and financially responsible, we are very impressed with the businesslike attitude of the General Manager, Troy Green.

We applied for a grant of \$100,000 to complete a \$3,000,000 state of the art tennis centre on council land to compliment the Arkininstall Park project, to where Tweed Heads could host Australian and International tournaments. Tennis Australia is fully supportive and actively involved both professionally and financially.

Troy Green advised that while a grant was currently unlikely, an interest free loan could be included in the budget.

Therefore on behalf of the Committee of Tennis Terranora, club members and countless supporters in the district, we again declare our emphatic support, and congratulations on a budget of vision and responsibility.

### **Officer Comment:**

The \$100,000 loan to Tennis Terranora is included in the draft budget.

### **Individual submissions**

**Rebecca Moore; Bob Marshall; Robert Niehuis; Peter Graham;**

Active members of Tennis Terranora supporting the 2015/2016 budget.

**Sally Collis; Colin Smith; Wayne Davison; Cameron O'Toole; Scott Niehuis; Graham and Joan Nicoll and June Jorgensen**

Approval and support of 2015/2016 budget.

### **Budget amendments**

A number of amendments to the draft budget have been made since the document was placed on exhibition as a result of submissions made and also to incorporate minor amendments. These include:

- Kingscliff Coast Guard - remove annual contribution due to closure of operations - (\$13,660).
- Richmond Tweed Regional Library - reduction in contribution - (\$27,984).
- New Years Eve fireworks reinstated - \$7,500.
- Increase in Vertebrae Pest Management (wild dogs) - \$5,000
- Increase in provision of costs for Fit for the Future Reserve - (\$29,144)
- Recalculation and redistribution of training budgets - \$0.
- Environmental Science equipment increase, funded by other expenses - \$0.

The draft budget remains balanced.

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## **Fees and Charges**

Advice has been received from the Office of Local Government of the following 2015/2016 charges:

- Section 603 Certificate - \$75.00.
- Maximum interest on overdue fees and charges - 8.5% (This figure remains the same as the previous year's charges).
- Companion Animals Act Fees are advised by the Office of Local Government in June of each year and as a result the dollar figures are not recorded in the Fees and Charges.

### **OPTIONS:**

Council is required to adopt by 30 June 2015 the Delivery Program 2013/2017; Operational Plan 2015/2016; Revenue Policy and Statement 2015/2016, Part A; Budget 2015/2016, Part B; Fees and Charges 2015/2016, Part C, and Resourcing Strategy 2013/2023.

### **CONCLUSION:**

That Council adopts the following plans, as exhibited and amended: Delivery Program 2013/2017, Operational Plan 2015/2016, Revenue Policy and Statement 2015/2016, Part A, Budget 2015/2016, Part B, Fees and Charges 2015/2016 Part C and Resourcing Strategy 2013/2023.

### **COUNCIL IMPLICATIONS:**

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

Corporate Policy Not Applicable

Sections 403, 404 and 405 Local Government Act 1993 applies.

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

As outlined within the Report and the Draft 2015/2016 Budget and Long Term Financial Plan.

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

Not Applicable.

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

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

In addition to the Community Roundtables held 12 May 2015, the following elements of engagement were also utilised to invite participation from the community.

- Tweed Link issue 905, 28 April 2015 all residents of the Shire were asked to comment and provide input on services and infrastructure priorities.

### ON EXHIBITION

**Tweed Shire Council is exhibiting its 2013/2017 Delivery Program and the Draft 2015/2016 Operational Plan, Revenue Policy, Fees and Charges and Budget, to update the organisation's Integrated Planning and Reporting Framework.**

The documents provide a guide for Council operations and help the organisation meet community demands for services and infrastructure by maximising what it can achieve with its available resources.

Council invites feedback on the draft documents from all interested stakeholders and members of the community. Submissions may be made to [tsc@tweed.nsw.gov.au](mailto:tsc@tweed.nsw.gov.au) or by post to:

Delivery Program, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah, NSW 2484.

The policy will be on exhibition until Monday 29 May 2015 and public submissions must be received by close of business on that day.

To find out more during the exhibition period:

- visit Council's website at [www.tweed.nsw.gov.au/OnExhibition](http://www.tweed.nsw.gov.au/OnExhibition)
- visit Council's offices at Tumbulgum Road, Murwillumbah or Brett Street, Tweed Heads, or
- contact Council by phone at (02) 6670 2400

- Media Release 17 April 2015 notification to all residents that the Draft Budget for 2015/2016 is open for public comment.

#### UNDER SEPARATE COVER/FURTHER INFORMATION:

- |               |   |
|---------------|---|
| Attachment 1. | Delivery Program 2013/2017 and Operational Plan 2015/2016 (ECM 3697987)               |
| Attachment 2. | Revenue Policy and Statement 2015/2016, Part A (ECM 3697780)                          |
| Attachment 3. | Budget 2015/2016, Part B (ECM 3697643)  |
| Attachment 4. | Fees and Charges 2015/2016 Revenue Policy, Part C (ECM 3696393)                       |
| Attachment 5. | Resourcing Strategy, Supporting the 2013/2023 Community Strategic Plan (ECM 3696375). |
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**30 [CS-CM] Compliments and Complaints Analysis Report for the Period 1 January to 31 March 2015**

**SUBMITTED BY: Corporate Governance**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

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### **SUMMARY OF REPORT:**

The Compliments and Complaints Handling Policy contains a quarterly reporting requirement. The Policy is designed to:

- Ensure compliments and complaints received are appropriately recorded;
- Recognise and acknowledge compliments Council receives;
- Deal with complaints in a fair and equitable manner; and
- Increase the level of customer satisfaction with the way feedback is handled, and in the delivery of services and systems.

The compliments and complaints analysis report for the period 1 January to 31 March 2015 identifies 48 compliments and 31 complaints and is provided for the information of the Executive Management Team.

### **RECOMMENDATION:**

**That Council receives and notes the Compliments and Complaints Analysis Report for the period 1 January to 31 March 2015.**

## REPORT:

The Compliments and Complaints Handling Policy contains a quarterly reporting requirement. The Policy is designed to:

- Ensure compliments and complaints received are appropriately recorded;
- Recognise and acknowledge compliments Council receives;
- Deal with complaints in a fair and equitable manner; and
- Increase the level of customer satisfaction with the way feedback is handled, and in the delivery of services and systems.

There are many instances where Council is complimented on the broad range of services it provides to the community, often in the form of a follow up phone call, written thank you or certificate of appreciation. These occasions highlight when Council has met or exceeded citizen expectations. Information about compliments Council receives often goes unrecognised because, unlike complaints, they require little action. However Council values its staff and compliments are an important feedback mechanism to organisational performance as well as a good sign of an engaged and active community.

A complaint is an expression of dissatisfaction, made in:

- a) respect to a Council Officers role in the provision of service delivery or lack of service delivery that has allegedly affected an individual, group or body of stakeholders whether justified or not; or
- b) the quality of service provided by council; or
- c) failing to act upon a request from the public and policies adopted by council.

A complaint can progress from Council's lack of action following the lodgement of a customer request for service or a request for information.

It is not a request for service (customer work request), or information, or an explanation of a policy or procedure, or objections to a development application before Council determination.

A complaint analysis report is presented to Council, detailed by type and outcomes/actions on a quarterly basis, without personal identifying particulars of complainants or associated persons or properties.

Complaints principally refer to the:

- Failure of Council Officers to comply with Council's Customer Service Charter in not responding to items within 14 days in accordance with the Correspondence - Response to Policy.
- Respondents being dissatisfied with the actions of Council Officers in handling their original request for service.
- Complainants being dissatisfied by decisions made by Council.

The complaint type has been categorised in accordance with categories used by the Office of Local Government. This methodology assists in monitoring the effectiveness of Council's handling of complaints and improving service delivery.

Council received 48 compliments for the period 1 January to 31 March 2015, as follows:

Compliment Type	Ref	Details of Compliment	Comments
<b>Customer Service; Service Standards; Administration</b>	1.	1. Four compliments regarding courtesy and prompt attention from staff members.	Referred to appropriate staff members.
		2. Thank you for your kindness.	Received by Museum staff.
		3. Thank two Council workers who rushed to my father's aid when he rolled his mobility scooter on the corner of Turnock Street and Marine Parade, Kingscliff.	Referred to field-based staff.
		4. Compliment to Tweed Heads Library Staff - niceness.	Received by Library staff.
		5. Catering - Yesterday's Workshop - Appreciate the timely and professional manner.	Referred to appropriate staff member.
<b>Enforcement and Regulatory Powers; Building/Noise</b>	2.	1. Charging ahead to recycle difficult items - good initiative by Council.	Referred to Waste staff
		2. Thank you for a quick response for my request of a recycle bin.	Referred to Waste staff.
		3. Compliment - As a resident who made representations to Council about the build-up of rubbish in Prospero Street, I appreciate the work towards the clean up and the removal of cars.	Referred to Compliance staff.
<b>Roads; Parks and Water</b>	3.	1. Seven compliments thanking Council for its response regarding the queries to trees and trimming.	Referred to appropriate staff members.
		2. Two compliments - appreciation for response to grass and weeds on western end of Lake Kimberley and informative visit from staff member.	Referred to Parks Sections
		3. Six Compliments - Appreciation of Works Section with regard to general maintenance.	Referred to Works Section
		4. Appreciation for maintenance on footpath along Kingscliff and Zephyr Streets.	Referred to appropriate staff members.
		5. Two compliments - Appreciation for pleasant prompt and friendly service from Water Unit staff.	Referred to Water staff.
		6. Five compliments - Thank the cemetery team for their efforts with the cemetery grounds and restoration of grave.	Referred to Cemetery Manager.
		7. Five compliments - Received by Tweed Regional Aquatic Centre (TRAC) staff regarding Water Smart Program and saving of a student.	Referred to TRAC staff.

Compliment Type	Ref	Details of Compliment	Comments
		8. Appreciation to lifesavers at Pottsville Beach on Saturday, 17 January 2015 - Request deepest gratitude be passed on, without their professional help may have ended up a quadriplegic after surfing accident.	Refer to Surf Life Saving Association.
		9. Appreciation for response to request for cleaning of glass from area near Cudgen Creek after vehicle fire.	Referred to appropriate staff member.
		10. Two Compliments - appreciated the way Council officer handled the latest and several prior incidents re Fingal Headland issues.	Referred to appropriate staff member
		11. Compliment regarding entrance points identifying plastic bag free area - Cabarita by Council staff member	Referred to appropriate staff member.
		12. Thanked staff member for his help and also said the Cabarita grounds looked great.	Referred to appropriate staff member.
<b>Council Miscellaneous</b>	4.	1. Thanks for Ballroom and Latin Performance at Tweed Heads Civic Centre.	Noted by relevant Manager.
		2. Thanks from Rising Star Scholarship Recipient - since graduating has obtained a full time graduate position with the Institute for Urban Indigenous Health based in Brisbane - express appreciation.	Acknowledgment sent.

During this quarter 31 complaints have been recorded as follows:

Complaint Type	Ref	Details of Complaint	Comments
<b>Customer Services; Service Standards; Administration</b>	1.	1. <u>Tweed Regional Aquatic Centre</u> Wish to share my dissatisfaction with the opening hours of the Murwillumbah Pool over the Christmas holidays.	Issue discussed with complainant. In future information will be included on Council's Web Site.
		2. <u>Kingscliff</u> Illegal parking of council vehicles on Council footpath, Kingscliff - 3 emails with no acknowledgement and cars are still illegally parking on footpath. Not happy that Rangers can make judgments.	Response sent apologising for not acknowledging emails. Information sent on Customer Service Charter Policy and parking. Information was included in the Tweed Link 28 April 2015.
		3. <u>Petition</u> Removal of koala protection gates at Black Rocks Sports Field was not tabled at the 22 January 2015 Council Meeting.	Response sent advising that the petition was tabled during the Council meeting of 22 January 2015.



Complaint Type	Ref	Details of Complaint	Comments
		5. <u>Hastings Point</u> Ownership of land adjacent to Cudgera Creek at Hasting Point. No response to previous email requesting confirmation of ownership of land. Customer service standards are the worst experienced.	No response was provided to email. Details later obtained through informal access request.
		6. <u>Pottsville Road, Mooball</u> Complaint that incorrect verbal information was delivered by a Council officer - acted on information.	Detailed investigation carried out. Response sent advising of all formal correspondence sent to complainant or conveyancer pertaining to matter. No record of telephone conversation.
<b>Enforcement and Regulatory Powers; Building/Noise</b>	2.	1. <u>Caravan Parks</u> Three emails received advising of compliance issues and querying Council's effectiveness in handling complaints.	Verbal discussion held with Park Management to comply with regulations and office direction. Letters to complainant advising of compliance action being taken.
		2. <u>Woolworths, Cabarita Beach</u> Request response to previous complaint regarding dangerous situation of underground car park.	Letter sent to complainant advising of action being taken to address issues.
		3. <u>Short term holiday letting, Pottsville</u> Two complaints received pertaining to Council's inaction in addressing short term holiday letting in Pottsville and in particular property	Two letters sent advising of Council's resolution pertaining to developing a short term holiday letting strategy and action taken to enforce the provisions of Tweed LEP 2014 for short term holiday letting at property.
		4. <u>Powell Street, Tweed Heads</u> No acknowledgement to a letter pertaining the removal of 2 trees with reference to a Development Application - DA07/1152.	Detailed response sent regarding the legislative requirements to lawfully remove the subject trees.
		5. <u>Dispute/complaints between neighbours</u> Advising that to date no action has been taken on all matters outlined in the letter.	On site meeting conducted. Letter sent advising that some matters are not the responsibility of Council. Dog barking complaints investigated. No issue. Complainant informed.
		6. <u>Illegal car parking - The Quarterdeck</u> Three emails relating to car parked illegally on the nature strip obstructing vision. Made three phone calls, no answer.	Complaint initially inspected. No offence witnessed, follow up inspection conducted car in complaint location and owner advised that car would be removed.
		7. <u>Swimming pool inspection, Banora Point</u> Received no phone call from building inspector requesting assistance as letter does not provide any detailed information.	Matter discussed with complainant. Compliance issues addressed. Certificate of Compliance issued.

Complaint Type	Ref	Details of Complaint	Comments
		<p>8. <u>Overgrown allotment, Kennedy Drive, Tweed Heads</u> Five months since customer request was lodged with Council, still nothing done, will take matter further.</p>	<p>Response sent advising that the majority of the allotment has been mowed with exception of the boundary which is too wet to mow - being discussed with new owners.</p>
		<p>9. <u>Moolau Avenue, Tweed Heads</u> Reported illegally dumped gazebo and other rubbish in February. Seven weeks later rubbish and gazebo is still in location.</p>	<p>Complaint inspected - notice issued to remove rubbish. Rubbish now removed.</p>
		<p>10. <u>Section 96 amendment to Development Application</u> Dissatisfied with Council's provision of service regarding the timeframe for finalizing a Section 96 amendment to a Development Application.</p>	<p>Complaint investigated, approval of Section 96 organised same day. Complainant notified by telephone.</p>
<p><b>Roads, Parks and Water</b></p>	<p>3.</p>	<p>1. <u>Woodford Road, Reserve Creek</u> Complaint reported earlier in week. Maintenance crew could not find blockage, unable to get to work.</p>	<p>Apology sent for inconvenience, result of conflicting advice received regarding the location of the problem.</p>
		<p>2. <u>The View Estate, Scenic Drive Bilambil Heights</u> State of garden beds, footpaths not maintained to same standard as developer. Severe guard rail damage for over 12 months.</p>	<p>Email sent advising that works to be undertaken have been listed in various maintenance programs.</p>
		<p>3. <u>Western end of Lake Kimberley, Banora Point</u> Third complaint. Uncut grass is now a serious and dangerous problem.</p>	<p>Officer discussed the problem on site with complainant. Provided information on mowing service level guidelines - maintenance undertaken.</p>
		<p>4. <u>Bay Street, Tweed Heads</u> How long to see the finish of this record breaking for time spent on the project.</p>	<p>Email response sent to Complainant.</p>
		<p>5. <u>Marine Parade, Kingscliff</u> Further complaint received pertaining to no beach access at Kingscliff from Lions Park on Australia Day 2015.</p>	<p>Response sent noting complaint. Advised that beach access will be opened when it is safe and practical to do so. Sand should be allowed to return naturally.</p>
		<p>6. <u>Kennedy Drive, Tweed Heads</u> Four emails received complaining of time taken to undertake project - staffing over resourced - blocked in four times without notice.</p>	<p>Detailed email response sent to Complainants.</p>
		<p>7. <u>Bilambil Road, Bilambil Heights</u> Complaint received advising that recent road repairs are now breaking up after a short period of time.</p>	<p>Advice sent noting comments. Corrective action to be undertaken when results for failure are investigated.</p>

Complaint Type	Ref	Details of Complaint	Comments
		8. <u>Park/playground equipment, Bilambil Heights</u> Refer to previous emails that a park in Tumbulgum has been upgraded. Park in Bilambil Heights was deemed too small.	Detailed response sent advising of Council practice in prioritising parks for upgrading in regional destinations. Coral Street, Bilambil Heights has been assessed as sufficient to serve local catchment area.
		9. <u>Queen Street, Fingal Head</u> Still awaiting for a response regarding previous complaints for a overgrown nature strip.	Response sent informing complainant that owner has been requested to partially clear vegetation to ensure safe pedestrian access.
		10. <u>Access to back of property through Council reserve</u> Received conflicting advice from two Council officers seeking permission to access property.	Original request was sent to two officers. New temporary park access procedure has been developed.
		11. <u>Removal of rubbish from Lake Kimberly pathway</u> Request was made after last flood event for Council to clean and collect rubbish from pathway. Council supplied bags to complainant to rake up rubbish and place in bags. Not collected when fallen tree was removed.	Rubbish now removed.
		12. <u>Tweed Regional Aquatic Centre</u> Email received from Environmental Protection Authority (EPA) advising that a complaint had been received of loud hammering noise coming from pool equipment.	Noise impact assessment information collected and sent to EPA. Noise levels fall within intrusive and amenity criteria.
		13. <u>Vintage Lakes Drive</u> Complaints received pertaining to condition of footpath. Difficult to walk - long grass.	Work carried out - comment received from complainant that footpath should be maintained to current condition.
		14. <u>The Jib, Tweed Heads</u> Formal complaint about lack of communication pertaining to temporary road closure. Complainant unaware of road closure which was arranged for contractors to undertake work in property.	Apology offered for inconvenience incurred. Contractor was responsible for communication to residents of temporary road closure.
		15. <u>Ourimbah Road, Tweed Heads</u> Request to clean up road, repair potholes and three foot high grass which has not been cut for six months.	Potholes repaired, grass cut, other clean up repairs to be undertaken when resources is next in the vicinity.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

That the Executive Management Team receives and notes the Compliments and Complaints Analysis Report for the period 1 January to 31 March 2015.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Compliments and Complaints Handling Policy, Version 1.4.

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

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**31 [CS-CM] Legal Services Register for the Period 1 January to 31 March 2015****SUBMITTED BY: Corporate Governance**

Valid

**Civic Leadership****LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

**SUMMARY OF REPORT:**

The Legal Services Report 1 January to 31 March 2015 provides the status of legal instructions for the current or recently completed matters which have been issued to legal panel providers. This Report includes payments to various legal providers, as well as payments for barristers and consultants where applicable.

The net amount for legal instructions for the period 1 January to 31 March 2015 is \$168,483 compared to \$151,689 for the previous quarter.

The principal legal instructions that relate to this quarter include:

• 2689 - Oakvale Capital Ltd	\$1,292
• 2763 - Hacienda Caravan Park	\$3,892
• 2772 - Tweed LEP 2014	\$1,414
• 2773 - Prospero/Colin Street Murwillumbah	\$44,154
• 2774 - DA13/0591 & DA13/0594 Enid Street	\$60,243
• 2775 - DA13/0201 Depot Road, Kings Forest	\$14,272
• 2776 - DA13/0654 40 Queen Street Fingal	\$11,824
• 2766 - The Anchorage Lease	\$1,725
• 2765/2788/2791 - DA14/0164 - 27-37 Bells Boulevard, Salt - advice and defence	\$8,475
• 2783 - 137 Adcocks Road, Stokers Siding	\$3,982
• 2784 - DA14/0892 - Wooyung Road, Wooyung	\$1,967
• 2786 - DA03/0445.02 - Urliup Road, Urliup	\$1,532
• 2781 - DA13/0440 - 5 Knox Court, Kingscliff	\$4,803
• Local Government Act - advice	\$1,911
• Cobaki Development	\$1,600

**RECOMMENDATION:**

**That Council receives and notes the Legal Services Register as at 31 March 2015.**

**REPORT:**

Expenditure incurred on legal instructions for the period 1 January to 31 March 2015 follows:

<b>Category 1 Planning and Environmental Law</b>	<b>Category 2 Local Government Law</b>	<b>Category 3 Commercial/Property Law</b>	<b>Category 4 District/Local Court</b>
\$157,443	\$8,042	\$1,725	\$1,273

A summary of payments to each of the Legal Service Providers including barristers and consultants where applicable, for current or recently completed matters is as follows:

<b>Category 1 Planning and Environmental Law</b>	<b>Year to Date</b>	<b>Current Period 1 January to 31 March 2015</b>
DLA Piper Australia	\$96,603	\$64,978
HWL Ebsworth Lawyers	\$43,034	16,239
Lindsay Taylor Lawyers	\$33,471	\$1,532
Maddocks Lawyers	\$8,252	\$5,154
Marsdens Law Group	\$27,423	\$12,709
Sparke Helmore Lawyers	\$97,105	\$52,939
Wilshire Webb Staunton Beattie Lawyers	\$8,509	\$0
<b>Other</b>		
SK Partners Legal & Strategic Solutions	\$2,625	\$0
Stacks/The Law Firm	\$16,425	\$3,892
<b>Sub Total</b>	<b>\$333,447</b>	<b>\$157,443</b>

<b>Category 2 Local Government Law (litigation and advice)</b>	<b>Year to Date</b>	<b>Current Period 1 January to 31 March 2015</b>
DLA Piper Australia	\$7,733	\$3,239
Lindsay Taylor Lawyers	\$0	\$0
Local Government Legal	\$725	\$0
Maddocks Lawyers	\$6,653	\$0
Marsdens Law Group	\$0	\$0
Prevention Partners NSW	\$2,607	\$1,911
<b>Other</b>		
Piper Alderman Lawyers	\$27,650	\$1,292
SINC Solutions Pty Ltd	\$3,198	\$0
Sparke Helmore Lawyers	\$2,444	\$0
Australian Financial Securities Authority	\$13,775	\$0
Halls Wilcox	\$1,600	\$1,600
<b>Sub Total</b>	<b>\$66,385</b>	<b>\$8,042</b>

<b>Category 3 Commercial/Property Law</b>	<b>Year to Date</b>	<b>Current Period 1 January to 31 March 2015</b>
HWL Ebsworth Lawyers	\$0	\$0
Local Government Legal	\$0	\$0
Maddocks Lawyers	\$0	\$0
Marsdens Law Group	\$0	\$0
Sparke Helmore Lawyers	\$0	\$0
Stacks /The Law Firm	\$3,575	\$1,725
Wilshire Webb Staunton Beattie Lawyers	\$0	\$0
<b>Sub Total</b>	<b>\$3,575</b>	<b>\$1,725</b>

<b>Category 4 District/Local Court</b>	<b>Year to Date</b>	<b>Current Period 1 January to 31 March 2015</b>
DLA Piper Australia	\$0	\$0
Stacks /The Law Firm	\$2,637	\$1,273
<b>Other</b>		
Russell Baxter Solicitor	\$2,790	\$0
<b>Sub Total</b>	<b>\$5,427</b>	<b>\$1,273</b>
<b>Total</b>	<b>\$408,834</b>	<b>\$168,483</b>

**LEGAL SERVICES REGISTER as at 31 March 2015**

<b>Category 1 - Planning and Environmental Law</b>					
<b>Provider (reference)</b>	<b>Description</b>	<b>General instructions</b>	<b>Costs</b>	<b>Comments</b>	<b>Current Status as at 3 June 2015</b>
HWL Ebsworth Lawyers (2719)	DA10/0160 Tamarind Avenue Bogangar	Review development consent and seek appropriate advice on section charges.	<i>Prev. Years</i> \$11,715 <b>14/15</b> \$335 <b>Total</b> \$12,050	Information received pertaining to development consent and section charges. Information sent to all owners regarding status of development consent.	<b>Completed</b>
Lindsay Taylor Lawyers (2735)	Voluntary Planning Agreement, Area E Altitude Aspire	Prepare a Voluntary Planning Agreement for the Altitude Aspire Part 3 Major Application by Metricon.	<i>Prev. Years</i> \$27,111	Council, at its meeting of 18 September 2014 accepted the Altitude Aspire Voluntary Planning Agreement.	<b>Completed</b>
HWL Ebsworth Lawyers (2742) (2746)	DA11/0456 Noble Lakeside	Council resolved on 21 March 2013 to defend Class 1 Appeal in the Land and Environment Court.	<i>Prev. Years</i> \$361,087 <b>14/15</b> (\$9,529) <b>Total</b> \$351,558	Appeal dismissed 17 December 2013. Agreed costs of \$30,000 accepted. Payment of costs made in accordance with Agreement. Specialist consultant overpaid, credit received.	<b>Completed</b>
Sparke Helmore Lawyers (2758)	DA12/0527 Gollan Drive Tweed Heads (IGA / Seagulls)	Council resolved on 12 December 2013 to defend Class 1 Appeal in Land and Environment Court.	<i>Prev. Years</i> \$283,457 <b>14/15</b> \$21,341 <b>Total</b> \$304,798	Class 1 Appeal heard in Land and Environment Court. Judgement was handed down on 16 July 2014, when the Class 1 Appeal was dismissed with no order as per costs.	<b>Completed</b>
Wilshire Webb Staunton Beattie Lawyers (2762)	DA13/0397 Pearl Street Kingscliff	Council resolved on 6 March 2014 to defend Class 1 Appeal in Land and Environment Court	<i>Prev. Years</i> \$3,291 <b>14/15</b> \$8,495 <b>Total</b> \$11,786	Matter adjourned in Land and Environment Court for draft conditions to be provided by Council. Judgement was handed down on 21 July 2014 when the Class 1 Appeal was upheld with amended consent with no order as to costs.	<b>Completed</b>



Stacks/The Law Firm (2763)	Hacienda Caravan Park	Land and Environment Court - prosecution of van owner for ignoring Notice of Intention to issue Order. Subsequent Order.	<b>14/15</b> \$16,425	Judgement was handed down on 30 September 2014 when the prosecution was dismissed on the basis of a technicality in how the Order was served. New civil proceedings against van owner have now commenced in the Land and Environment Court.	<b>In Progress.</b> Directions proceedings held on 24 April 2015. Hearing dates of 1-3 July 2015 allocated.
Marsdens Law Group (2764)	Unauthorised excavation Tyalgum Road Tyalgum	Seek appropriate legal advice to support legal action.	<i>Prev. Years</i> \$6,312 <b>14/15</b> \$4,337 <b>Total</b> \$10,649	Council information forwarded to Solicitors. Detailed advice received from Solicitors. Reported to Planning Committee Meetings of 6 November, 4 December 2014, 5 February 2015 and 5 March 2015	<b>In Progress.</b> Reported to Council Meeting of 21 May 2015.
DLA Piper (2765)	DA14/0164 27-37 Bells Boulevard, Kingscliff	Provide advice on Development Application for dual use of existing tourist accommodation	<b>14/15</b> \$3,321	Detailed advice provided on owner's consent requirements.	<b>Completed</b>
Maddocks Lawyers (2767)	Boyd's Bay Caravan Park	Review conditions of Development Consent.	<b>14/15</b> \$3,098	Advice received.	<b>Completed</b>
Lindsay Taylor Lawyers (2769)	2/1 Beatrice Court, Pottsville DA13/0678	Council resolved on 3 July 2014 to defend a Class 1 Appeal in Land and Environment Court.	<b>14/15</b> \$25,589	Conciliation conference conducted on site on 28 & 29 August 2014 resulting in amendments to the Development Application, which then resulted in application being granted consent, subject to conditions.	<b>Completed</b>

DLA Piper Australia (2772)	Tweed LEP 2014	Challenge in Land and Environment Court - amendment to LEP - made in error.	<b>14/15</b> \$20,432	Court matter adjourned for a directions hearing on 19 December 2014. LEP changes approved on 24 October 2014. Notice of Discontinuance filed with the Land and Environment Court on 5 January 2015.	<b>Completed</b>
Sparke Helmore Lawyers (2773)	Prospero/Colin Streets, Murwillumbah	Class 4 Civil Enforcement action initiated against owners.	<b>14/15</b> \$63,949	Notice of Intention to issue an order served on the property owners. Summons filed with Land and Environment Court and served upon owners.	<b>In Progress.</b> On 15 May 2015 Consent Orders were made pertaining to one of the parties. The matter pertaining to the other party has been stood over until 5 June 2015 to allow Council and the other party more time to negotiate the Consent Orders.
DLA Piper Australia (2774)	DA13/0591 and DA13/0594 Enid Street, Tweed Heads.	Council resolved on 7 August 2014 to defend Class 1 Appeal in Land and Environment Court.	<b>14/15</b> \$72,850	Directions Hearing and conciliation conference conducted. Statement of Facts and contentions filed with Court for both properties. Amended plans filed with court on 13 October 2014, which have been assessed and considered, report prepared which has been lodged with the court. Appeal heard on 5 and 6 February 2015. Judgement handed down on 6 March 2015 where the Court dismissed both Appeals with no Orders as to cost.	<b>Completed</b>

HWL Ebsworth Lawyers (2775)	DA13/0201 Depot Road, Kings Forest - Telstra Corporation.	Council resolved on 4 September 2014 to defend the Class 1 Appeal in the Land and Environment Court	<b>14/15</b> \$47,335	Advice provided to Council. Considered at Planning Committee meeting 2 October 2014. Council has now withdrawn its contention. Case determined on 20 November 2014, appeal was upheld, granted consent for the application, subject to conditions.	<b>Completed</b>
Marsdens Law Group (2776)	DA13/0654 40 Queen Street, Fingal	Defend Class 1 Appeal in the Land and Environment Court	<b>14/15</b> \$22,456	Final statement of facts and contentions forwarded to solicitors. S34 Conciliation Conference held on 28 November 2014. Amended plans lodged with court, reviewed with comments by Council's external consultants.	<b>Completed.</b> Matter heard on 13-14 April. Judgement handed down on 28 April 2015 - Appeal upheld and Approval granted, subject to conditions.
Lindsay Taylor Lawyers (2777)	Use of waterways and public land.	Provide advice on the use of waterways and public land.	<b>14/15</b> \$6,350	Advice incorporated into draft policy non-motorised water recreation businesses.	<b>Completed</b>
HWL Ebsworth Lawyers (2779)	DA13/0618 Willow Avenue Bogangar	Seek information in compliance with DA approval for restaurant	<b>14/15</b> \$2,926	Information received regarding compliance with DA approval.	<b>Completed</b>
Wilshire Webb Staunton Beattie Lawyers (2780)	DA13/0383 120-126 Chinderah Bay Drive Chinderah	Council resolved on 6 November 2014 to negotiate consent orders or enter into Section 34 agreement. Consent orders given on 18 February 2015 - approval upheld. DA approved.	<b>14/15</b> \$14	Statement of facts prepared and served upon applicants solicitors. Draft conditions have been prepared. Applicants amended draft conditions being assessed subject to conditions. Matter heard on 10 February 2015. Approval granted in accordance with Draft Conditions of Consent.	<b>Completed</b>
Sparke Helmore Lawyers (2781)	DA13/0440 5 Knox Court, Kingscliff	Request advice on being able to approve some elements of a S96 Application.	<b>14/15</b> \$4,803	Detailed advice provided in approving a S96 Application.	<b>Completed</b>

Sparke Helmore Lawyers (2783)	137 Adcocks Road, Stokers Siding	Institute Class 4 Action for construction of illegal earthworks.	<b>14/15</b> \$3,982	Evidence being gathered for Council's Solicitor to institute action.	<b>In Progress.</b>
HWL Ebsworth (2784)	DA14/0892 Wooyung Road, Wooyung	Staged developed for dwelling house - associated works	<b>14/15</b> \$1,967	Advice provided in relation to DA14/0892 being a staged Development Application.	<b>Completed</b>
Lindsay Taylor Lawyers (2786)	DA03/0445.02 Urliup Road, Urliup	Provide advice on options for enforcement.	<b>14/15</b> \$1,532	Advice provided on options for implementing compliance with Development Consent conditions.	<b>Completed</b>
Marsdens (2787)	Casuarina Town Centre,	S94 credits assignment	<b>14/15</b> \$590	Detailed advice provided on Council's agreement to assign S94 credits to 2 separate entities.	<b>Completed</b>
Maddocks (2788)	DA14/0164 27-37 Bells Boulevard, Dual use of existing tourist accommodation	Provide advice on Planning Committee rescission motion	<b>14/15</b> \$5,154	Detailed advice provided and considered at Council's Extraordinary Meeting held 12 February 2015.	<b>Completed</b>
HWL Ebsworth (2791)	DA14/0164 27-37 Bells Boulevard, Dual use of existing tourist accommodation	Defend Class 1 Appeal in Land & Environment Court	<b>14/15</b> \$0	9 April Planning Committee recommendation to Council that it engages Solicitor to negotiate Consent Orders or enter into a S34 Agreement.	<b>In Progress</b> Consent Orders hearing date for 14 May 2015 was vacated. Notice of Motion seeking leave for Mantra to be adjourned was listed for 22 May 2015 and was consented to by the applicant. Matter listed for case management on 12 June 2015.
Sparke Helmore Lawyers (883763)	136-150 Dry Dock Road Tweed Heads	Provide advice on the proposed development of a general store	<b>14/15</b> \$3,030	Detailed planning advice received. Reported to Council's meeting of 4 December 2014. Development Application approved at Planning Committee meeting of 5 February 2015.	<b>Completed</b>
SK Partners Legal & Strategic Solutions (140804)	Cobaki Development	Provide general advice on the conditions of relevant consents	<b>14/15</b> \$2,625	Detailed advice received.	<b>Completed</b>

Lindsay Taylor Lawyers	New Voluntary Planning Agreement - Pottsville employment land.	Prepare new Voluntary Planning Agreement for 39 Kudgerie Avenue, Cudgera Creek.	<i>Prev. Years</i> \$10,054 <b>14/15</b> \$0	Updated version of Voluntary Planning Agreement provided to council for review (to be funded by landowner).	<b>Completed</b> Matter reported to May 2015 Planning Committee meeting.
HWL Ebsworth Lawyers	LEDA seeking copy of advice provided to council re: Land and Environment Court proceedings, 80 Depot Road, Kings Forest.	Provide advice on the question of whether LEDA could be provided with a copy of solicitor's advice.	<b>14/15</b> \$0	Advice received and considered by Council at its meeting held 16 October 2014.	<b>Completed</b>

**Category 2 - Local Government Law**

<b>Provider (Reference)</b>	<b>Description of Matter</b>	<b>General Instructions</b>	<b>Costs to date</b>	<b>Comments</b>	<b>Current Status as at 3 June 2015</b>
DLA Piper Australia (713071078)	Local Government	General advice.	<b>14/15</b> \$1,372	Advice received.	<b>Completed</b>
Piper Alderman Lawyers (2689)	Appeal against Oakvale Capital Ltd ACN 009 070 884	Commence proceedings in Federal Court in claim against security bond.	<i>Prev. Years</i> \$63,933 <b>14/15</b> \$27,650 <b>Total</b> \$91,583	Appeal currently being implemented. Mediation in respect of the Appeal conducted on 21 November 2014. Settlement agreed in council's favour.	<b>In Progress.</b> Deed of settlement signed on 10 April 2015 awaiting finalisation.
Maddocks (2771)	Provide advice relating to legal options available to Council to respond to CSG	Provide appropriate advice	<b>14/15</b> \$4,067	Advice received and considered by Council at its meeting held on 11 December 2014.	<b>Completed</b>
Hall Wilcox Lawyers (33033)	Leda - Cobaki Development	Assist with dealings with Leda. Matter pertaining to the Cobaki Development	<b>14/15</b> \$1,600	Assistance provided in dealing with matter.	<b>Completed</b>
DLA Piper Australia	Provide advice on GIPAA Applications.	Provide appropriate advice.	<i>Prev. Years</i> \$8,822 <b>14/15</b> \$3,239 <b>Total</b> \$12,061	Advice received and information supplied to NCAT. NCAT decision on 26 March 2015 to release documents with redaction.	<b>Completed</b>
Prevention Partners NSW	Local Government Act	General advice.	<b>14/15</b> \$2,609	Advices received.	<b>Completed</b>

DLA Piper Australia (713093748)	Flood Plain Risk Management Plan	Provide appropriate advice.	<b>14/15</b> \$3,122	Advice received on the Plan.	<b>Completed</b>
Local Government Legal (796)	Local Government Act	General advice.	<b>14/15</b> \$725	Advice received.	<b>Completed</b>
SINC Solutions Pty Ltd (1408008)	NCAT/GIPAA and Independent Chair Panel Review matters.	Prepare/review documents and associated activities.	<b>14/15</b> \$3,198	Advice received	<b>Completed</b>
Sparke Helmore Lawyers (880278)	Council power in dealing with unregistered vehicles	Provide appropriate advice with particular reference to the Impounding Act	<b>14/15</b> \$2,444	Detailed advice received on Council's legislative powers in dealing with unregistered vehicles	<b>Completed</b>
Maddocks Lawyers (818400)	Boyds Bay Caravan Park	Provide appropriate advice with particular reference to SEPP 21 & Local Government (Caravan Park) Regulation 2005	<b>14/15</b> \$1,500	Detailed advice received.	<b>Completed</b>
Maddocks Lawyers (823868)	Local Government Act	Provide appropriate advice on the matter	<b>14/15</b> \$1,085	Advice received.	<b>Completed</b>
Marsdens Law Group	7 Year Special Rate Variation.	Class 4 Appeal Land and Environment Court.	<i>Prev. Years</i> \$493,120	Appeal dismissed by Land and Environment Court 30/12/08. Court of Appeal dismissed 5/2/10 part costs awarded. Application to High Court for special leave dismissed with costs, not assessed.	<b>In Progress.</b> Recovery of assessed costs of \$134,058 being pursued.
Australian Financial Securities Authority	7 Year Special Rate Variation	Recovery of assessed costs	<b>14/15</b> \$13,775	Action to recover assessed costs.	<b>In Progress.</b>

Category 3 - Commercial/Property Law					
Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 3 June 2015
Stacks/The Law Firm (2766)	The Anchorage Lease with Lend Lease	Review Lease Conditions - tenants obligation to maintain and repair.	<b>14/15</b> \$3,575	Interim advices received.	<b>In Progress.</b> 2 April 2015 - Further advice received from Lend Lease and Council's solicitor being reviewed by Council officers.

Category 4 - District/Local Court					
Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 3 June 2015
Stacks/The Law Firm (2698) (130331)	Homestead Caravan Park compliance matters.	Council resolved on 24 January 2012 to seek legal advice on breach of legislation to operate the Homestead Caravan Parks.	<i>Prev. Years</i> \$40,818	Local court found against Council on 18 June 2013. Council appealed to Land and Environment Court. Matter held on 26 November 2013. Land and Environment Court decision of 30 January 2015 dismissed Council's two appeals and costs were awarded against Council with 28 days to pay.	<b>In Progress</b> No claims for costs have been lodged with Council.
Stacks/The Law Firm (150098)	68 Oyster Point Road, Banora Point	Prosecute owner in the Local Court for development works without consent.	<b>14/15</b> \$773	Matter heard in Local Court - owner was convicted of the offence, fined and ordered to pay Council's costs of the prosecution.	<b>Completed</b>
Russell Baxter Solicitor	Local and District Court Appeals	Defend Appeal issues in Local and District Court.	<i>Prev. Years</i> \$3,360 <b>14/15</b> \$2,790 <b>Total</b> \$6,090	Case on hold - appeal in the District Court can only be actioned by applicant.	<b>On hold</b>
Stacks/The Law Firm (2760)	2 Willow Avenue, Bogangar	Prosecution for offence of "development without consent"	<b>14/15</b> \$1,864	<b>Completed.</b> Judgement was handed down on 2 October 2014 where the Defendant was convicted of the offence "development without consent", fined and ordered to pay professional costs.	<b>Completed</b>

**OPTIONS:**

Not Applicable

**CONCLUSION:**

Legal expenses for the quarter related primarily to actions instigated in previous periods.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

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

Total legal services budget - \$379,254.

Total legal expenditure to 31 March 2015 - \$408,834.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**32 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 31 May 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:

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested. The Manager Financial Services, being the Responsible Accounting Officer, certifies that investments have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies. Council had **\$211,433,820** invested as at **31 May 2015** and the accrued net return on these funds was **\$641,235** or **3.64%** annualised for the month.

### RECOMMENDATION:

**That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 May 2015 totalling \$211,433,820 be received and noted.**

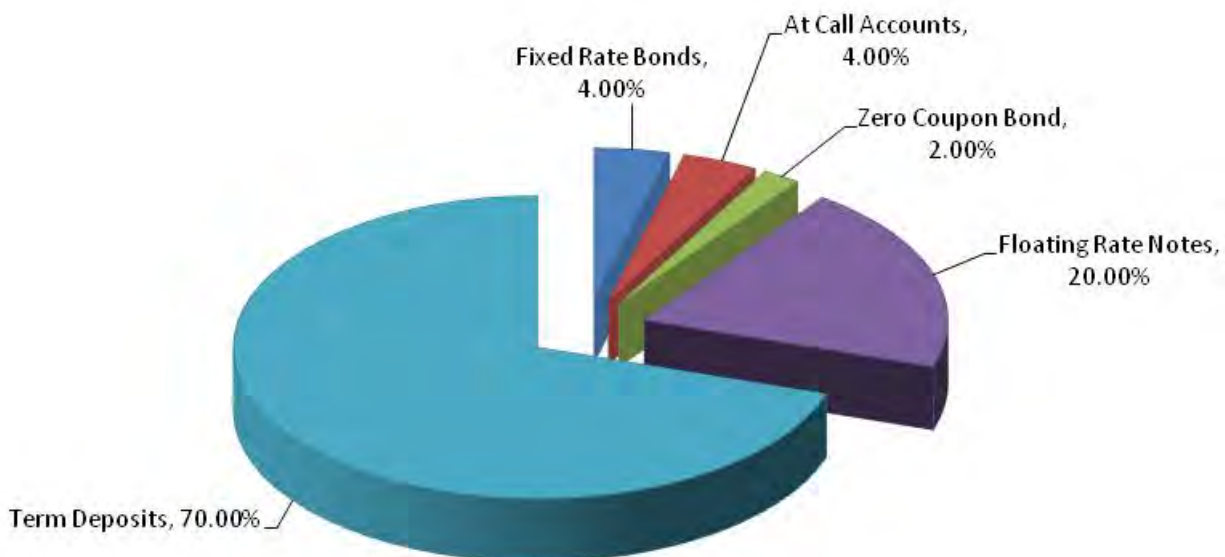
**REPORT:**

**1. Restricted Funds as at 1 July 2014**

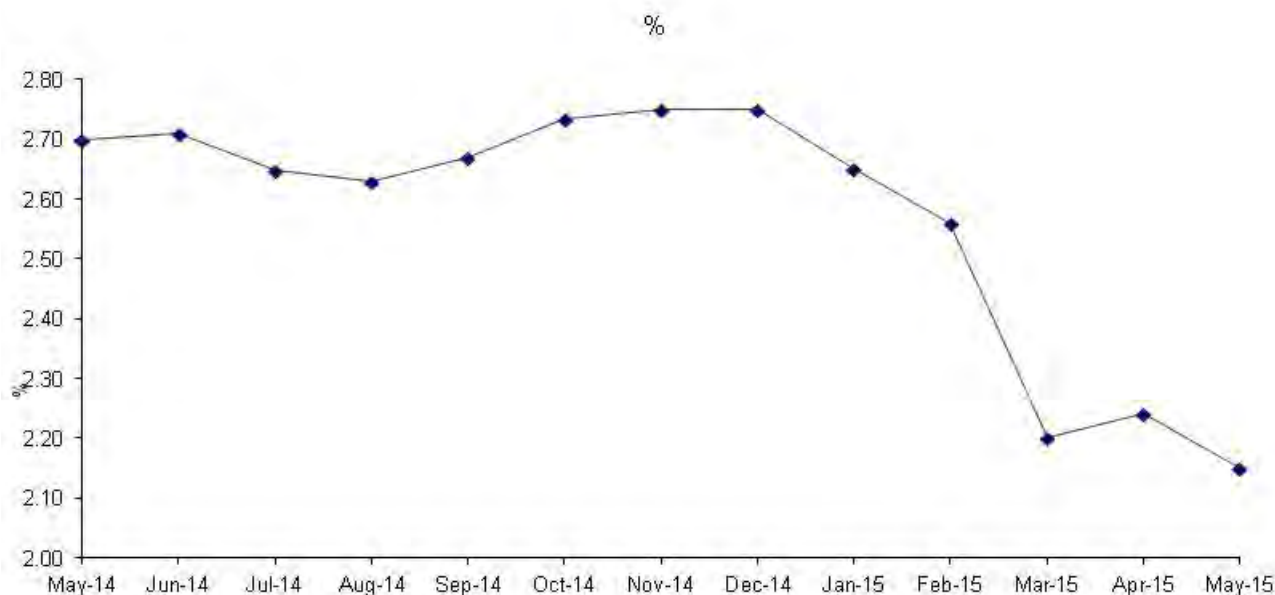
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
<b>Externally Restricted (Other)</b>	11,504	18,795	47,006	<b>77,305</b>
Crown Caravan Parks	18,338			<b>18,338</b>
Developer Contributions	23,639	2,615		<b>26,254</b>
Domestic Waste Management	11,407			<b>11,407</b>
Grants	2,764			<b>2,764</b>
<b>Internally Restricted (Other)</b>	29,998			<b>29,998</b>
Employee Leave Entitlements	9,811			<b>9,811</b>
Grants	2,753			<b>2,753</b>
Unexpended Loans	9,436			<b>9,436</b>
<b>Total</b>	<b>119,650</b>	<b>21,410</b>	<b>47,006</b>	<b>188,066</b>

*Note: Restricted Funds Summary updated September 2014, corresponding with the Annual Financial Statements as at 30 June 2014*

**2. Investment Portfolio by Category**



### 3. Investment Rates - 90 Day Bank Bill Rate



### 4. Direct Securities

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
AMP (6/18)	1,000,000.00	<b>1,013,410.00</b>	3.21	FRN	06/06/2018
AMP (RIM) (05/17)	2,500,000.00	<b>2,527,650.00</b>	3.43	FRN	29/05/2017
ANZ (04/20)	1,600,000.00	<b>1,610,624.00</b>	3.08	FRN	17/04/2020
ANZ (11/18)	1,000,000.00	<b>1,012,250.00</b>	3.03	FRN	06/11/2018
Bendigo (FIIG) (11/15) * +1.25%	1,000,000.00	<b>1,006,800.00</b>	3.62	FRN	02/11/2015
* Bendigo (RBS) (05/17)	3,000,000.00	<b>3,035,610.00</b>	3.34	FRN	17/05/2017
* Bendigo (RBS) (11/18)	1,000,000.00	<b>1,016,980.00</b>	3.42	FRN	14/11/2018
* BOQ (06/18)	1,000,000.00	<b>1,014,320.00</b>	3.33	FRN	12/06/2018
* BOQ (06/18)	1,000,000.00	<b>1,048,940.00</b>	4.00	Fixed Rate Bond	12/06/2018
* BOQ (11/19)	2,000,000.00	<b>2,015,200.00</b>	3.22	FRN	06/11/2019
CBA (04/19)	1,000,000.00	<b>1,012,940.00</b>	3.14	FRN	24/04/2019
CBA (08/16) 1.17%	3,000,000.00	<b>3,038,970.00</b>	3.34	FRN	02/08/2016
CBA (10/19)	2,000,000.00	<b>2,019,680.00</b>	3.11	FRN	18/10/2019
CBA Bond (04/19)	1,000,000.00	<b>1,053,700.00</b>	4.25	Fixed Rate Bond	24/04/2019

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	<b>3,578,000.00</b>	7.17	Fixed Rate Bond	22/01/2018
* CUA (03/17)	1,000,000.00	<b>1,009,300.00</b>	3.58	FRN	20/03/2017
* CUA (03/17) (CBA)	1,000,000.00	<b>1,009,300.00</b>	3.58	FRN	20/03/2017
* CUA (12/17) ANZ	1,000,000.00	<b>1,006,930.00</b>	3.47	FRN	22/12/2017
* Heritage (RBS/RIMSEC) (06/17)	1,500,000.00	<b>1,621,800.00</b>	7.25	Fixed Rate Bond	20/06/2017
* Heritage (Westpac) (05/18)	1,000,000.00	<b>1,001,970.00</b>	3.31	FRN	07/05/2018
ING Bond (RBS) (09/15)	2,000,000.00	<b>2,041,500.00</b>	5.50	Fixed Rate Bond	03/09/2015
ING Bond(RBS) (08/16)	1,000,000.00	<b>1,030,860.00</b>	4.25	Fixed Rate Bond	23/08/2016
Macquarie (RIMSEC) (03/20)	2,000,000.00	<b>2,024,380.00</b>	3.38	FRN	03/03/2020
* ME Bank (ANZ) (11/17)	1,000,000.00	<b>1,002,070.00</b>	3.14	FRN	17/11/2017
* ME Bank (CBA) (09/15)	1,400,000.00	<b>1,414,406.00</b>	3.53	FRN	03/09/2015
* ME Bank (CBA) (11/16)	1,000,000.00	<b>1,007,430.00</b>	3.40	FRN	28/11/2016
* ME Bank (Morgans) (11/16)	1,000,000.00	<b>1,007,430.00</b>	3.58	FRN	28/11/2016
NAB (06/16)	2,000,000.00	<b>2,032,900.00</b>	3.44	FRN	21/06/2016
NPBS (Morgans) (02/18)	1,000,000.00	<b>1,000,630.00</b>	3.25	FRN	27/02/2018
Rabo (RBS) (09/18)	1,000,000.00	<b>1,017,960.00</b>	3.37	FRN	25/09/2018
* Suncorp (04/19)	2,000,000.00	<b>2,033,040.00</b>	3.36	FRN	23/04/2019
* Suncorp (11/19)	1,000,000.00	<b>1,001,730.00</b>	2.88	FRN	05/11/2019
* Suncorp (CBA) (08/19)	1,000,000.00	<b>1,003,290.00</b>	3.08	FRN	20/08/2019
* Suncorp Covered (RIMSEC) (12/16)	2,000,000.00	<b>2,113,000.00</b>	4.75	Fixed Rate Bond	06/12/2016

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
* Westpac (JP Morgans) (02/19)	2,000,000.00	<b>2,025,640.00</b>	3.07	FRN	25/02/2019
* Westpac (RBS) (02/17)	1,000,000.00	<b>1,023,180.00</b>	3.79	FRN	20/02/2017
<b>Total</b>	<b>54,000,000.00</b>	<b>54,433,820.00</b>	<b>3.71</b>		
<b>LEGEND</b>					
Investment Type	ABS = Asset Backed Security Bond = Fixed Rate Bond FRN = Floating Rate Note				
<b>Counterparty</b>	BB = Bendigo Bank		ME = Members Equity Bank		
AMP = AMP Bank	Heritage = Heritage Bank		RaboDirect = Rabo Bank		
ANZ = ANZ Bank	ING = ING Bank		Rural = Rural Bank (previously Elders Bank)		
BOQ = Bank of Queensland	Investec = Investec Bank		Suncorp = Suncorp Metway Bank		
CBA = Commonwealth Bank	Macquarie = Macquarie Bank		WBC = WBC Banking Corporation		
	NAB = National Australia Bank				

## 5. Term Deposits

Counterparty	Lodged or Rolled	DUE	PRINCIPAL	TERM	% Yield
AMP (Curve) annual interest (July 2015)	27-Jan-15	<b>28-Jul-15</b>	1,000,000.00	182	3.40
AMP Bank (RIMSEC) (June 2015)	02-Sep-14	<b>02-Jun-15</b>	2,000,000.00	273	3.50
Auswide Bank (Curve) (Feb 2017)	03-Feb-15	<b>07-Feb-17</b>	1,000,000.00	735	3.50
Auswide Bank (RIMSEC) (Mar 2016)	25-Mar-15	<b>22-Mar-16</b>	1,000,000.00	363	3.06
Auswide Bank (Dec 2016)	08-Dec-14	<b>08-Dec-15</b>	3,000,000.00	365	3.76
Bankwest (Apr 2015)	28-Apr-15	<b>29-Sep-15</b>	1,000,000.00	154	3.00
Bankwest (June 2015)	10-Mar-15	<b>09-Jun-15</b>	2,000,000.00	91	3.10
Bankwest (Mar 2016)	17-Mar-15	<b>15-Mar-16</b>	1,000,000.00	364	3.00
Bankwest (Oct 2015)	19-May-15	<b>20-Oct-15</b>	3,000,000.00	154	3.00
BCU (Feb 2017)	19-Feb-15	<b>18-Feb-16</b>	1,000,000.00	365	3.20
* Bendigo Bank (Dec 2015)	09-Dec-14	<b>15-Dec-15</b>	2,000,000.00	371	3.45
* Bendigo Bank (Sept 2019)	01-Sep-14	<b>03-Sep-19</b>	1,000,000.00	1828	4.15
* BOQ (Aug 2015)	03-Mar-15	<b>11-Aug-15</b>	3,000,000.00	161	3.10
* BOQ (Feb 2016)	25-May-15	<b>25-Aug-15</b>	1,000,000.00	91	3.73

Counterparty	Lodged or Rolled	DUE	PRINCIPAL	TERM	% Yield
* BOQ (Feb 2016)	23-Feb-15	<b>23-Feb-16</b>	3,000,000.00	365	4.05
* BOQ (Sept 2015) annual interest	20-Sep-14	<b>21-Sep-15</b>	2,000,000.00	365	4.20
* BOQ (Sept 2016) quarterly interest	20-Mar-15	<b>20-Jun-15</b>	2,000,000.00	91	3.58
CBA	19-May-15	<b>19-Aug-15</b>	2,000,000.00	92	3.41
CBA	19-May-15	<b>19-Aug-15</b>	1,000,000.00	92	3.01
CBA (Feb 2020)	13-May-15	<b>13-Aug-15</b>	1,000,000.00	92	3.05
CBA (May 2020)	19-May-15	<b>19-Aug-15</b>	1,000,000.00	92	3.01
CBA (May 2020)	19-May-15	<b>19-May-16</b>	2,000,000.00	365	3.41
CBA (Oct 2015) annual interest	11-Oct-14	<b>11-Oct-15</b>	1,000,000.00	365	4.85
* CUA (Oct 2015) (Curve)	09-Oct-14	<b>06-Oct-15</b>	1,000,000.00	362	3.60
* IMB (Jan 2020)	06-Apr-15	<b>06-Jul-15</b>	1,000,000.00	90	3.15
* IMB (Nov 2017)	05-May-15	<b>05-Aug-15</b>	1,000,000.00	92	3.03
ING (Curve) (Oct 2015)	15-Oct-14	<b>13-Oct-15</b>	2,000,000.00	365	4.01
ING (FIIG) (Aug 2015)	17-Feb-15	<b>18-Aug-15</b>	1,000,000.00	182	3.15
ING (RIMSEC) (Aug 2015)	17-Feb-15	<b>11-Aug-15</b>	1,000,000.00	175	3.14
ING (RIMSEC) (Feb 2020)	11-May-15	<b>11-Aug-15</b>	1,000,000.00	90	3.34
ING (RIMSEC) (Jan 2019)	29-Apr-15	<b>29-Jul-15</b>	2,000,000.00	91	3.11
ING (RIMSEC) (Sept 2015)	02-Sep-14	<b>02-Sep-15</b>	1,000,000.00	364	4.14
* Investec (July 2016)	24-Apr-15	<b>24-Jul-15</b>	2,000,000.00	91	3.36
* Investec (RIMSEC) (Aug 2015)	11-May-15	<b>11-Aug-15</b>	1,000,000.00	89	3.69
* Investec (RIMSEC) (Jun 2016)	10-Mar-15	<b>10-Jun-15</b>	1,000,000.00	90	3.43
* Investec (RIMSEC) (Sept 2015) annual interest	03-Sep-14	<b>03-Sep-15</b>	1,000,000.00	365	4.14
* Investec (Sept 2015) annual interest	11-Sep-14	<b>15-Sep-15</b>	2,000,000.00	365	4.37

Counterparty	Lodged or Rolled	DUE	PRINCIPAL	TERM	% Yield
Macquarie Bank (RIMSEC) (Feb 2016)	13-May-15	<b>08-Feb-16</b>	1,000,000.00	271	3.00
* MEB (Curve) (Mar 2016)	25-Feb-15	<b>25-Feb-16</b>	2,000,000.00	365	4.07
* MEB (Jul 2016)	29-Apr-15	<b>29-Jul-15</b>	2,000,000.00	92	3.75
* MEB (Oct 2015)	14-Apr-15	<b>13-Oct-15</b>	2,000,000.00	182	3.00
NAB (Aug 2015)	10-Sep-14	<b>11-Aug-15</b>	4,000,000.00	335	3.60
NAB (Aug 2015)	18-Aug-14	<b>18-Aug-15</b>	1,000,000.00	365	3.65
NAB (Curve) (Aug 2015)	06-Aug-14	<b>04-Aug-15</b>	2,000,000.00	364	4.10
NAB (Dec 2019)	19-Mar-15	<b>19-Jun-15</b>	2,000,000.00	92	3.32
NAB (Feb 2016)	17-Feb-15	<b>16-Feb-16</b>	2,000,000.00	364	3.17
NAB (Feb 2020)	03-May-15	<b>04-Aug-15</b>	1,000,000.00	92	3.70
NAB (Jan 2020)	16-Apr-15	<b>16-Jul-15</b>	2,000,000.00	91	3.75
NAB (May 2016)	20-May-15	<b>20-May-16</b>	3,000,000.00	365	4.00
NAB (May 2020) annual interest	12-May-15	<b>12-Aug-15</b>	2,000,000.00	92	3.40
NAB (Oct 2016)	21-May-15	<b>22-Jun-15</b>	2,000,000.00	32	2.97
NAB (RBS) (Aug 2015)	27-May-15	<b>27-Aug-15</b>	2,000,000.00	92	3.35
NAB (RBS) (Aug 2015) quarterly interest	11-May-15	<b>11-Aug-15</b>	2,000,000.00	92	4.35
NAB (Sept 2015) annual interest	03-Sep-14	<b>03-Sep-15</b>	4,000,000.00	365	4.05
NAB (Sept 2016)	04-Sep-14	<b>04-Sep-15</b>	4,000,000.00	1098	4.25
P&N Bank (RIMSEC) (Sept 2017)	22-Sep-14	<b>21-Sep-17</b>	1,000,000.00	1095	4.00
Rabo Bank (Curve) (Aug 2018)	20-Aug-14	<b>20-Aug-15</b>	2,000,000.00	1462	4.10
Rabo Bank (Curve) (Sept 2019)	01-Sep-14	<b>03-Sep-19</b>	1,000,000.00	1828	4.05
Rabo Bank (Mar 2017) (RIMSEC)	04-Mar-14	<b>07-Mar-17</b>	2,000,000.00	370	4.15
RaboDirect (Curve) (Aug 2019)	07-Aug-14	<b>07-Aug-15</b>	2,000,000.00	365	4.30

Counterparty	Lodged or Rolled	DUE	PRINCIPAL	TERM	% Yield
RaboDirect (Curve) (Feb 2017) annual interest	10-Feb-15	<b>10-Feb-16</b>	1,000,000.00	366	3.40
RaboDirect (Curve) (Jan 2019)	13-Jan-15	<b>15-Jan-19</b>	1,000,000.00	1463	4.00
RaboDirect (Curve) (Jul 2015)	26-Jul-14	<b>27-Jul-15</b>	1,000,000.00	365	5.20
RaboDirect (Curve) (Jul 2016)	26-Jul-14	<b>28-Jul-15</b>	1,000,000.00	365	5.40
RaboDirect (Curve) (Nov 2016) annual interest	11-Nov-14	<b>11-Nov-15</b>	1,000,000.00	366	6.30
RaboDirect (RIMSEC) (Mar 2016) annual interest	22-Mar-15	<b>22-Mar-16</b>	1,000,000.00	364	7.15
RaboDirect (RIMSEC) annual interest (July 2015)	24-Jul-14	<b>27-Jul-15</b>	2,000,000.00	364	4.25
* Suncorp (Aug 2015)	19-Feb-15	<b>25-Aug-15</b>	2,000,000.00	188	3.15
* Suncorp (Aug 2015)	24-Feb-15	<b>25-Aug-15</b>	2,000,000.00	182	3.10
* Suncorp (Jul 2015)	20-Jan-15	<b>21-Jul-15</b>	2,000,000.00	182	3.50
* Suncorp (Sept 2015)	03-Mar-15	<b>01-Sep-15</b>	3,000,000.00	182	3.15
* Suncorp Metway (March 2015)	10-Mar-15	<b>15-Sep-15</b>	4,000,000.00	189	3.15
* Westpac (Jan 2016)	13-Apr-15	<b>13-Jul-15</b>	8,000,000.00	91	3.52
* Westpac (Apr 2016) quarterly interest	07-Apr-15	<b>07-Jul-15</b>	2,000,000.00	91	3.45
* Westpac (Aug 2019)	19-Aug-14	<b>18-Aug-19</b>	3,000,000.00	364	3.75
* Westpac (Feb 2016)	18-May-15	<b>18-Aug-15</b>	2,000,000.00	89	3.35
* Westpac (June 2015)	11-Mar-15	<b>09-Jun-15</b>	2,000,000.00	90	3.10
* Westpac (June 2015)	24-Jun-14	<b>23-Jun-15</b>	2,000,000.00	364	3.84



Counterparty	Lodged or Rolled	DUE	PRINCIPAL	TERM	% Yield
* Westpac (Sept 2015)	10-Sep-14	<b>08-Sep-15</b>	2,000,000.00	363	3.82
* Westpac (Sept 2015)	16-Sep-14	<b>15-Sep-15</b>	3,000,000.00	364	3.74
		<b>Total</b>	<b>149,000,000.00</b>		<b>3.69</b>
<b>LEGEND</b>					
<b>Counterparties</b>		ING = ING Bank	RaboDirect = Rabo Bank		
AMP = AMP Bank		Investec = Investec Bank	Rural = Rural Bank		
ANZ = ANZ Bank		Macquarie = Macquarie Bank	Suncorp = Suncorp Metway Bank		
BOQ = Bank of Queensland		NAB = National Australia Bank	WBC = Westpac Bank		
CBA = Commonwealth Bank		ME = Members Equity Bank			
Heritage = Heritage Bank		NPBS = Newcastle Permanent Building Society			

## 6. Ethical Investments

\* Ethical Financial Institutions highlighted in Sections 4 and 5 above.

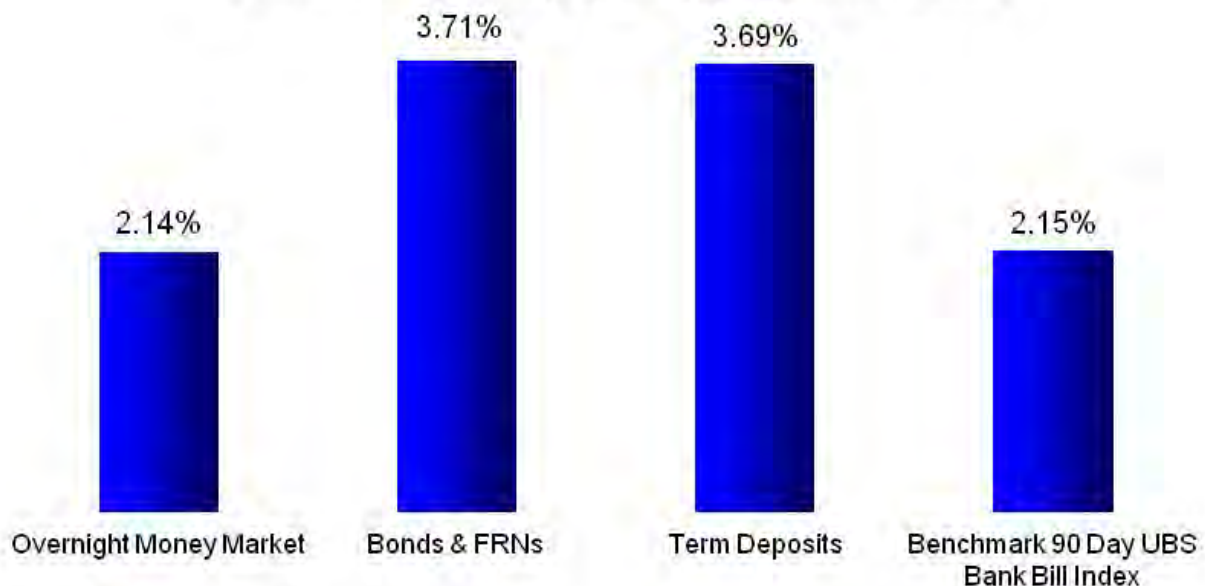
**\$96,431,306** which represents **45.61%** of the total portfolio

Source: Australian Ethical - [www.australianethical.com.au](http://www.australianethical.com.au)

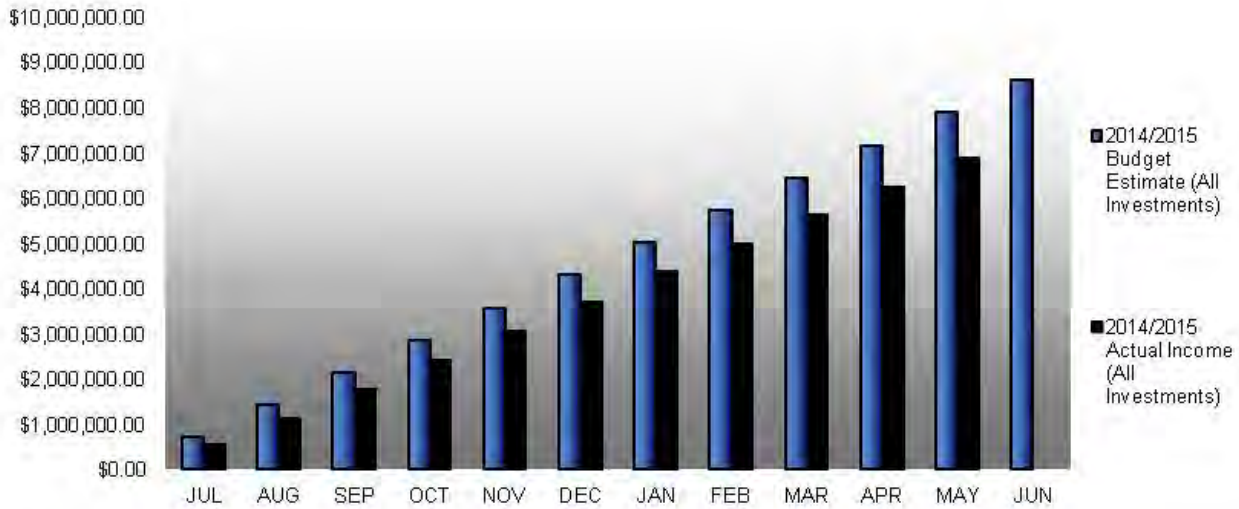
## 7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return	Above or (Below) 90 day BBSW Benchmark
Overnight Money Market	8,000,000.00	8,000,000.00	2.14%	-0.01%
Bonds & FRNs	54,000,000.00	54,433,820.00	3.71%	1.56%
Term Deposits	149,000,000.00	149,000,000.00	3.69%	1.54%
Benchmark 90 Day UBS Bank Bill Index	211,000,000.00	211,433,820.00	2.15%	1.03%

### Performance by Category Compared with Benchmark



### 8. Total Portfolio Income v Budget



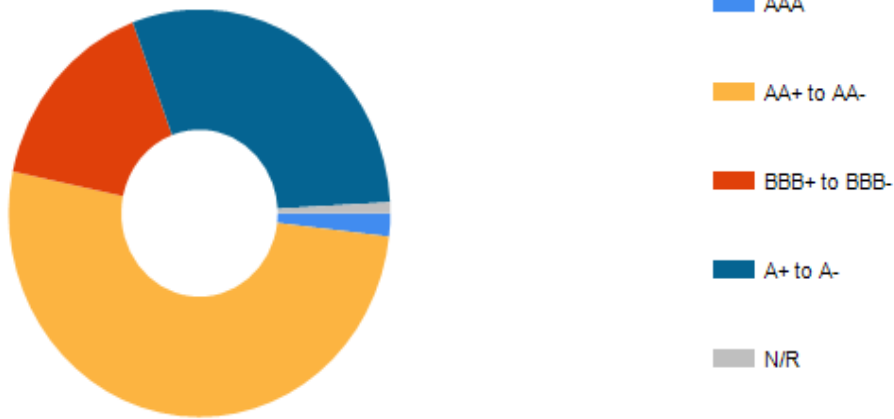
### 9. Investment Policy Diversification and Credit Risk

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings	Investment Policy Limit	Actual Portfolio	Short-Term Credit Ratings	Investment Policy Limit	Actual Portfolio
AAA Category	100%	<b>1.00%</b>	A-1+	100%	<b>18.54%</b>
AA Category	100%	<b>28.23%</b>	A-1	100%	<b>10.45%</b>
A Category	60%	<b>16.36%</b>	A-2	60%	<b>11.88%</b>
BBB Category	20%	<b>8.78%</b>	A-3	0%	<b>0.00%</b>
Unrated	10%	<b>0.48%</b>	Unrated	10%	<b>4.28%</b>

Market Value by Security Rating Group (Short Term)



Market Value by Security Rating Group (Long Term)



10. Term to Maturity

Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	51.53%	Minimum 40%
More than 365 days and less than 3 years	28.55%	Maximum 60%
3 years and less than 5 years	19.92%	Maximum 35%
Total	100.00%	

Market Value by Term Remaining

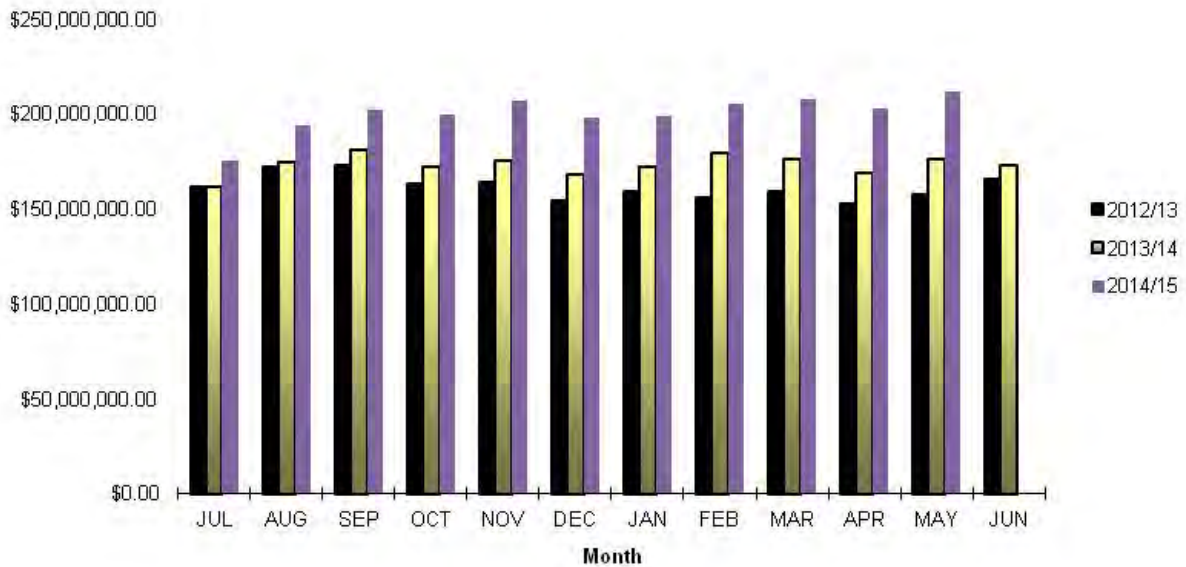


## 11. Investment Alternatives Explained

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
At Call Cash	At Call	Immediate to a few months	Highly liquid - same day access to funds with no impact on capital	Not a capital growth asset
			Highly secure as a bank deposit	Underperforms other asset classes in the long term
Bank Bill	1 - 180 days	Less than 1 year	Highly liquid - same day access to funds, usually with no or minimal impact on capital	Not a growth asset
			Highly secure (bank risk)	Underperforms other asset classes in the long term
				May incur a small loss for early redemption
Term Deposit	Up to 5 years	Less than 2 years	Liquid - same day access to funds	Will incur a small capital loss for early termination
			Highly secure as a bank deposit	Underperforms growth assets in the longer term
Floating Rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses if sold ahead of maturity and market interest rates have risen
			Coupon interest rate resets quarterly based on 90 day bank bill swap rate	Credit exposure to company issuing the paper
			Relatively liquid	May not be bank guaranteed
			Less administration than bank bills	Underperforms other asset classes in the long term

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
Fixed Rate/Bond	1 - 5 years	Greater than 3 years	Can accrue capital gain if sold before maturity and market interest rates have fallen	Can incur capital losses if sold before maturity and market interest rates have risen
			Fixed return - semi annual coupons	Credit exposure to company issuing paper
			Generally liquid	
			Can be government or corporate issuer	

**12. Monthly Comparison of Total Funds Invested**



### 13. Section 94 Developer Contributions - Monthly Balances & Receipts

Contribution Plan	Plan Description	End of Month Balance	Contributions Received for Month
1	DCP3 Open Space	4,236,783	
2	Western Drainage	600,950	
3	DCP3 Community Facilities	1,636	
4	TRCP Road Contributions	10,244,257	401,136
5	Open Space	324,305	6,166
6	Street Trees	187,809	1,485
7	West Kingscliff	454,290	
10	Cobaki Lakes	-1,353	
11	Libraries	2,099,374	38,207
12	Bus Shelters	84,071	2,913
13	Cemeteries	56,815	5,605
14	Mebbin Springs	90,452	
15	Community Facilities	991,924	53,516
16	Surf Lifesaving	389,548	452
18	Council Administration/Technical Support	1,468,440	86,959
19	Kings Beach	745,592	
20	Seabreeze Estate	755	
21	Terranora Village	30,968	
22	Cycleways Shirewide	228,378	21,092
23	Carparking Shirewide	1,413,294	
25	SALT	1,143,010	
26	Open Space Shire wide	2,593,573	225,399
27	Tweed Heads Masterplan	176,201	
28	Seaside City	254,165	53,141
91	DCP14	108,247	
92	Public Reserve Contributions	128,911	
95	Bilambil Heights	529,337	
	<b>Total</b>	<b>28,581,734</b>	<b>896,073</b>

### 14. Economic Commentary

#### Australian and World Economy and Cash Rate

At its 2 June 2015 meeting the Reserve Bank of Australia (RBA) left the cash rate unchanged at 2 per cent.

According to the RBA the global economy is expanding at a moderate pace, but some key commodity prices are much lower than a year ago. This trend appears largely to reflect increased supply, including from Australia. Australia's terms of trade are falling nonetheless.

The US Federal Reserve is expected to start increasing its policy rate later this year, but some other major central banks are continuing to ease policy. Hence, global financial conditions remain very accommodative. Despite some increases in bond yields recently, long-term borrowing rates for sovereigns and creditworthy private borrowers remain remarkably low.

In Australia, the available information suggests the economy has continued to grow, but at a rate somewhat below its longer-term average. Household spending has improved, including a large rise in dwelling construction, and exports are rising. But a key drag on private demand is weakness in business capital expenditure in both the mining and non-mining sectors and this is likely to persist over the coming year. Public spending is also scheduled to be subdued. Overall, the economy is likely to be operating with a degree of spare capacity for some time yet. With very slow growth in labour costs, inflation is forecast to remain consistent with the target over the next one to two years, even with a lower exchange rate.

In such circumstances, monetary policy needs to be accommodative. Low interest rates are acting to support borrowing and spending. Credit is recording moderate growth overall, with stronger lending to businesses and growth in lending to the housing market broadly steady over recent months. Dwelling prices continue to rise strongly in Sydney, though trends have been more varied in a number of other cities. The Bank is working with other regulators to assess and contain risks that may arise from the housing market. In other asset markets, prices for equities and commercial property have been supported by lower long-term interest rates.

The Australian dollar has declined noticeably against a rising US dollar over the past year, though less so against a basket of currencies. Further depreciation seems both likely and necessary, particularly given the significant declines in key commodity prices.

Having eased monetary policy last month, the RBA Board judged that leaving the cash rate unchanged was appropriate at this meeting. Information on economic and financial conditions to be received over the period ahead will inform the Board's assessment of the outlook and hence whether the current stance of policy will most effectively foster sustainable growth and inflation consistent with the target.

### **Council's Investment Portfolio**

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with 74% of the portfolio held in cash and term deposits. Term deposits and bonds particularly are paying slightly above average margins over the 90 day bank bill rate but these margins have continued to contract. Banks demand for funds for term deposits is diminishing in conjunction with the low cash rate and new banking capital requirements.

The historic low cash rate is translating to lower total investment yields. This continues to present difficulties obtaining reasonable investment income without risking capital.

All investment categories except at call cash out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from higher yielding bonds returns purchased before yields began contracting. Overall, the investment

portfolio has returned an average 1.03% pa above the 90 day UBS bank bill index for the last month.

Source: RBA Monetary Policy Decision

## 15. Investment Summary

<b>GENERAL FUND</b>	CORPORATE FIXED RATE BONDS	12,487,800.00	
	FLOATING RATE NOTES	41,946,020.00	
	TERM DEPOSITS	51,000,000.00	
	CALL ACCOUNT	8,000,000.00	<b>113,433,820.00</b>
			<hr/>
<b>WATER FUND</b>	TERM DEPOSITS	38,000,000.00	
	FUND MANAGERS	0.00	<b>38,000,000.00</b>
		<hr/>	
<b>SEWERAGE FUND</b>	TERM DEPOSITS	60,000,000.00	
	FUND MANAGERS	0.00	<b>60,000,000.00</b>
		<hr/>	
	<b>TOTAL INVESTMENTS</b>		<b>211,433,820.00</b>

It should be noted that the General Fund investments of \$113 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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

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



**Responsible Accounting Officer**  
Manager Financial Services  
Tweed Shire Council

#### OPTIONS:

Not Applicable.

#### CONCLUSION:

Not Applicable.

#### COUNCIL IMPLICATIONS:

##### a. Policy:

Corporate Policy Not Applicable.



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

Not Applicable.

**c. Legal:**

Local Government (General) Regulations 2005 - Section 212 - Reports on council investments

*"(1) The responsible accounting officer of a council:*

*(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:*

*(i) if only one ordinary meeting of the council is held in a month, at that meeting, or*

*(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*

*(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*

*(2) The report must be made up to the last day of the month immediately preceding the meeting."*

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

## ORDERS OF THE DAY

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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
- 

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

#### **NOTICE OF MOTION:**

**Councillor G Bagnall moves 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.**

#### **Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil

#### **Management Comments:**

The Notice of Motion has been included as an agenda item for the Aboriginal Advisory Committee (AAC) meeting to be held on 26 June 2015. Potential projects will require further discussion with the AAC and consideration will be given to selecting a project that can be in place prior to the 2016 Local Government Aboriginal Network Conference in Tweed Shire.

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
  - 2.1.2 Preserve Indigenous and Non-Indigenous cultural places and values
- 

Budget/Long Term Financial Plan:

The budget implications will also need to be considered once a specific project is identified.

Legal Implications:

Nil.

Policy Implications:

Not Applicable.

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**34 [NOM] Jack Bayliss Park, Kingscliff**

**NOTICE OF MOTION:**

**Councillor W Polglase moves that Council removes the southernmost 'anti vandalism' sign situated in Jack Bayliss Park, Kingscliff**

**Councillor's Background Notes**

The three signs were a temporary measure to manage the issue of possible vandalism in the park.

The residents and ratepayers most effected by the most southern sign were never given warnings as those who are adjacent to the more northern signs not in keeping with the vandalism policy now adopted

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid



**Caring for the Environment**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

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

Budget/Long Term Financial Plan:

Removal of one sign has minimal budget implications and would be undertaken using the existing dune management budget. The sign would be stored for future use.

Legal Implications:

No legal implications.

Policy Implications:

Vegetation Vandalism on Public Land Policy adopted 20 November 2015. The Policy does not include designated time frames for removal of signs. The most appropriate way to manage this is through an associated procedure. The Draft Procedure is

currently being tested prior to adoption and will include parameters for removal of signs.

In this particular instance (southern-most sign location) plants have been damaged over time around ground to mid-storey level but there is a canopy. Remedial work in this location has included construction of a fence to eliminate disturbance and supplementary planting of trees.

---

**35 [NOM] Code of Meeting Practice**

**NOTICE OF MOTION:**

**Councillor K Milne moves that the Code of Meeting Practice Order of Business be amended to:**

- 1. Include a section to formally seeking advice from the public gallery on bringing forward items of particular interest in the agenda, and**
- 2. Deal with the Orders of the Day prior to the remaining items in the Officers Reports.**

**Councillor's Background Notes**

Council welcomes and encourages the community to attend Council meetings and holds meetings in various localities to this end.

Community members often attend to hear debate on a particular item of interest. Unfortunately the community sometimes must wait for hours to hear their item of interest debated and will usually leave at the dinner break if the item has not yet been dealt with.

Whilst it is currently possible to bring items of particular community interest forward in the agenda this has generally been on an ad hoc basis and dependent on prior knowledge by the Councillors.

This motion would formalise this courtesy to the community.

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
1.2.1	Council will be underpinned by good governance and transparency in its decision making process

A mechanism already exists through the Code of Meeting Practice Version 2.5 adopted 19 February 2015 and the Local Government (General) Regulation 2005 that allows for the order of business to be altered and is contained within the following Part of the Code:

*"The order of business at Ordinary Meetings shall be:*

1. *Aboriginal Statement*
2. *Prayer*
3. *Confirmation of Minutes*
4. *Apologies*
5. *Disclosure of Interest*
6. *Items to be Moved from Confidential to Ordinary/Ordinary to Confidential*
7. *Schedule of Outstanding Resolutions*
8. *Mayoral Minute*
9. *Receipt of Petitions*
10. *Reports through the General Manager*
  - Reports from the General Manager*
  - Reports from the Director Planning & Regulation*
  - Reports from the Director Community & Natural Resources*
  - Reports from the Director Engineering & Operations*
  - Reports from the Director Technology & Corporate Services*
11. *Orders of the Day*
12. *Questions on Notice*
13. *Delegate Reports*
14. *Reports from Sub-Committees/Working Groups*
15. *Confidential Items for Consideration*

*The order of business fixed as above may be altered if a motion to that effect is carried, such a motion can be moved without notice.*

*The Regulation Clause 239(2)"*

Budget/Long Term Financial Plan:

Not Applicable

Legal Implications:

Local Government (General) Regulation 2005 Clause 239(2)

*Local Government Act 1993 Section 362(2) - If the Council decides to amend its draft code, it may publicly exhibit the amended draft in accordance with this Division (28 days) or, if the council is of the opinion that the amendments are not substantial, it may adopt the amended draft code without public exhibition as its code of meeting practice.*

**Policy Implications:**

Code of Meeting Practice Version 2.5

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**36 [NOM] Enhanced Community Engagement in Developments**

**NOTICE OF MOTION:**

**Councillor K Milne moves that Council brings forward a combined report from the Director Planning and Regulation and Director Corporate Services addressing the following:**

- 1. Provide for enhanced community engagement in the early stages of a planning proposal request, where there is an appreciable uplift in the development capacity of land resulting from a rezoning;**
- 2. Provide a range of options or guiding principles the community could consider for improved outcomes in regards to acquiring a social or environmental community net benefit in lieu of the proposed increase in development capacity within their locality; and**
- 3. Provide examples of trade-offs that could be tendered for consideration by developers in lieu of gaining general community support for the proposed increase in development capacity.**

**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:

There will be additional staff resources needed to complete a report to Council which will also impact upon the work program of the Strategic Planning and Design Unit.

Legal Implications:

Any proposed changes to the current planning proposal process will need to be reconciled against existing legislation.

Policy Implications:

Arising from any consideration of consultation practices there may need to be an update to Council's Community Engagement Strategy.

---

**37 [NOM] Improved Sustainability Outcomes in Developments**

**NOTICE OF MOTION:**

**Councillor K Milne moves that Council engages the services of a suitably qualified consultant to:**

- 1 Evaluate the cost and probable effectiveness of implementing the Green Star Ratings as a measure of and to improve overall environmental sustainability of new buildings.**
- 2. Evaluate options for improving the environmental efficiency of new residential dwellings and incentives for their take-up over and above that mandated by Basix.**

**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  |
| 1.1   | Ensure actions taken and decisions reached are based on the principles of sustainability    |
| 1.1.1 | Establish sustainability as a basis of shire planning and Council's own business operations |

---

Budget/Long Term Financial Plan:

There is currently no budget allocation to engage a consultant to undertake these services in accordance with Council's Procurement Policy.

Legal Implications:

The State Environmental Planning Policy for Basix has certain limitations for councils in introducing new sustainability standards above that specified in the Policy.

**Policy Implications:**

Council will need to review and update various planning controls to implement any recommendations arising from this Notice of Motion.

---

## 38 [NOM] Green Star Ratings for Council Buildings

### NOTICE OF MOTION:

**Councillor K Milne moves that Council brings forward a report on utilizing a rating system such as Green Star for Council buildings..**

### Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

### Management Comments:

Council had a workshop with a Green Star representative in February 2014 and did not proceed with this for Council buildings at that time.

By way of background, Green Star assesses and rates buildings, fit-outs and communities against a range of environmental impact categories. Green Star rating tools for individual buildings and fit-out design, construction and operations assess projects for:

- Management
- Indoor environment quality
- Energy
- Transport
- Water
- Materials
- Land use and ecology
- Emissions
- Innovation

There are other less involved and potentially less costly systems such as the National Australian Built Environment Rating System (NABERS) that Council may wish to consider as alternatives to Green Star.

While any of these systems would assist Council to quantify long term operational cost savings, embed sustainability aspirations and demonstrate Council 'walking the talk', it is worth noting that they would all require additional staff, consultancy and project budgets to meet reporting requirements, registration costs and higher upfront capital costs in order to realise the benefits.

To minimise such cost and reporting requirements, Council could also consider using a self-assessment approach to pursue key elements of Green Star or NABERS systems. Council's Environmental Design Guidelines form the backbone of Council's approach to getting positive environmental outcomes from its building projects. These guidelines could be supplemented by additional parameters from any of these systems where relevant.

Delivery Program:

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
  - 1.1.1 Establish sustainability as a basis of shire planning and Council's own business operations
- 

Budget/Long Term Financial Plan:

There is currently no budget allocation to prepare a report.

Legal Implications:

The State Environmental Planning Policy for Basix has certain limitations for councils in introducing new sustainability standards above that specified in the Policy.

Policy Implications:

Council will need to review and update various planning controls to implement any recommendations arising from this Notice of Motion.

---

## 39 [NOM] Balloon Releases

### NOTICE OF MOTION:

#### Councillor K Milne moves that Council:

1. **Notes recent reports of balloons being found in birdlife and marine life including in one of every 20 birds examined, according to Dr Jenn Lavers of the Institute of Marine and Antarctic Studies, Hobart.**
2. **Brings forward a report on developing a strategy to ban the release of balloons.**
3. **Consults with local party suppliers and develops an education campaign for the community.**

#### Councillor's Background Notes

Releasing balloons at ceremonies kills birds and should be banned, say scientists.

Releasing balloons en masse into the sky to mark funerals and other ceremonies is killing birds, say scientists who have called for the practice to be banned.

"Balloons are a huge threat, not only to birds, but turtles and other marine life," said Fiona Maxwell, campaigner with the Australian Marine Conservation Society.

"It certainly is time for us to come up with less polluting ways to celebrate."

Dr Jenn Lavers, a biologist at the Institute of Marine and Antarctic Studies, in Hobart, says she finds balloons "in about one in 20 of every seabirds I examine".

Performing an autopsy on a shearwater, Dr Lavers extracted the remains of a purple balloon from its gizzard.

"It was a beautiful bird, about 80 or 90 days old," she said. "But after it died and I cut it open, this purple balloon just exploded out of it."

Worse, in the same wedge-tailed shearwater's oesophagus, she found the remains of another, white, latex balloon.

"These were blockages for its whole digestion," said Dr Lavers, a research fellow at the Institute of Marine and Antarctic Studies, in Hobart.

"When its mixed in with stomach juices, the stuff becomes horrible, almost like chewing gum, and it just blocks them up.

Even those in the balloon industry say it's time to end the sight of massed balloons floating away at occasions such as funerals or sports celebrations.

"I believe the days of the balloon release are over and done with," said Maureen Egan, president of the Balloon Artists and Suppliers Association of Australasia.

"Whatever goes up, comes down, and is going to be litter," Mrs Egan said. "It's awful to hear about cases like this bird's."

Mass releases of helium-filled balloons still mark high profile occasions, such as [the funeral of the murdered Leeton school teacher, Stephanie Scott](#).

Regulation is sparse. New South Wales is the only state to limit the number of balloons at a release to 19. But Mrs Egan, from Wharoonga in Sydney, said this was poorly enforced.

"You can't stop a person from doing a release," she said. "They will find the balloons and a cylinder (of helium) from a party supplier. What you've got to do is come up with environmental education."

Her association's members create fixed balloon displays, and are developing a campaign to advocate that balloons be popped and disposed of, after use.

"Pin it and bin it," she said.

Alternatives to mark occasions have been suggested, such as the release of white pigeons, or blown bubbles

<http://www.smh.com.au/environment/animals/ban-balloons-to-save-birds-say-scientists-20150519-gh4tef.html>

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

The following information is publicly available and has been sourced from the Balloon Artists' and Suppliers' Association of Australia (BASA):

*"The modern latex balloon the type that one can purchase either to inflate with air or helium was invented about 70 years ago in New England, USA. Latex balloons are not made from plastic, but from the milky sap of the rubber tree. When the sap dries over a mould, the "latex balloon" is ready to be inflated.*

*There are other types of balloons made from other substances, but only latex balloons should be released.*

*Latex is a 100% natural substance that breaks down in sunlight, air and water. It should never be confused with plastic or other materials. Latex starts to degrade immediately after a balloon is manufactured. First, oxidation occurs (the cloudy appearance on the balloon), followed by the breaking down of the molecular structure by natural organisms. This deterioration is quicker in sunshine, heat, windy and moist conditions.*



### **Fully biodegradable balloons**

*Research shows that latex balloons will biodegrade at about the same rate as a leaf from an oak tree. When released, balloons fly to about 8km, expand, shatter, and fall back to the earth.*

*Extensive US studies, advice from Australian fishermen, and monitoring and surveys by Government researchers show that balloons are having no adverse effect on wildlife or the environment.*

*Finally, while a balloon is biodegradable, the ribbon attached to the balloon is not. When advised that a balloon is to be released, a responsible balloon retailer will attach a 100% biodegradable cotton string.*

### **Saving the Rainforests**

*Rubber trees, from which the latex for balloons is harvested, are one of the main forms of vegetation in tropical rain forests, which in recent years have become crucial to maintaining the earth's fragile ecological balance. Harvesting latex can be more profitable to poor third world nations than raising cattle on the deforested land.*

*Even when the trees producing latex for balloon manufacturing grow on plantations instead of in rain forests, they help the ecosystem, as the natural biology of the trees helps maintain our atmosphere and protect the ozone layer. The demand for latex balloons actually is a huge contributor to a more positive environment in which global warming is increasingly worrying scientists and environmentalists. The balloon industry worldwide requires the latex from 16-million rubber trees that, in total, take up more than 363-million kilograms of CO2 gases annually from the earth's atmosphere.*

### **Balloons and Wildlife**

*There is simply no basis for any fear that animals and fish are consuming either whole balloons or pieces of latex rubber from mass release balloons, or that balloons are having an adverse effect on wildlife.*

*BASA makes this claim on the basis of:*

- *Extensive US studies which fail to show any link*
- *Lack of any evidence from Australian fishermen that they ever find mass-release balloons, or balloon remnants, in fish that have been caught;*
- *No observed balloon litter in any environment which is carefully monitored by Government authorities – e.g. national parks, marine parks, forests, harbours and foreshores;*
- *Surveys by oceanic countries which show no balloon or latex rubber debris in litter surveys following mass releases in Australia;*
- *Observations from widely-scattered observers involved in the [www.balloonhq.com/faq/deco\\_releases/release\\_study.html](http://www.balloonhq.com/faq/deco_releases/release_study.html) "Keep Australia Beautiful" programs; and*
- *Controlled monitoring and tracking of multi-balloon releases for the purpose of measuring any litter problem.*

*The balloon industry is aware of its social obligations and has an obligation to ensure that retailers and consumers are aware of the best use of the product. BASA works to educate all those who enjoy working with or use balloons."*

Delivery Program:

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
- 

Budget/Long Term Financial Plan:

Not applicable.

Legal Implications:

Not applicable.

Policy Implications:

This is a broader policy issue that would be more appropriately addressed at the State level.

---

**40 [NOM] Streetlighting - Pearl Street, Kingscliff**

**NOTICE OF MOTION:**

**Councillor C Byrne moves that Council officers, as part of the 2014/ 2015 rollover and carryover funds, seek savings to direct \$20,000 to fund a streetlight in Pearl Street, Kingscliff in the vicinity of St Anthony's Primary School and the corner where PRD Real Estate is located.**

**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
- 2.4 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

---

Current streetlighting in Pearl Street, Kingscliff between St Anthony's Primary School and the real estate on the corner with Seaview Street is highlighted red below.

There is an existing power pole located on the road verge (yellow) adjacent to the boundary of numbers 12 and 10 Pearl Street, Kingscliff. A streetlight at this location could provide additional lighting to the recent construction of a pedestrian crossing at this site.

Existing streetlighting in Pearl Street, Kingscliff



Proposed additional streetlighting

Budget/Long Term Financial Plan:

There is currently no budget allocation for new streetlights. The amount of \$20,000 is indicative only and would require a formalised request for price from the energy provider or approved supplier.

Legal Implications:

Not applicable.

Policy Implications:

Not applicable.

**QUESTIONS ON NOTICE**

**41 [QON-Cr K Milne] Kirkwood Road Interchange**

**QUESTION ON NOTICE:**

Councillor K Milne asked:

Can Council advise of the traffic volumes for the Kirkwood Road interchange on and off ramps, how these volumes compare to the predicted traffic volumes and the water quality and restoration outcomes for the adjacent drain?

---

## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

### 42 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 10 April 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
  - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
- 

### SUMMARY OF REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 10 April 2015 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

**That:**

1. **The Minutes of the Aboriginal Advisory Committee Meeting held Friday 10 April 2015 be received and noted; and**
2. **The Executive Management Team's recommendations be adopted as follows:**

#### **IC1 Renaming of Parkes Drive Tweed Heads West**

***That Council notes the Aboriginal Advisory Committee's proposal to rename Parkes Drive to Murraba Way.***

#### **IC4 Renaming of Bogong Road**

***That Council notes the Aboriginal Advisory Committee's request to rename Bogong Road, Terranora to Wagan Road.***

## REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 10 April 2015 are reproduced as follows for the information of Councillors.

### Venue:

Minjungbal Museum & Cultural Centre, Cnr Kirkwood Road and Duffy Street, Tweed Heads South

### Time:

10.02 am

### Present:

Leweena Williams (Tweed Aboriginal Corporation for Sport), Desrae Rotumah (Tweed Aboriginal Co-operative Society), Des Williams (Tweed Byron Local Aboriginal Land Council representative), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Aunty Joyce Summers (Canowindra representative), Mayor Gary Bagnall (Tweed Shire Council).

### Ex-officio:

Anne McLean, Robert Appo (Tweed Shire Council) (Minutes).

### Guests (in order of arrival):

Ian Walker (Bush Regeneration) (arrived 9.30am), Ian Fox (Ian Fox and Associates) (arrived 9.30am), Jordan Towers (Everick) (arrived at 10.45am).

Apologies: Nil

Chair: Cr Gary Bagnall

Moved: Leweena Williams

Seconded: Jackie McDonald

RESOLVED that the Chair was declared vacant and nominations were called. Cr Gary Bagnall was nominated and was unanimously elected to Chair the meeting.

Cr Gary Bagnall opened the meeting with a welcome by Jackie McDonald who paid respect to Elders past and present.

### Minutes of Previous Meeting:

Moved: Jackie McDonald

Seconded: Des Williams

RESOLVED that the Minutes of the Aboriginal Advisory Committee (AAC) meeting held Friday 13 March 2015 be accepted as a true and accurate record of the proceedings of that meeting with the exception that GB1 Recognise Campaign be amended to read:

### GB1. Recognise Campaign

Jackie noted her disappointment that there were no Councillors or Council Executive representatives at the Recognise Walk.

Business Arising:

GB2. Wommin Bay

Jackie noted that the entry sign to Kingscliff is now located before the Pacific Highway overpass on Wommin Bay Road and that her recollection is that it used to be at the beginning of Marine Parade.

AGENDA ITEMS

A1. Ian Fox

(a) Cultural matters Chinderah

Ian Fox advised that he conducted a site survey of the BP Chinderah South Service Station with the Tweed Byron Local Aboriginal Land Council (TBLALC) sites officer. The cultural heritage investigations did not reveal anything of cultural significance. Ian researched Parish Maps to understand land use and impacts on the original landscape over time. Ian had previously distributed the draft due diligence assessment to AAC members for their feedback.

Moved: Jackie McDonald

Seconded: Des Williams

RESOLVED that the Due Diligence Assessment for BP Chinderah South be accepted.

A1(b) Ian Fox - Museum Book Project

Ian asked if he may attend the AAC meetings on an irregular basis, to give updates on the Museum Book Project and to receive advice from the AAC. The AAC agreed.

Ian Fox was invited to stay for Ian Walker's presentation.

A2. Ian Walker - Bush regeneration at Cudgenbil Water Hole at Uki

Ian Walker outlined his history in bush regeneration to the AAC and advised that he is working with both Landcare and Tweed Shire Council. Tom Alletson has assisted Ian Walker with the current project at Cudgenbil Water Hole. Ian Walker advised that the site is infested with weeds and in need of regeneration. He also advised he does not want to use chemicals because of the proximity of the creek, however larger campfords will require drilling and poisoning. Council has undertaken a study for the site indicating a three year period to regenerate the site, however Ian Walker suggested that application of his principles will take longer.

Ian Fox advised that the site to the west of the waterhole has been mapped in the Tweed Shire Aboriginal Cultural Heritage Mapping.

Ian Walker asked whether any local young Aboriginal people may be interested in learning more about bush regeneration methods.

Des noted there are cultural stories associated this site. The AAC advised Ian Walker that they are the relevant cultural advisory body regarding cultural heritage within the Shire.

Moved: Jackie McDonald

Seconded: Des Williams

RESOLVED that Ian Walker proceed with the project to regenerate the Cudgenbil Waterhole.



*Action:* Community Development Officer - Aboriginal, Rob Appo, to investigate funding opportunities for young, aboriginal people to be involved with the project to learn about bush regeneration.

Ian Fox and Ian Walker left the meeting.

A3. Jordan Towers (Everick)

(a) 191 Cobaki Road, Cobaki

Jordan advised that Adrian Piper from Everick has undertaken a cultural heritage site survey at 191 Cobaki Road with TBLALC sites officer, Warren Phillips, and community member, Levi McDonald. Jordan stated that no cultural heritage was identified during the site survey and stated that standard measures will be applied to the site. Landscape mapping has revealed that the site is not on the same sand ridge as Cobaki Lakes Development.

*Action:* AAC to review draft report and provide comments to Everick for the next meeting.

(b) Eviron Waste Transfer Facility

Jordan tabled the draft due diligence report for the AAC and advised that the site has been significantly disturbed and that no cultural material was discovered.

*Action:* AAC to review the draft report and provide comments asap.

(c) Gold Coast Airport Authority (GCAA)

Jordan advised that the GCAA have agreed to additional excavations along the areas indicated previously by Des Williams. Jordan noted that written statements by AAC members can be included in the Cultural Heritage Assessment Report. When excavations are done a document will be released for public comment. Submissions can be made during this time.

Jackie reiterated that the area should not be assessed in isolation, but in the context of the broader cultural landscape.

Rob provided an update in relation to Coolangatta Creek. He has liaised with the consultant who prepared the Coolangatta Creek Draft Catchment Management Plan (CCDCMP) and spoken to the relevant officer at Gold Coast Council, who will forward the CCDCMP to Rob.

*Action:* Rob to circulate copies of the Coolangatta Creek Draft Catchment Management Plan to the AAC and Everick, once received.

(d) Outstanding Matters Update

Jordan provided an update on a number of Outstanding Matters, as detailed below in the Outstanding Matters item.

Jordan Towers left the meeting.

A4. Robert Appo (Tweed Shire Council)

(a) Memorandum of Understanding (MOU)

Rob advised that the MOU is now at a final draft stage and he will be distribute to the AAC.

*Action:* Rob to circulate final draft MOU to AAC members.

(b) Reconciliation Action Plan (RAP)

Rob advised he is close to a final draft on the content of the RAP and that he is now writing the introduction to the RAP as well as general text about the Tweed Shire region. Rob asked the AAC about the design and layout of the RAP and suggested that he can get advice from a graphic designer. Rob suggested a combination of artwork may be incorporated into the RAP which would include;

(a) *Photography*

(b) *Artwork*

(c) *Discussion with Council's Communications Unit in regards to branding*

*Action:* Rob to seek further advice from a graphic designer about incorporating the different elements into the RAP and liaise with Council's Communications Unit in regards to branding.

#### A5. Outstanding Matters Report

(a) Jordan Towers (Everick)

Tweed City Extensions, Item 22, OSM Report

Jordan advised she is not aware of anything to report on in regards to Tweed City Extensions. Rob advised the outstanding matters report indicates the final report may not have been received by the AAC.

*Action:* Jordan to send CDO-Aboriginal electronic copy of the final Tweed City Extensions report.

(b) Jordan Towers (Everick)

Cobaki Lakes, Items 7 and 8, OSM Report

Jordan noted that the Cobaki Lakes Cultural Heritage Management Plan (CLCHMP) states that artefacts should be stored at the TBLALC. Des advised that artefacts should be stored at the Minjungbal Museum and Cultural Centre in the longer term.

*Action:* Everick will liaise with TBLALC regarding temporary storage of the artefacts.

#### INWARDS CORRESPONDENCE

##### IC1. Tweed Shire Council - Renaming of Parkes Drive, Tweed Heads West

Rob tabled correspondence from Council in relation to renaming of Parkes Drive, Tweed Heads West. Jackie noted it could be a good opportunity to acknowledge the cultural landscape. After consideration the AAC wish to propose the renaming of Parkes Drive, Tweed Heads as Murraba Way in recognition of the traditional name for the cultural landscape in and around Cobaki, Gold Coast Airport and Tugun Bypass area.

#### RECOMMENDATION:

Moved: Aunty Joyce Summers

Seconded: Jackie McDonald

That the AAC propose the renaming of Parkes Drive to Murraba Way.

IC2. Tweed Shire Council - Exhibition LEP 2014 - Amendment No. 2, Border Park Raceway, Ourimbah Road, Tweed Heads.

Rob tabled correspondence from Council in relation to the exhibition LEP 2014 - Amendment No. 2 (PP13/0001), Border Park Raceway, Ourimbah Road, Tweed Heads for the information of the AAC.

IC3. Local Government Aboriginal Network - 2016 Conference

Rob suggested a theme in relation to the Cultural Heritage Mapping process and other planning provisions put in place by the planning team to show other LGAs what can be done. Tweed Regional Gallery and Tweed Museum, Murwillumbah are both wishing to provide exhibitions during the conference. The Museum is proposing an exhibition of breast plates, in collaboration with other Australian Museums.

*Action:* The AAC noted the Council resolution and asked Rob to continue to liaise with Susi Muddiman (TRG) and Judy Kean (Tweed Museum, Murwillumbah).

IC4. Tweed Shire Council - Renaming of Bogong Road

Rob tabled a list of mountains with cultural names in the Tweed Shire for the AAC to consider.

After discussion, the AAC recommended that Bogong Road be renamed Wagan Road named after Mt. Wagawn. The cultural meaning of "Wagan" refers to a crow or raven.

RECOMMENDATION:

Moved: Des Williams

Seconded: Desrae Rotumah

That Bogong Road be renamed Wagan Road.

IC5. Office of Environment and Heritage - Aboriginal heritage reform, Phase 3, Public Consultations

Rob advised the AAC that submissions are now available for review online. AAC members can access via the following link [www.environment.nsw.gov.au/achreform/index.htm](http://www.environment.nsw.gov.au/achreform/index.htm)

IC6. Tweed Shire Council - Draft North Coast Integrated Aboriginal Health and Wellbeing Plan 2015-2020

Rob tabled a letter from the General Manager advising that the Draft Plan is now available for comment at the following link <http://nswlhd.health.nsw.gov.au/blog/2015/03/05/draft-north-coast-integrated-aboriginal-health-wellbeing-plan-2015-2020/>

IC7. Tweed Naidoc Committee - NAIDOC 2015

Leweena tabled a letter from the NAIDOC Committee inviting members of the AAC to attend the opening ceremony and to assist with the flag raising.

Moved: Desrae Rotumah

Seconded: Jackie McDonald

RESOLVED that Des Williams attends the flag raising ceremony on behalf of the AAC.

Moved: Desrae Rotumah

Seconded: Leweena Williams

RESOLVED that the AAC receives and notes inwards correspondence.

## GENERAL BUSINESS

GB1. Vehicle for Community Development Officer - Aboriginal  
Anne McLean advised the AAC that she has provided the Executive Management Team (EMT) with a report, as an action item of the March AAC meeting, asking EMT to reconsider the allocation of a vehicle for the CDO-Aboriginal position. Anne advised she has also met with the General Manager, Troy Green and Director of Community and Natural Resources, Tracey Stinson to discuss the matter further. Anne was informed by the General Manager that he has researched novated lease agreements and is of the view that this is a viable option for the CDO-Aboriginal vehicle and would be willing to sign off on the agreement.

GB2. Crown Lands Review  
Leweena Williams noted that TBLALC has been advised by the NSW Aboriginal Land Council that Tweed Shire Council has been invited to participate in a pilot study for the Crown Lands Review.

Moved: Leweena Williams

Seconded: Desrae Rotumah

RESOLVED that the Mayor investigates the Crown Lands Review pilot study further and brings a report back to the next AAC meeting.

Next Meeting:

The next meeting of the Aboriginal Advisory Committee will be held on Friday 1 May 2015.

The meeting closed at 1.55pm.

## EXECUTIVE MANAGEMENT TEAM COMMENTS:

### ***IC1 Renaming of Parkes Drive Tweed Heads West***

There will be a separate report be prepared by the Design Unit in regards to the renaming of Parkes Drive, Tweed Heads West and the Aboriginal Advisory Committee's advice will be considered as part of this report.

### ***IC4 Renaming of Bogong Road Terranora***

There will be a separate report be prepared by the Design Unit in regards to the renaming of Bogong Road and the Aboriginal Advisory Committee's advice will be considered as part of this report.

## EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

### ***IC1 Renaming of Parkes Drive Tweed Heads West***

That Council notes the Aboriginal Advisory Committee's proposal to rename Parkes Drive to Murraba Way.

### ***IC4 Renaming of Bogong Road***

**That Council notes the Aboriginal Advisory Committee's request to rename Bogong Road, Terranora to Wagan Road.**

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Adopted 19 September 2013 (ECM 3146605).

**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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**43 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 15 April 2015**

**SUBMITTED BY: Community and Cultural Services**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.3 Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability
- 

### **SUMMARY OF REPORT:**

The Minutes of the Equal Access Advisory Committee Meeting held Wednesdays 15 April 2015 are reproduced in the body of this report for the information of Councillors.

### **RECOMMENDATION:**

**That:**

- 1. The Minutes of the Equal Access Advisory Committee Meeting held Wednesdays 15 April 2015 be received and noted; and**
- 2. The Executive Management Team's recommendations be adopted as follows:**
  - 1. Hi-Lo Change Table for Hydro Therapy Pool at Murwillumbah Aquatic Centre**

***That Council approves the purchase of a wall mounted adult change table for Murwillumbah pool funded from the Access budget.***

## REPORT:

The Minutes of the Equal Access Advisory Committee Meeting held Wednesdays 15 April 2015 are reproduced as follows for the information of Councillors.

### Venue:

Coolamon Centre Murwillumbah

### Time:

10.00am

### Present:

Milena Morrow (Chair), Wendy Gilbett, Cr Phil Youngblutt, Karen Collins, Bev Kelso, Suzanne Hudson, Una Cowdroy, Lee Clark, Chris Vannucci,

### Apologies:

Faye Druett, Rob Noakes,

### Guest Speakers

Kate Gahan, Social Planner provided an outline on Cultural Plans and the process involved in developing Tweed's Cultural Plan. The Committee will provide advice and be involved in the community consultation phase between June and September 2015.

Judy Kean, Director Tweed Museum gave an overview of the Untold Stories project which has received grant funding and invited the Committee to be involved in providing advice on the development of the project. The project will involve oral history and exhibition of stories from people living with disability in Tweed.

### Minutes of Previous Meeting:

Moved: Phil Youngblutt

Seconded: Suzi Hudson

RESOLVED that the Minutes of the Equal Access Advisory Committee meeting held Wednesday 18 February 2015 are accepted as a true and accurate record of the proceedings of that meeting

### Outstanding Matters Report

#### 1. Hi-Lo Change Table for Hydro Therapy Pool at Murwillumbah Aquatic Centre

Karen Collins advised that an application has been submitted to NSW Government Sport and Recreation Disability Grants. The grant application is for infrastructure and equipment to improve access to sport and recreation for people with disabilities. Only one location could be identified in the grant. In consultation with Recreation Services it was decided to apply for funds to construct and fit out a Changing Places facility at Kingscliff pool. An adult change table for Murwillumbah pool could not be included in this grant. Funds have been identified in the Access budget to purchase a wall mounted change table for Murwillumbah pool. The cost of the unit which includes the adjustable table and wall mounted frame is approximately \$12,000.

## RECOMMENDATION

Moved: Lee Clark

Second: Milena Morrow

That Council approve the purchase of a wall mounted adult change table for Murwillumbah pool funded from the Access budget.

2. Access matter 144 Main Street, Murwillumbah, Queensland Dental Group  
Karen Collins viewed the ramp at the premises and concluded that it did not pose a significant access barrier. The ramp is very short and not excessively steep. It is a concrete extension of the footpath and in the space available an alternative solution would be difficult to design. It was deemed unnecessary to discuss the matter with the business owner at this time.

This matter is now closed.

3. Designated Accessible Parking Bays (DAPBs) at Tweed Centro Shopping Centre  
Ownership of this section of the car park was confirmed as part of Tweed Mall management. Bev Kelso has made a number of attempts in person to speak directly with Centre Management.

*Action:* Bev will write a letter as a community member requesting a meeting with the Centre Manager to discuss the issue of the DAPBs flooding during rain and report back to the Committee.

4. PAMP Document adopted by Council in October 2014  
The Manager of Roads and Storm Water has agreed to prepare a PAMP summary. This will be made available to the Committee and the public in the near future.

This item is now closed.

5. Rampassist - new temporary ramp design

*Action:* Provide more information to committee on different types of ramps available and cost. Responsibility: Karen Collins

Held over until June meeting

6. Read Speaker for website and documents

Committee members reported that Read Speaker could not be classified as a disability aid to the web but was more suited to people with low literacy or English as a second language. The Committee does not support use of the access budget for the purchase of this program.

7. Bus stop outside Kingscliff TAFE

A recommendation that Council write to Surfside Buses outlining the safety and access concerns and requests a meeting with Company management and relevant TAFE staff to discuss solutions was made in the February minutes.

Update: Waiting for recommendation to go to Council in April



9. Round Table on Information Access for People with Print Disabilities

Suzi Hudson was successful in securing part funding for airfares and conference registration (\$900) to attend this conference. The remaining funds were provided from the Access budget for accommodation (\$800). The Committee supports the participation of Suzi Hudson at this conference.

10. Kerb ramp on Heffron Street - Minjungbal Drive intersection

This matter relates to an ongoing discussion between Roads and Storm Water Unit (RSU) through the Pedestrian Access and Mobility Plan (PAMP) and Community and Cultural Services Unit (CCSU) through the Access budget about the appropriate process for identification of access matters and allocation of funding to address these. An update was provided to the Committee via email from the Manager of Roads and Storm Water Unit (RSU) following a meeting between staff from each Unit.

11. Mobility Maps

Wendy Gilbett advised that Council's Mobility Maps are not readable or printable in readable size.

*Action:* Investigate ways of making the Maps more accessible. Responsibility: Karen Collins

Held over until June meeting

Agenda items:

1. Access and Inclusion Policy and Action Plan

Karen Collins provided a power point presentation of the review of Council's currently designated accessible toilets carried out with the support of Una Cowdroy and Suzi Hudson. The Committee Chair, Milena Morrow acknowledges the many hours of voluntary work provided by Una and Suzi assisting Karen Collins with this work. Particular appreciation goes to Una who accompanied Karen on six days between January and April in carrying out the review of both Council and private premises to add to the National Public Toilet Map. The Committee also recognises the support of Tweed Byron Ballina Community Transport that made one of their Wheelchair Accessible Vehicles (WAV) available for hire.

Karen also advised the Committee that there is a current tender process as part of the implementation of the Access and Inclusion Plan which will provide Council with access audits of a selection of Council buildings and parks. The tender will identify priorities and make recommendations for Council.

2. All Access Playground update

A tender for the development of a concept design for the playground has been advertised and closes in early May.

3. Tweed Link monthly access news

Nothing to update

4. 2015 Access and Inclusion Awards

The launch of the nominations for the 2015 Awards will be held on 11 May at the Coolamon Centre. Committee members are invited to attend.

5. Access Funds  
Nothing to update

General Business:

1. Regional Access Committees forum 13 April 2015

Seven members of Tweed Equal Access Advisory Committee attended the forum at Lennox Head. Tweed Committee members feel that there needs to be more community members from other Northern Rivers Access Committees present at future forums to warrant continuation of the forums. For regional projects to be viable there also needs to be greater willingness to share responsibility for tasks related to project development.

*Action:* Advise forum organisers that there needs to be more community members from other Northern Rivers Access Committees present at future forums to warrant continuation of the forums and greater willingness from all Councils to share tasks involved in developing regional projects. Responsibility: Karen Collins

2. Reviewing Terms of Reference

There has been an ongoing discussion about how to make decisions on the allocation of Access funds when the Committee receives requests for assistance to improve access in the community. A proposal to use the current 2015 operational Access budget to address works identified in the accessible toilets review received in principal support from the Committee pending more detailed information in June.

3. Celebrating Success and Facing the Future Together Conference

Karen Collins, Una Cowdroy and Suzi Hudson have been invited to present the review of accessible toilets at this conference. The conference is being organised by Mid Coast Communities and will be held in Coffs Harbour on 20 and 21 May 2015. The presentation will focus on the successful partnership between Council, community members with disability and Community Transport in making this review possible.

4. Illegal parking in Designated Accessible Parking Bay

An email was received documenting details and with photos of a taxi parking illegally in a DAPB in Tweed Heads. The information was provided to Council Rangers for follow up.

5. Footpath between Coolamon Centre and Tweed Library, Tumbulgum Road

An email was received describing an incident along the footpath between the Coolamon Centre and Civic Centre. In negotiating the narrow footpath two Council staff were passing a man in a mobility scooter. They moved to the road/kerb side to let the man pass on the inside to minimise the risk of the man falling off the kerb into the road. As the man passed them he jammed his foot on one of the many protruding jagged rocks in the retaining wall causing pain and distress. The staff stayed with the man until he got over the pain and shock, and whilst he checked his foot as he wasn't very mobile.

The Committee agreed it was important to document these incidents as provision of a safe and accessible pathway is an unresolved matter in this area.

6. New volunteer organisation providing volunteer help min the home

Bev Kelso alerted the Committee to Helpmewithit.org.au a new not-for-profit organisation helping others by lending a hand with home maintenance, household chores, transport, gardening and other needs.

*Action:* Seek more information about this organisation. Responsibility: Karen Collins

7. Australia Post Community Grants

Suzi Hudson advised that Blind Citizens Australia, Tweed Valley Branch have applied for funds to purchase and teach members to use iPads.

Next Meeting:

The next meeting of the Equal Access Advisory Committee will be held on Wednesday 17 June 2015

The meeting closed at 12.00pm.

**EXECUTIVE MANAGEMENT TEAM COMMENTS:**

1. **Hi-Lo Change Table for Hydro Therapy Pool at Murwillumbah Aquatic Centre**

**Nil.**

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

1. **Hi-Lo Change Table for Hydro Therapy Pool at Murwillumbah Aquatic Centre**

*That Council approves the purchase of a wall mounted adult change table for Murwillumbah pool funded from the Access budget.*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 12 December 2014 (ECM2847116)

**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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44 [SUB-CHAC] Minutes of the Community Halls Advisory Committee Meeting held Monday 4 May 2015

SUBMITTED BY: Community and Cultural Services

Valid



## Civic Leadership

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

### SUMMARY OF REPORT:

The Minutes of the Community Halls Advisory Committee Meeting held Monday 4 May 2015 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

That:

1. The Minutes of the Community Halls Advisory Committee Meeting held Monday 4 May 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

**A5. Draft Community Halls Governance Framework, Issues Paper**

*That the Draft Community Halls Governance Framework Issues Paper, as amended, be reported to Council for endorsement.*

**A6. Draft Community Halls Policy**

*That the Draft Community Halls Policy, as amended, be reported to Council for endorsement.*

**REPORT:**

The Minutes of the Community Halls Advisory Committee Meeting held Monday 4 May 2015 are reproduced as follows for the information of Councillors.

Venue:

Coolamon Centre, 3-5 Tumbulgum Road, Murwillumbah.

Time:

11:10am

Present:

Brian and Sue Breckenridge (Tumbulgum Hall), Rick Dobbie (Fernvale Hall), Maree Edwards (Chillingham Hall), Steve Sweetnam (Doon Doon Hall), Reg Robinson (Crabbes Creek Hall), Janet Tzachnko (Pottsville Beach Hall), Marlene Protheroe (Piggabeen Hall), Cr Carolyn Byrne (Tweed Shire Council) (arrived 11:25am).

Ex-officio:

Anne McLean (Tweed Shire Council), Shannon Rees (Tweed Shire Council) (Minutes).

Guest Observers (in order of arrival):

Agnes Nesci (Crystal Creek Hall).

Apologies:

Peter Hurcombe (Fernvale Hall), Anne Carkery (Tumbulgum Hall).

Welcome and Introductions:

The meeting was opened by Anne McLean, welcoming all members present.

Minutes of Previous Meeting:

Moved: Brian Breckenridge

Seconded: Reg Robinson

RESOLVED that the Notes of the Community Halls Advisory Committee (CHAC) meeting held Monday 16 March 2015 be accepted as a true and accurate record of the proceedings of that meeting.

**OUTSTANDING MATTERS REPORT:**

Confirmation of Advisory Committee Delegates:

Anne McLean confirmed that Nomination Forms for Crabbes Creek Hall, Pottsville Beach Hall, Limpinwood Hall and Crystal Creek Hall representatives have all been received and endorsed at Council's Meeting on 16 April 2015.

This item is now closed.

Training on Model Code of Conduct for CHAC Representatives:

Anne McLean advised that the Training on Model Code of Conduct is delivered by Tweed Shire Council's Neil Baldwin (Manager Corporate Governance).

Maree Edwards requested further information/training regarding safe food handling/regulations for Hall Management Committees and hall hirers. Reg Robinson stated that Crabbes Creek Hall is applying for safe food handling authorisation through Tweed Shire Council Environmental Health Officers. Anne McLean stated that the Environmental Health Officers would be the most appropriate personnel to deliver further information/training to CHAC representatives.

Anne McLean advised that Workplace Health and Safety training for CHAC representatives could be arranged through Council's Human Resources Unit.

*Actions:* Tweed Shire Council (TSC) to arrange training for Model Code of Conduct Training at next CHAC meeting if possible.

TSC to arrange training sessions (separate to CHAC meeting) for safe food handling/regulations and Workplace Health and Safety.

Pros and Cons of incorporation for Management Committees:

This was discussed amongst CHAC representatives, in particular the financial considerations of incorporation and regulations, and requirements of incorporated committees.

Anne McLean stated that the New South Wales Department of Fair Trading have recently been in the Tweed area offering training/workshops on incorporation. Brian Breckenridge stated he had attended one of these sessions and found it to be useful. The CHAC representatives agreed that although there were three Hall Committees that are currently not incorporated (Crystal Creek, Limpinwood and Doon Doon), representatives from other Hall Committees would also like to attend any training/information sessions regarding incorporation, if this was arranged.

*Action:* TSC to investigate possibility of incorporation information session to be delivered by NSW Department of Fair Trading.

Fire Safety Inspections and Certification:

Anne McLean advised that information received from Council's Assets and Essential Services Officer is that fire equipment inspections were due to be completed on 1 May 2015. Exit and emergency lights systems certification were still to be arranged.

Maree Edwards queried the installation of smoke detectors, provision of fire blankets and first aid kits in relation to safety issues. Anne McLean stated that smoke detectors would not be useful in the community halls facilities due to size of halls, physical isolation and extended periods of time that halls are vacant. CHAC representatives agreed that fire blankets are the responsibility of individual Hall Committees, however Council is willing to investigate cost effective sources/supply of fire blankets. Discussion amongst CHAC representatives concerning first aid kits included that there are various first aid kit supply and storage solutions being utilised by Hall Committees. It was agreed that provision and storage of first aid kits is the responsibility of individual Hall Committees.

*Actions:* TSC to follow up on completion of certifications.  
TSC to investigate cost effective sources/supply of fire blankets.

Draft Management Agreement (Community Hall Management Committee):

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Held over to Agenda Item 4.

Community Hall Management Committee Guidelines:  
Held over to next CHAC meeting.

#### AGENDA ITEMS:

##### A1. Election of Chairperson

Chair: Reg Robinson  
Moved: Brian Breckenridge  
Seconded: Maree Edwards

Deputy Chair: Councillor Byrne  
Moved: Councillor Byrne  
Seconded: Reg Robinson

RESOLVED that the chair and deputy chair were declared vacant and Reg Robinson accepted the nomination for Chair and Councillor Byrne accepted the nomination for Deputy Chair.

##### A2. Community Infrastructure Framework

Emma Whittlesea (Tweed Shire Council Community Development Officer - Social Planning) provided an overview of the Community Infrastructure Framework (CIF) process. Emma also provided a handout of her presentation.

It was noted that as part of Emma's project that she and Shannon will be contacting appropriate Hall Committee members to arrange visits to each of the halls to complete the profile of each facility (halls are 9 facilities out of 52).

Maree Edwards noted reference to re-purposing in the issues paper and noted many of the halls had been handed over to Council to manage, so it was unfair to 'take a stick' to Hall Committees if halls are under-utilised. Councillor Byrne noted Emma's work and Council's interest in governance of the Hall Committees is an opportunity to enhance resources for the Hall Committees.

CHAC members requested an advance copy of the template CIF form in order to prepare for the visits.

*Action:* TSC to provide Hall Committees with template form information for CIF prior to meetings with Emma and Shannon.

##### A3. Terms of Reference

Shannon Rees referred CHAC members to the Terms of Reference (TOR) for the Community Halls Advisory Committee, as endorsed by Council at its meeting of 16 April 2015.

##### A4. Draft Management Agreement - Community Halls Management Committees

Shannon Rees referred CHAC members to the Draft Management Agreement - Community Halls Management Committees, revised following comments/suggestions at the first CHAC

meeting on 16 March. At that meeting, it was proposed that a warning period be inserted into the Draft Management Agreement, which has now been done.

Moved: Marlene Protheroe  
Seconded: Cr Carolyn Byrne

RESOLVED that the Management Agreement be revised and distributed with edits regarding the warning period as agreed, date updated to 2015, and 'Draft' watermark removed.

*Action:* TSC to amend and distribute Management Agreement as outlined above.

A5. Draft Community Halls Governance Framework, Issues Paper  
Anne McLean began the review process for the above Issues Paper by going through the Executive Summary. There were errors noted throughout the document as follows:

3.3.2 Maree Edwards requested that the information on page 20 stating that 'Activities have been restricted to accord with Council's casual hirer insurance (no more than 12 events)' be amended to state 'Activities have been restricted to accord with Council's casual hirer insurance (per individual or group)'.

3.3.2.9 Brian Breckenridge requested that the information on page 26 regarding regular hall users for Tumbulgum Hall be amended to state 'Regular hall users include Summer Dance Group, Boxing Group, the local choir and the historical society has contributed to the Tumbulgum Heritage Trail and heritage arts exhibits.'

Brian Breckenridge also requested that the reference to the River Festival be removed.

3.3.3 Maree Edwards queried the 10pm curfew for Chillingham Hall, as stated on page 26. Regulations regarding noise restrictions for private events were discussed, and information provided on the mynite.com.au NSW Police website. Maree also stated that the Chillingham Hall hiring schedule includes a \$90 cleaning fee in the hire agreement if the hall is not left satisfactorily clean.

Maree Edwards also queried whether or not there could be some general guidelines provided concerning running events.

Maree advised that the lights for the Public Toilets at Chillingham Hall are connected to the Chillingham Hall mains power, so are not switched on unless there is an event at the hall. It was agreed that this was a safety and public access issue for Council to follow up.

*Action:* Council to follow up and confirm curfew information/requirements as per NSW Police Force mynite website.

Council to follow up regarding lighting issues for public toilets at Chillingham.

3.3.5 CHAC representatives noted the inconsistencies with Hall Capacity numbers for the halls on page 27. Anne McLean noted that these capacity numbers are to be reassessed by Council. Anne McLean and Councillor Byrne also clarified that the amended Issues Paper could be presented to Council with hall capacity information to follow.



*Action:* Council to arrange hall capacity assessments.

3.3.6 Maree Edwards sought clarification regarding the hire of halls for 18<sup>th</sup> and 21<sup>st</sup> birthday parties in regard to the statement on page 27, 'All but one of the hall committees refuse to host 18<sup>th</sup> or 21<sup>st</sup> parties. It is not clear if these pragmatic decisions effectively contravene Council's Access and Inclusion Policy and Youth Policy'. Anne McLean clarified that the policies referred to are new for Council and that future decisions about providing a safe and inclusive space for all community members would necessarily take these policies into account.

3.5 Brian Breckenridge requested that the paragraph on page 35, 'A conflict of interest was noted at the last Tumbulgum Hall Association AGM ... transitioned to other roles and have continued their support' be removed from the document as this information is no longer current.

The appropriateness of lockable cupboards in the halls was also discussed. Councillor Byrne noted that users of the halls' spaces should not be able to claim ownership of particular spaces in the halls (for storage etc).

Moved: Brian Breckenridge  
Seconded: Marlene Protheroe

RECOMMENDATION that the Draft Community Halls Governance Framework Issues Paper, as amended, be reported to Council for endorsement.

#### A6 Draft Community Halls Policy

Shannon Rees referred CHAC representatives to each track change amendment in the draft Policy and explained what has been edited.

Moved: Marlene Protheroe  
Seconded: Brian Breckenridge

RECOMMENDATION that the Draft Community Halls Policy, as amended, be reported to Council for endorsement.

*Action:* TSC to amend and distribute Community Halls Policy as outlined above.

A7. Review Draft Templates  
Held over to next CHAC meeting.

#### A8. Committee Contact List

Shannon Rees referred members to the updated contact list, and noted that it would be helpful to have two contact lists, one listing CHAC members and the other listing individual Hall Committee executive members.

*Action:* TSC to compile contact list for individual Hall Committee executive members.

#### INWARDS CORRESPONDENCE:

##### 1. Updated Insurance Certificates of Currency

Shannon Rees referred CHAC representatives to the updated Insurance Certificates of Currency.

2. Crystal Creek Nomination Form

New nomination forms for Crystal Creek Hall Management Committee have been received. It was noted that, until new forms are endorsed by Council, the new members are welcome to attend CHAC meetings but will be as guests/observers with no voting rights.

*Action:* Crystal Creek Hall nomination form to be endorsed by Council at earliest available opportunity.

3. 'If These Halls Could Talk' letter to Piggabeen and Cobaki Progress Association.

Marlene Protheroe tabled a letter she had received regarding the Arts Northern Rivers project 'If These Halls Could Talk', encouraging Piggabeen Hall to nominate for this project. Anne McLean informed members that halls are welcome to self nominate for this project. Reg Robinson advised that Crabbes Creek Hall will be nominating. Maree Edwards stated that Chillingham Hall may also be nominating.

**GENERAL BUSINESS:**

GB1. Scheduling next meeting, including venue.

The next meeting of the Community Halls Advisory Committee will be held on 24 August 2015 from 11.00am to 1.00pm at the Coolamon Centre, including lunch.

GB2. Crystal Creek Hall Acknowledgement to Outgoing Committee Members

Agnes Nesci stated that Crystal Creek Hall are planning a formal acknowledgement of past committee members' long service to the hall.

*Action:* Agnes to liaise with Councillor Byrne and through office of the General Manager regarding official Council acknowledgement for long serving Crystal Creek Hall committee members.

GB3. Volunteers' Week and Australia Day

General discussion was held regarding the value of utilising the halls for Volunteers Week (11-17 May) and Australia Day celebrations and awards (26 January).

Shannon Rees noted the use of committee member contact lists in order for various CHAC representatives from various halls to communicate and share knowledge/information regarding these events and their management of them.

The meeting closed at 1.40pm.

**EXECUTIVE MANAGEMENT TEAM COMMENTS:**

A5. Draft Community Halls Governance Framework, Issues Paper

Nil.

A6. Draft Community Halls Policy

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

**A5. Draft Community Halls Governance Framework, Issues Paper**

*That the Draft Community Halls Governance Framework Issues Paper, as amended, be reported to Council for endorsement.*

**A6. Draft Community Halls Policy**

*That the Draft Community Halls Policy, as amended, be reported to Council for endorsement.*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 16 April 2015 (ECM 3635284).

**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-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 20 April 2015**

**SUBMITTED BY: Recreation Services**



## 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:

The Minutes of the Sports Advisory Committee Meeting held Monday 20 April 2015 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

**That the Minutes of the Sports Advisory Committee Meeting held Monday 20 April 2015 be received and noted.**

**REPORT:**

The Minutes of the Sports Advisory Committee Meeting held Monday 20 April 2015 are reproduced as follows for the information of Councillors.

Venue:

Banora Point Community Hall

Time:

5.00pm

Present:

Merve Edwards, Leigh Tynan, Gillian Austin, Linton Alford, Barry Bennett, Bruce Campbell, Cr Phil Youngblutt, Stewart Brawley

Apologies: Cr Warren Polglase, Rob Neinhuis, Helen Rigney

Minutes of Previous Meeting:

Moved: Merve Edwards

Seconded: Leigh Tynan

RESOLVED that the Minutes of the Sports Advisory Committee meeting held Friday 20 February 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Arkinstall Park Openings

Stewart advised the committee that opening will be on 8 May 2015 at 9.30am. Committee members will receive an invitation.

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Agenda Items:

1. Introduction to new committee members

Councillor Youngblutt welcomed the new committee members and outlined the functions of the committee.

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2. Sports Field Reserves Trust Fund

Burringbar District Sports Club - DWS3607520

The committee considered a sports field asset reserve funding application from Burringbar District Sports club for sewer connection. The application was for more than 50% of the total project cost which is outside the funding guidelines. The committee advised they

support the application in principle and requested council to contact the club offering them 50% of the project cost being \$3,960.

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### 3. Sports Field Closures

Stewart discussed the proposed Draft Sports Field Wet Weather Policy. The policy was developed in response to a number of occasions where clubs have attempted to have fields open on Saturday mornings or ignore field closures. The draft policy details Council's approach to determining field closures and also potential implications should clubs ignore field closures. The committee supported the proposal and will receive a draft policy for further consideration at the next meeting.

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### 4. Kingscliff Sports Fields Master Plan

Council staff met with representatives of the rugby league codes at Cudgen Leagues Club on Wednesday 18 March 2015 to discuss concerns with the Kingscliff Sports Field Master plan. A number of issues and concerns were clarified with the organisations. The major consideration for Council is whether to commence implementation of the Master plan or wait until the first stage of Kings Forest development commences. As the conflicts created by the current layout and use of the fields at Kingscliff have been escalating for many years and the timeframe for Kings Forest is unknown it is recommended that Council proceeds with implementation of the Master plan. Regional grant funding through the Federal Government will be available later this year and the implementation of the initial stages of the Kingscliff Master Plan will be an option presented to Council for consideration.

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### 5. Barry Sheppard - AFL

The committee was shown photos of recent improvements at the Barry Sheppard AFL field. Queensland AFL contributed funding to the works and will also be discussing with Council the opportunity to obtain facilities from the upgrade of the Carrara facility.

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### General Business:

Gillian informed the committee that the renovations to the Reg Dalton clubhouse are going well and should be completed in the next couple of weeks.

Bruce Campbell enquired as to what the process would be for identifying additional land for sportsfields at West Tweed to fill the gap identified in the sportsfield strategy. Stewart advised that this will be a challenge due to the availability of suitable land and funding to purchase and improve the land.

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Next Meeting:

The next meeting of the Sports Advisory Committee will be held Monday 8 June 2015.

The meeting closed at 6.30pm.

**EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 21 August 2012 (ECM2846627).

**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-TRAG] Minutes of the Art Gallery Advisory Committee Meeting held Wednesday 20 May 2015**

**SUBMITTED BY: Community and Cultural Services**

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
  - 2.1.3 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 20 May 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 20 May 2015 be received and noted.**



## REPORT:

The Minutes of the Tweed Regional Art Gallery Advisory Committee Meeting held Wednesday 20 May 2015 are reproduced as follows for the information of Councillors.

Venue:

Tweed Regional Gallery - Friends of the Gallery meeting room.

Time:

5.00pm

Present:

Clr Warren Polglase (Chair), Louise Devine, Stephen Senise, Judith Sutton, Hobie Porter, Lyn Stewart, Susi Muddiman OAM (Gallery Director), Gregory Puch (Minute Taker), Robert Dagworthy OAM, Jo Nimmo, Shirley Kennedy, Katerina Primikiri-Mackney, Stephen Senise.

Apologies:

Judith Sutton, Phil Youngblutt.

Minutes of Previous Meeting:

Moved: Lyn Stewart

Seconded: Shirley Kennedy

RESOLVED That the Minutes of the Art Gallery Advisory Committee meeting be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising: No business arising

General Business: Numbers are being tracked and compared through the 3D people counters. The manual count was approx 10% less than the 3D counter.

Directors Report:

*Cream* was a successful exhibition. 14,688 people saw this exhibition.

Exhibitions by Artists: Rod McNicol and Christine Wilcocks are currently on display. Barb Suttie did well with sales as are most exhibiting artists in the Focus Macnaughton Gallery.

The Gallery has introduced a commercial tour booking fee of \$50 which is now being collected.

We had to cancel the exhibiting opening exhibition scheduled for *Cream*, Suttie and McNicol on 20 February. The opening was rescheduled for a later date.

Education Officer's Report was discussed. People on special guided tours are charged \$2 per person. *Cream* included a component for pre-schoolers based on fabric characters from the exhibition which was very popular. Robyn Sweaney will develop a similar program around the Olley Home Studio. The Auslan Tours, a cross promotional event with the Museum has three more tours to occur during 2015.

The entries for the Olive Cotton Award close on 5 June 2015 . The Gallery is expecting 350 to 400 entries. The Friends will be offering funding towards the Directors' Choice Awards. Grant Funding application is due 1 June 2015. The Gallery has engaged a consultant Andrew Overton to draft the Business Plan for the Gallery. This includes statistics from the

Foundation's Economic Research Project. Andrew Overton expects that the Gallery should receive greater funding from the State Government in this round. The Gallery reviewed the

Vision and Mission Statements and includes the Gallery the Olley Gallery the MOAC and the Artist in Residence Studio.

The visitor figures from Sydney area are higher than previously thought.

Acquisitions: all the Olley gift works have been listed in Vernon. Fran Cummings generously donated several works to the collection recently.

The Daniel Moynihan work deserves its own exhibition. The Jessup family are keen to liaise with the Gallery and the Jessup studio in Southern France is still in pristine state.

The Olley gifts were exhibited in the Foyer to mark the one year anniversary. The exhibitions in the Olley Gallery are of approximately seven months in duration. The re-creation exhibition is next, followed by David Strahan and Olley exhibition '*The Mystery of Things*'.

International shows are in planning stages for 2017 and 2018. The show will be packaged for the Gallery and may then tour to other venues. Discussions are underway with the National Portrait Gallery in London.

Council reports that the car park will be finished by the end of June 2015. This includes the gates, the pedestrian access and the sealing of the car park.

#### General Business

Students cancelled their attendance at the *Cream* Teachers and Students presentation due to bad weather. We have tried Art After School as both paid events and as free events but less people come to the paid workshop.

Louise Devine reported that the *Cream* curators talk was not as useful for HSC students; the artists' talks would be more beneficial. The Art After School was based on the history of the collection and not based around the artists. Director Muddiman added that most of the artists in *Cream* were deceased, so this presentation was a little difficult to manage in terms of 'live' artists.

The next exhibitions are *Jessie Traill - Stars in the River*, Scott McDougall; David Preston, Monica Rohan.

#### Next Meeting:

The next meeting of the Art Gallery Advisory Committee will be held 12 August 2017; the following meeting will be 11 November 2015.

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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47 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 21 May 2015

SUBMITTED BY: Roads and Stormwater

Valid



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## 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 21 May 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 21 May 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1 [LTC] Marine Parade, Kingscliff

*That:*

1. *The existing 2 hour time limit applied to the off-street car park between Turnock Street and Seaview Street be changed to a 3 hour time limit.*
2. *Sections off the southern off-road car park (adjacent to the Cudgen Surf Life Saving Club) be signposted as a 3 hour time limit, specifically the south west spaces which abut Marine Parade.*
3. *The on road angle parking on the east side of Marine Parade between Turnock Street and the entrance to the off road car park to the south be also time limited as 3 hour parking.*

- 4. *The time limit for 1, 2 and 3 above be applied during normal business hours Monday to Friday and Saturday morning.***
- 5. *The Team Leader of Compliance Section submit a report to the Committee in 6 months time evaluating the timed parking changes.***

**REPORT:**

The Minutes of the Local Traffic Committee Meeting held Thursday 21 May 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, Ms Jessica Healey Roads and Maritime Services of NSW, Sgt Luke Blissett, NSW Police, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed.

Informal: Mr Ray Clark (Chairman), Mr Steve Sharp, Mr Nick Tzannes, Ms Judith Finch (Minutes Secretary).

**APOLOGIES:**

Mr Thomas George MP, Member for Lismore.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 16 April 2015 be adopted as a true and accurate record of proceedings of that meeting.

*FOR VOTE - Unanimous*

SCH1 [LTC] Schedule of Outstanding Resolutions - 21 May 2015

**ORIGIN:**

Roads & Stormwater

FILE NO: Traffic - Committee

**SUMMARY OF REPORT:**

From Meeting held 16 April 2015

1. [LTC] Tyalgum Road Murwillumbah (B13)

FILE NO: ECM 3282718; Traffic - Committee; Traffic - Speed Zones; Traffic - Safety; Bus - Stops; Bus - Routes; Tyalgum Road

**SUMMARY OF REPORT:**

*This report has been listed on the Schedule of Outstanding Resolutions since the meeting held 13 February 2014. The item is reproduced below and advice received by RMS is that further data is available and ready for discussion.*

*"Request received for a reduction in the speed limit on Tyalgum Road, Murwillumbah."*

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"...I would like I strongly believe it is a matter of pedestrian and motorists safety. I also asked that this limit be reduced as young children are regularly waiting for their school bus on this road next to an electric fence and waterway having to keep safe from traffic travelling at 100klms per hour and are also having to cross this road. This road directly passes a residential estate and street facing houses. Another concern is the location of a childrens park which is not much more than 100metres away from this road. From this estate there is no path for pedestrians to walk along if wishing to access local shops meaning that pedestrians have to walk along a 100 klm per hour road. There is also no public bus that comes through this estate, only bus available is on Tyalgum road. I have spoken to bus company requesting they pick up school children on Sovereign heights estate, they say this is not possible as there is nowhere to turn and the only other road they can exit Sovereign Heights estate is Old Lismore Road which is even more dangerous as not only does it come out onto Tyalgum Road (100klm per hour road) but at this point there is no visibility for the bus to safely pull out. I have spoken to other residents who would also like the road speed reduced from the Old Lismore Road to the Tyalgum/Kyogle road intersection, reasons being for pedestrian safety, their childrens safety, motorists safety. I do not believe that a reduction in speed to a residential area speed should affect motorists speed in which they get to their destination as it is only an area of less than 1klm. On this stretch of road if travelling from Old Lismore road to Tyalgum/Kyogle road intersection you have to slow down towards the intersection so I don't believe it will delay travellers by more than 1 minute, but the safety to me far out ways how fast someone gets to work, home or to the shops. Perhaps drivers should allow 1 extra minute in their daily drive along this road."

Sovereign Heights Estate is a comparatively new subdivision where access off Tyalgum Road has been constructed to the appropriate standard for a 100kph road. Sight distance for motorists exiting the estate is approximately 200 metres to the west. It is not unusual for children to wait for a bus on rural roads, however this is a decision for parents and bus operators. Reducing the speed limit on Tyalgum Road in this vicinity is unlikely to result in a change in driver operating speeds unless the reduced speed limit is heavily enforced.

A number of driveways directly access Tyalgum Road west of Sovereign Way. Speed surveys should be undertaken in this vicinity and forwarded to the RMS for speed zone reviews.

**COMMITTEE ADVICE:**

*That the speed limit on Tyalgum Road be considered for a review by the Roads and Maritime Services according to the speed zoning guidelines.*

*From Meeting held 25 September 2014:*

*The RMS Representative tabled proposed changes to the speed limit and based on the Committee's advice will provide direction to Council on speed zone changes for Tyalgum Road, Murwillumbah.*

**COMMITTEE ADVICE:**

*That the speed review of Tyalgum Road, Murwillumbah be placed on the Schedule of Outstanding Resolutions.*

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 21 May 2015.*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 13 February 2014 (Item B4)."*

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## BUSINESS ARISING

Nil.

### A. FORMAL ITEMS SECTION

#### DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

Nil.

#### DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A1 [LTC] Marine Parade, Kingscliff

#### ORIGIN:

Roads & Stormwater

FILE NO: ECM 3516376; Traffic - Committee; Parking Zones; Marine Parade, Kingscliff

#### SUMMARY OF REPORT:

This item is referred back to the Committee from its meeting held 16 April 2015 and the report is reproduced below:

*"Request received for Council to again consider:"*

*"Changing the southern section of Marine Parade (along Lion's Park) to be designated 4hr parking on both sides.*

#### *Rationale:*

*We are aware that the carpark outside the Surf Club is designated parking for the Surf Club.*

*We are also aware that the car parks on the eastern side (along the Lion's Park fence) is on Crown Land and therefore under separate consideration.*

*Many of our members believe that from Monday to Friday the cars parked all day along both sides of the car park are not locals or visitors accessing the beach for the whole day.*



*Many of the cars parked in the carpark along Lion's Park, and opposite, are parked there all day.*

*Our members have suggested that the 4hr parking, Monday to Friday and Saturday morning, (times as for the car parking near the caravan park), will free up the car parks and make the businesses opposite Lion's Park more viable."*

*Whilst responses have been received from Kingscliff Ratepayers & Progress Association and verbally from the Kingscliff and District Chamber of Commerce, further comments would be forthcoming once they have discussed the item at their regular meetings. The comments vary from group to group and there is a need to tabulate the advice and provide a summary to the Committee on the advantages and disadvantages of each scenario.*

**COMMITTEE ADVICE:**

*That this item be referred back to the Committee for its meeting on 21 May 2015."*

Further advice has been received following a survey undertaken by the Kingscliff Chamber of Commerce and results are tabulated below. A full sample of the survey outline forms an attachment to this report:

**Kingscliff Commercial Area Parking Survey**

**The Kingscliff Chamber of Commerce is proposing changes to the car parking arrangements in the commercial area in Marine Parade, ie from Turnock Street to opposite "Cakes By The Moon", with the aim of optimising opportunities for patrons of all the shops, cafes and restaurants in this area.**

**To enable greater access for customers at all times, particularly at the weekends when trading is at its busiest, the Chamber is proposing a 3 hour only limit from 7am to 7pm, 7 days a week. This would relax the 2 hour only restrictions currently in force north of the fig tree, and include the area south of the fig tree as far as the cake shop.**

**The parking times on the kerbside immediately outside all of the commercial area will remain unchanged, to facilitate short term customer parking.**

**Would you please indicate below whether you support this improvement to the current arrangements or not.**

**I support the improvement.**

**Name of Business**

**Signature of Owner/Manager**

**I do not support this improvement**

**Name of Business**

**Signature of Owner/manager**

A survey has been undertaken (not Council) and results reported as:

*"YES34 responses*

*NO 7 responses*

*DECLINE Several businesses declined to complete"*

COMMITTEE ADVICE:

That:

1. The existing 2 hour time limit applied to the off-street car park between Turnock Street and Seaview Street be changed to a 3 hour time limit.

2. Sections off the southern off-road car park (adjacent to the Cudgen Surf Life Saving Club) be signposted as a 3 hour time limit, specifically the south west spaces which abut Marine Parade.
3. The time limit for 1 and 2 above be applied during normal business hours Monday to Friday and Saturday morning.
4. The Coordinator of Regulatory Services submit a report to the Committee in 6 months time evaluating the timed parking changes.

RECOMMENDATION TO COUNCIL:

That:

1. The existing 2 hour time limit applied to the off-street car park between Turnock Street and Seaview Street be changed to a 3 hour time limit.
2. Sections off the southern off-road car park (adjacent to the Cudgen Surf Life Saving Club) be signposted as a 3 hour time limit, specifically the south west spaces which abut Marine Parade.
3. The time limit for 1 and 2 above be applied during normal business hours Monday to Friday and Saturday morning.
4. The on road angle parking on the east side of Marine Parade between Turnock Street and the entrance to the off road car park to the south be also time limited as 3 hour parking during normal business hours, Monday to Friday.
5. The Team Leader of Compliance Section submit a report to the Committee in 6 months time evaluating the timed parking changes.

*FOR VOTE - Cr B Longland, Ms Jessica Healey, Roads & Maritime Services, Mr G Provest, Member for Tweed, Sgt Luke Blissett*

Post Meeting Note:

The Recommendation to Council has been amended and forwarded to all LTC members on 25 May 2015. No negative responses have been received from LTC members. The amendment principally is to the time limit to include Saturday mornings as follows:

RECOMMENDATION TO COUNCIL:

That:

1. The existing 2 hour time limit applied to the off-street car park between Turnock Street and Seaview Street be changed to a 3 hour time limit.

2. Sections off the southern off-road car park (adjacent to the Cudgen Surf Life Saving Club) be signposted as a 3 hour time limit, specifically the south west spaces which abut Marine Parade.
3. The on road angle parking on the east side of Marine Parade between Turnock Street and the entrance to the off road car park to the south be also time limited as 3 hour parking.
4. The time limit for 1, 2 and 3 above be applied during normal business hours Monday to Friday and Saturday morning.
5. The Team Leader of Compliance Section submit a report to the Committee in 6 months time evaluating the timed parking changes.

*FOR VOTE - Cr B Longland, Ms Jessica Healey, Roads & Maritime Services, Mr G Provest, Member for Tweed, Sgt Luke Blissett*

## B. INFORMAL ITEMS SECTION

### GENERAL TRAFFIC ADVICE - MURWILLUMBAH

#### B1 [LTC] Tweed Valley Banana Festival 2015

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3642689; Traffic - Committee; Festivals - Tweed Valley Banana; Roads - Closure - Temporary; Queensland Road; Murwillumbah Street, Wharf Street, Commercial Road, Wollumbin Street, Nullum Street

#### SUMMARY OF REPORT:

Request received for temporary road closures for the 2015 Tweed Valley Banana Festival street parade. The event is to be held on Saturday 29 August 2015 with the following temporary road closures being requested:

12:00 to 2.00pm Saturday 29 August 2015 (street parade)

- From Murwillumbah Showground
- Queensland Road
- Murwillumbah Street
- Wharf Street
- Commercial Road
- Wollumbin Street
- Nullum Street

#### COMMITTEE ADVICE:

That the proposed temporary road closures to support the conduct of the Tweed Valley Banana Festival Street Parade on Saturday 29 August 2015 be approved subject to standard conditions as follows:

1. NSW Police approval being obtained
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons
3. Community and affected business consultation including installation of advisory signs within the affected road areas one week prior to the event
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
6. Adequate public liability insurance being held by the event organiser
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
8. Consultation with emergency services particularly Murwillumbah Fire Brigade and Murwillumbah Ambulance
9. Arrangements made for private property access and egress affected by the event, if required
10. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details
11. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.

B2 [LTC] Tweed Valley Triathletes Season 19 September 2015 to 12 March 2016

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3643546; Traffic - Committee; Sport - Rec - General; Events - Other; Bicycle Matters; Car Parks - Murwillumbah; TRAC

SUMMARY OF REPORT:

Request received for permission to use roads for the Tweed Valley Triathletes season commencing Saturday 19 September 2015 and concluding on Saturday 12 March 2016.

*"The senior (adult) course, as well as the swim leg in the pool, comprises a 10 km cycle and 4km run. They cycle and run leave from the Tweed Regional Aquatic Centre. The cycle leg consists of a circuit which includes Tumbulgum Rd, Cane Road, Queensland Road, Murwillumbah St and Wharf St. The run leg goes along Tumbulgum Rd and then onto Racecourse Rd for 1 km and returning the same way.*

*The Intermediate (adult) course includes a 7km cycle leg along Tumbulgum Rd, Racecourse Rd, Queensland Rd, Murwillumbah St and Wharf St and a 2km run leg from the pool to the Tumbulgum Rd/Racecourse Rd intersection and return.*

*The Junior course includes a cycle along Tumbulgum Rd to Reynolds St and then 2 circuits of Charles St, George St, York St, Martin St and Reynolds St before riding back to the Aquatic Centre via Tumbulgum Rd.*

*The transition area is the Council parking area on the western side of the civic centre and the area adjacent to the side entrance to the main pool.*

*Adult members are on the road between 6:05am and 7:10am. Junior members are on the road between 7:30am and 8:00am. At these times of the day there is little traffic.*

*The 10km and 7km rides have all left hand turns.*

*Road signs are displayed at the northern side of Elders Corner entrance to the car park on Tumbulgum Rd, the northern side of the Tumbulgum Rd/Racecourse Rd intersection, the eastern side of the Tumbulgum Rd/Cane Rd intersection, on the western side of the Queensland Rd/Murwillumbah St intersection and along Racecourse Rd.*

*During Junior events adults are placed at the council car park entrance/exit, at the Tumbulgum Rd/Reynolds St intersection and at intersections on the circuit. Adults direct children to pull over and stop if the traffic is not clear. Adults do not direct motorists.*

*Adults ride with the juniors to ensure they comply with road rules.*

*Tweed Valley Triathletes Inc. is covered by Public Liability Insurance through Triathlon Australia Inc.*

*All households along the course and the circuit receive information explaining the times the roads in the vicinity are to be used and inviting feedback.*

*Tweed Valley Triathletes Inc. believes that its long standing record of safety and reliability demonstrates its commitment to providing a safe environment for conducting our triathlon events."*

These events have been undertaken for a number of years without incidents reported to Council. The Club has developed a Management Plan that controls the conduct of the event.

#### COMMITTEE ADVICE:

That the proposed Tweed Valley Triathletes events from Saturday 19 September 2015 to Saturday 12 March 2016 be supported subject to:

1. NSW Police approval being obtained
2. Endorsement of the events by Bicycle NSW
3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited 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 commencement of the season. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
7. Adequate public liability insurance being held by the event organiser
8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
9. Consultation with emergency services and any identified issues addressed.
10. Arrangements made for private property access and egress affected by the event, if required
11. That the applicant organise for each event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details

#### GENERAL TRAFFIC ADVICE - TWEED HEADS

B3 [LTC] Scenic Drive, McAllisters Road and Simpson Drive Bilambil Heights

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3648432; Traffic - Committee; Traffic - Speed Zones; Scenic Drive; McAllisters Road; Simpson Drive, Bilambil Heights

#### SUMMARY OF REPORT:

Request received:

1. The intersection and crash history at the intersection of Scenic Drive and McAllisters Road and
2. The speed zone from the bottom of Scenic Drive up the hill to the Simpson/Scenic Drive intersection.

Correspondence has not been received and further advice will be sought at the meeting.

The Committee was informed about the current pedestrian works and history of Black Spot applications in this area.

Additional speed surveys will be conducted on Scenic Drive to inform any enforcement by Police in the area.

COMMITTEE ADVICE:

That the recent installation of pedestrian facilities on Scenic Drive should improve pedestrian connectivity. Council officers will work with Police to enforce the current posted speed limit.

B4 [LTC] Thomson Street / Bay Street Intersection

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3630313; Traffic - Committee; Local Area Traffic Management - LATM; Safety; Thomson Street; Bay Street

SUMMARY OF REPORT:

Request received for a 'No Right Turn' out of Thomson Street into Bay Street and a 'No Right Turn' into Thomson Street from Bay Street.

*"It is becoming a very dangerous junction ... there have been several minor accidents, mainly because of the Bay Street/Thomson Street junction....I believe to alleviate this dangerous junction there should be a no right hand turn out of Thomson Street and a no right hand turn into Thomson Street."*

There is no reported crash history that would indicate that right turn into / out of Thomson Street is of concern. Turning right out of Thomson Street can be done in 2 movements using the centre median as storage and turning right into Thomson Street is also accommodated through the centre median. Installing prohibitive signage in this instance would most likely lead to non compliance and enforcement is not within Council's powers.

COMMITTEE ADVICE:

That the installation of prohibitive 'No Right Turn' signs at Thomson Street intersection with Bay Street, Tweed Heads is not supported.

B5 [LTC] 2015 NAIDOC Week Street March

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3665155; Traffic - Committee; Local Area Traffic Management; Jack Evans Boat Harbour; Street - Marches; Wharf Street, Tweed Heads; Brett Street, Tweed Heads

SUMMARY OF REPORT:

Advice received of the conduct of a street march on Friday 10 July 2015 for NAIDOC Week Celebrations.

*"The march is to commence at 10.00am from the Tweed Heads Civic Centre and proceed west to the northbound lane along Wharf Street, turning right at the Twin*



*Towns roundabout and heading back to the southbound lane to the Jack Evans Boatharbour at around 11.00am.*

*A Police escort has been requested for the front and rear of the March for safety purposes."*

COMMITTEE ADVICE:

That the proposed NAIDOC Week Street March on Friday 10 July 2015 be supported, subject to:

1. NSW Police approval and control of the event be obtained
2. Community and affected business consultation
3. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event, if required
4. Adequate public liability insurance being held by the event organiser
5. Consultation with emergency services particularly Fire Brigade and Ambulance
6. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details

B6 [LTC] Rainbow Ride Challenge - 20 September 2015

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3659645; Traffic - Committee; Local Area Traffic Management; Festivals - Events; Bicycle Matters - General

SUMMARY OF REPORT:

Request received to use local roads for the 10<sup>th</sup> Rainbow Ride Cycle Challenge on Sunday 20 September 2015.

*"The Rainbow ride cycle challenge is a point to point fun sport cycling event from Currumbin (QLD) to Byron Bay (NSW). This is not a race and is open to the general public ages 13 years and above. There are no course road closures (except the finish lane) all roads are open to normal traffic. The small finish area outside Ewingsdale Hall (William Flick Lane) is closed between 11am - 4pm for rider safety."*

The events are:

- 160k course - from Currumbin to Ewingsdale
- 110k course - from Tyalgum Hall to Ewingsdale
- 65k course - from Mooball Post Office to Ewingsdale

COMMITTEE ADVICE:

That the Committee supports the conduct of the Rainbow Ride Challenge on Sunday 20 September 2015 on roads within the Tweed Shire subject to conformance with:

1. NSW Police approval being obtained
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
3. Community and affected business consultation
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints
5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
6. Adequate public liability insurance being held by the event organiser
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
8. Consultation with emergency services
9. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details
10. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.

B7 [LTC] Little Hill Street, Tweed Heads

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3651243; Traffic - Committee; Line Marking; Safety; Parking Zones; Little Hill Street

SUMMARY OF REPORT:

Request received for painting of yellow lines down the right side of Little Street, Tweed Heads.

*"Little Hill Street crosses Boundary Lane, Tweed Heads, one way, south to north - when parking is both sides of this narrow, one way street, vehicular passageway is very limited and dangerous.*

*As a resident and ratepayer, whose vehicle access is via Boundary Lane and Little Hill Street, I would appreciate Council painting a yellow line down the right hand side of this one way street, so that cars may only park on the left side, leaving a safer vehicular passageway."*

The road width of Little Hill Street is approximately 6m and recent inspections by officers have not indicated there to be a significant issue in relation to constraints on through traffic. Council's rangers have been requested to monitor the situation and issue infringements if vehicles are parked contrary to the road rules. Officers will continue to monitor the site and bring forward to the Local Traffic Committee if required.

**COMMITTEE ADVICE:**

That the installation of yellow "No Stopping" edge lines on Little Hill Street is not supported and Council officers will continue to monitor the site.

**NEXT MEETING:**

The next meeting of the Local Traffic Committee will be held 18 June 2015 in the Mt Warning Meeting Room commencing at 10.00am.

There being no further business the Meeting terminated at 11.45am.

**SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:**

**A1 [LTC] Marine Parade, Kingscliff**

- 1. The existing 2 hour time limit applied to the off-street car park between Turnock Street and Seaview Street be changed to a 3 hour time limit.**
- 2. Sections off the southern off-road car park (adjacent to the Cudgen Surf Life Saving Club) be signposted as a 3 hour time limit, specifically the south west spaces which abut Marine Parade.**
- 3. The on road angle parking on the east side of Marine Parade between Turnock Street and the entrance to the off road car park to the south be also time limited as 3 hour parking.**
- 4. The time limit for 1, 2 and 3 above be applied during normal business hours Monday to Friday and Saturday morning.**
- 5. The Team Leader of Compliance Section submit a report to the Committee in 6 months time evaluating the timed parking changes.**

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice v2.4.2

**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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48 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 1 June 2015

SUBMITTED BY: Recreation Services



## 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:

The Minutes of the Sports Advisory Committee Meeting held Monday 1 June 2015 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

That:

1. The Minutes of the Sports Advisory Committee Meeting held Monday 1 June 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

**Peter McConnell President of Cudgen Leagues Club**

***That Council adopts the Kingscliff Sport and Recreation Master Plan (March 2015) and commences implementation.***

**Wet Weather Policy**

***That Council places Draft Sports Field Wet Weather Closure Policy on exhibition as per Council's standard procedures.***

**REPORT:**

The Minutes of the Sports Advisory Committee Meeting held Monday 1 June 2015 are reproduced as follows for the information of Councillors.

Venue:

Banora Point Community Hall

Time:

5.00pm

Present:

Merve Edwards, Leigh Tynan, Gillian Austin, Linton Alford, Bruce Campbell, Rob Neinhuis, Helen Rigney, Stewart Brawley, Cr Warren Polglase.

Apologies:

Barry Bennett, Cr Phil Youngblutt.

Minutes of Previous Meeting:

Moved: Helen Rigney

Seconded: Bruce Campbell

RESOLVED that the Minutes of the Sports Advisory Committee meeting held 20 April 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Arkinstall Park opening

Council extends its thanks to committee members who were able to attend the opening of Arkinstall Park Stage 1.

Agenda Items:

Peter McConnell President of Cudgen Leagues Club

After a petition was lodged with Council regarding the Kingscliff Sports Field Masterplan by Cudgen Leagues Club, Peter McConnell (President) was invited to discuss the clubs concerns with the committee.

The club initially didn't believe there had been enough consultation but acknowledged the club manager at the time underestimated Rugby Leagues interest in the plan when contacted by the consultants. By the time Peter saw the plan it was at draft stage. One of their concerns is the potential impact of car parking on the clubs car park particularly on Thursday evenings when a lot of elderly people attend the club.

Oztag and junior league felt they were being squeezed for space and expressed concerns with adequate lighting. Peter acknowledged that Council (Stewart Brawley) attended a meeting with the Rugby League codes to discuss concerns and clarify some of the issues raised.

Peter also acknowledged that there is not a lot of room to fit everything that everyone wants into the precinct. The club wished to table the option of Council considering the development of the Depot Road site prior to the developers commencing work.

Stewart Brawley - Noted that specific issues raised with the General Manager when the petition was lodged were:

1. Soccer second field should be located on the Merve Edwards Field. The width required for a fenced soccer field is 85 metres and the space available on the Merve Edwards Field is 63 metres therefore as second field on the Merve Edwards Fields does not fit.
2. The clubhouse change room facilities proposed for Walter Peate Reserve as shown in the master plan will not be accessible from the rugby league field. As discussed at the various stakeholder meetings the next stage of planning will be the detail design of these facilities. At this time the requirements of the stakeholders will be considered including access from the rugby league field.

Merve Edwards - Doesn't see parking being a concern at the leagues club as there is ample parking along Murphy's Road. Merve noted that the Little Athletics combined carnival has more participants than any other sport and Murphy's Road has always accommodated all the parking requirements. Merve also enquired as to whether the Leagues club propose to provide a monetary contribution to the shared facilities.

Gillian Austin - Noted that training on Thursday nights is staggered and agrees that Murphy's Road has ample parking

**RECOMMENDATION:**

Moved: Merve Edwards

Seconded: Rob Neinhuis

That Council adopts the Kingscliff Sport and Recreation Master Plan (March 2015) and commences implementation.

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**Code of Meeting Practice**

The committee members received Council's Code of Meeting Practice.

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**Wet Weather Policy**

The draft Sports field Wet Weather Closure Policy had been distributed to the committee for consideration. The committee support the policy and recognise the benefits of detailing wet weather field closure process.

**RECOMMENDATION:**

Moved: Merve Edwards

Seconded: Linton Alford

That Council places Draft Sports Field Wet Weather Closure Policy on exhibition as per Council's standard procedures.

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#### Burringbar Sports Club Asset Fund Application

As requested by the committee at the April meeting, Burringbar Sports Club was contacted to determine whether they could complete their project if the asset fund contribution was 50% of the project cost as per the fund conditions. The club advised that they could complete the project on this basis and was requested to lodge an amended application form. The committee confirmed that they authorise Council to approve and process this application when received.

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#### Work for the Dole

New work for the dole program has commenced and may provide opportunities for sporting organisations to utilise labour to undertake maintenance works. Contact information will be distributed to committee members.

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#### General Business:

Councillor Polglase - has received advice from the Deputy Premier that six billion dollars will be available throughout New South Wales for infrastructure projects. The committee requests Stewart to provide information on required infrastructure works on Council sports fields for the committee to prioritise and present to Council for consideration.

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#### Next Meeting:

The next meeting of the Sports Advisory Committee will be held 10 August 2015.

The meeting closed at 6.00pm.

#### **EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

#### **EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

##### **Peter McConnell President of Cudgen Leagues Club**

***That Council adopts the Kingscliff Sport and Recreation Master Plan (March 2015) and commences implementation.***

##### **Wet Weather Policy**

***That Council places Draft Sports Field Wet Weather Closure Policy on exhibition as per Council's standard procedures.***



**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 21 August 2012 (ECM2846627).

**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 DIRECTOR CORPORATE SERVICES IN COMMITTEE

#### C1 [CS-CM] Outcome of Legal Action

#### REASON FOR CONFIDENTIALITY:

This report deals with the outcome of a legal matter involving other councils and should be dealt with in confidential committee.

#### 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:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Valid



## Civic Leadership

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
- 
-

## 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 [NOM] Truck Purchases by Council**

#### **REASON FOR CONFIDENTIALITY:**

This Notice of Motion concerns the evaluation methodology for tenders and therefore should be dealt with in confidential committee.

#### **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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