



TWEED
SHIRE COUNCIL

Mayor:

Councillors: P Allsop
R Byrnes
C Cherry
R Cooper
K Milne
J Owen
W Polglase

Agenda

Extraordinary Council Meeting Thursday 17 November 2016

held at **Council Chambers, Murwillumbah Civic & Cultural Centre,
Tumbulgum Road, Murwillumbah** commencing at 4.00pm

Principles for Local Government

The object of the principles for Tweed Shire Council, as set out in Section 8 of the Local Government Amendment (Governance and Planning) Bill 2016, is to provide guidance to enable council to carry out its functions in a way that facilitates a local community that is strong, healthy and prosperous.

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by Tweed Shire Council:

- (a) Provide strong and effective representation, leadership, planning and decision-making.
- (b) Carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Work with others to secure appropriate services for local community needs.
- (h) Act fairly, ethically and without bias in the interests of the local community.
- (i) Be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by Tweed Shire Council (subject to any other applicable law):

- (a) Recognise diverse local community needs and interests.
- (b) Consider social justice principles.
- (c) Consider the long term and cumulative effects of actions on future generations.
- (d) Consider the principles of ecologically sustainable development.
- (e) Decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Council should actively engage with the local community, through the use of the integrated planning and reporting framework and other measures.

Items for Consideration of Council:

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REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

1 [GM-EXT] Oath or Affirmation of Office by Councillors

SUBMITTED BY: General Manager

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Local Government Amendment (Governance and Planning) Bill 2016 has introduced that councillors are now required to take an oath or affirmation of office at or before the first meeting of the new council, by the inclusion of Section 233A of the Local Government Act 1993.

It is proposed that the taking of the Oath or Affirmation will be the first item of the meeting.

This report sets out the process that needs to occur to ensure the taking of the oath or affirmation.

RECOMMENDATION:

That the Councillors take either the oath or affirmation of office and that a suitable record is made in the minutes of the Council Meeting and a signed statement acknowledging the taking of either the oath or affirmation be completed by each Councillor and retained within Council's electronic records management system.

REPORT:

The Local Government Amendment (Governance and Planning) Bill 2016 has introduced that councillors are now required to take an oath or affirmation of office at or before the first meeting of the new council, by the inclusion of Section 233A of the Local Government Act 1993. The councillor has the discretion as to which pledge they undertake.

The requirements of this legislation are as follows:

233A Oath and affirmation for councillors

- (1) A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.
- (2) The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a Justice of the Peace and is to be in the following form:

Oath I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of Tweed Shire and the Tweed Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Tweed Shire and the Tweed Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

- (3) A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.
- (4) Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.
- (5) Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.
- (6) The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).

OPTIONS:

That the councillors take either the Oath or Affirmation of Office as required by the Local Government Act 1993.

CONCLUSION:

Section 233A of the Local Government Act 1993 is self-explanatory in the ramifications of not taking either the Oath or Affirmation of Office and it is proposed that taking of the Oath or Affirmation will be the first item of business of the new council.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

In accordance with Section 233A of the Local Government Act 1993

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.

2 [GM-EXT] Method of Election of Mayor and Deputy Mayor for Period Ending September 2018

SUBMITTED BY: General Manager

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Local Government Act 1993 provides that the election of the Mayor by the Councillors is to be held as follows:-

Section 290 When is an election of a mayor by the councillors to be held?

- (1) *The election of the mayor by the councillors is to be held:*
 - (a) *if it is the first election after an ordinary election of councillors-within 3 weeks after the ordinary election, or*
 - (b) *if it is not that first election or an election to fill a casual vacancy-during the month of September, or*
 - (c) *if it is the first election after the constitution of an area-within 14 days after the appointment of a provisional council or the first election of the council if a provisional council is not appointed, or*
 - (d) *if the relevant council is a non-functioning council, or a council of which all civic offices have been declared vacant, and the election is the first to be held after the appointment or election of the councillors-within 14 days after the appointment or election of the councillors.*
- (2) *If the councillors fail to elect a mayor as required by this section, the Governor may appoint one of the councillors as the mayor.*
- (3) *For the purposes of this section, an election of councillors does not conclude until the declaration of election of all the councillors of the council concerned.*

It is further noted that the Local Government Act 1993 has now been amended requiring that the Mayor elected by the Councillors holds the Office of Mayor for two years and the position of Deputy Mayor may be elected for the mayoral term or a shorter term.

RECOMMENDATION:

That:

- 1. Council determines:**
 - a) whether to elect a Deputy Mayor; and**
 - b) the term of this appointment.**
- 2. Council determines the procedure for electing the Mayor/Deputy Mayor as per the following options which are in accordance with Schedule 7 of the Local Government (General) Regulation 2005:**
 - Ordinary Ballot**
 - Ordinary Ballot by way of open voting**
 - Preferential Ballot.**

REPORT:

It is necessary for Council to resolve the way in which an election for the positions of Mayor and Deputy Mayor (should it be necessary) is to proceed whether by preferential ballot, ordinary ballot, or open voting. Preferential ballot and ordinary ballot are to be secret ballots. Open voting means voting by a show of hands or similar means.

Schedule 7 of the (General) Regulation sets out the procedure to be followed for the conduct of the election of the Mayor and Deputy Mayor, under the ordinary ballot system. Schedule 7 of the Regulation is reproduced for Council's information:

Appropriate nomination forms are attached for each position.

LOCAL GOVERNMENT (GENERAL) REGULATION 2005 - SCHEDULE 7 **SCHEDULE 7 – Election of mayor by councillors**

(Clause 394)

Part 1 - Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) *A councillor may be nominated without notice for election as mayor or deputy mayor.*
- (2) *The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) *The nomination is to be delivered or sent to the returning officer.*
- (4) *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

3 Election

- (1) *If only one councillor is nominated, that councillor is elected.*
- (2) *If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) *The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) *In this clause:
"ballot" has its normal meaning of secret ballot.
"open voting" means voting by a show of hands or similar means.*

Part 2 - Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) *If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*

- (2) *The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.*
- (3) *An informal ballot-paper must be rejected at the count.*

6 Count-2 candidates

- (1) *If there are only 2 candidates, the candidate with the higher number of votes is elected.*
- (2) *If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.*

7 Count-3 or more candidates

- (1) *If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*
- (2) *If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
- (3) *If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.*
- (4) *A further vote is to be taken of the 2 remaining candidates.*
- (5) *Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.*
- (6) *If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

Part 3 - Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) *The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.*
- (2) *The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.*
- (3) *An informal ballot-paper must be rejected at the count.*

10 Count

- (1) *If a candidate has an absolute majority of first preference votes, that candidate is elected.*
- (2) *If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.*

- (3) *A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.*
- (4) *In this clause, "absolute majority", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.*

11 Tied candidates

- (1) *If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal-the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.*
- (2) *If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes-the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.*

Part 4 - General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) *to be declared to the councillors at the council meeting at which the election is held by the returning officer, and*
- (b) *to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.*

OPTIONS:

The ballot may proceed by:

1. Ordinary Ballot.
2. Ordinary Ballot by way of open voting.
3. Preferential Ballot.

CONCLUSION:

It is recommended that Council determines the procedure for electing the Mayor/Deputy Mayor as per the following options which are in accordance with Schedule 7 of the Local Government (General) Regulation 2005:

3 [GM-EXT] Election of Mayor and Deputy Mayor for Period Ending September 2018

SUBMITTED BY: General Manager

Validms



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:

Following the determination of the method of electing the Mayor and Deputy Mayor and if an election is necessary depending on the number of nominations received, an election must ensue.

Relevant sections of the Local Government Act 1993 in relation to the role and election of the Mayor are as follows:

Section 226 Role of mayor

The role of the mayor is as follows:

- (a) to be the leader of the council and a leader in the local community,*
- (b) to advance community cohesion and promote civic awareness,*
- (c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,*
- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,*
- (e) to preside at meetings of the council,*
- (f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,*
- (g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,*
- (h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,*
- (i) to promote partnerships between the council and key stakeholders,*
- (j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,*
- (k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,*

- (l) *to carry out the civic and ceremonial functions of the mayoral office,*
- (m) *to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,*
- (n) *in consultation with the councillors, to lead performance appraisals of the general manager,*
- (o) *to exercise any other functions of the council that the council determines.*

Section 230 For what period is a mayor elected?

- (1) *A mayor elected by the councillors holds the office of mayor for 2 years, subject to this Act.*
- (2) *A mayor elected by the electors holds the office of mayor for 4 years, subject to this Act.*
- (3) *The office of mayor:*
 - (a) *commences on the day the person elected to the office is declared to be so elected, and*
 - (b) *becomes vacant when the person's successor is declared to be elected to the office, or on the occurrence of a casual vacancy in the office.*
- (4) *A person elected to fill a casual vacancy in the office of mayor holds the office for the balance of the predecessor's term.*

There is no legislative requirement for Council to appoint a Deputy Mayor but Council has historically made such an appointment and the following section of the Local Government Act 1993 applies.

Section 231 Deputy mayor

- (1) *The councillors may elect a person from among their number to be the deputy mayor.*
- (2) *The person may be elected for the mayoral term or a shorter term.*
- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

The election will occur in accordance with the applicable clauses of the Local Government (General) Regulation 2005 – Schedule 7.

The result of such election will be formally declared to the Councillors at the Council meeting at which the election is held by the returning officer.

RECOMMENDATION:

That the following Councillor be declared:

- 1. Mayor for the period ending September 2018 - Cr _____.**
- 2. Deputy Mayor for the period as determined - Cr _____.**

REPORT:

As per summary.

OPTIONS:

1. Election of Mayor and Deputy Mayor; or
2. Election of Mayor only.

CONCLUSION:

Following the determination of the method of electing the Mayor and Deputy Mayor and if an election is necessary depending on the number of nominations received, an election must ensue.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

In accordance with the requirements of the Local Government (General) Regulation 2005 - Schedule 7.

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.

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

4 [CS-EXT] Council Committees - Delegates to September 2020

SUBMITTED BY: Corporate Governance

Validms



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:

This report details the current status of Council Committees and is presented for the information of Councillors in considering membership representation, including the proposal to disband the Tweed River and Tweed Coastal Committees to form the Tweed Coast and Waterways Committee.

The report advises the number of Councillors on each Committee. It is Council's decision as to the relevance of each Committee and whether any Committees should be established or dissolved.

It should be noted that Expressions of Interest have been invited for community membership of the applicable committees. This process will close on Friday 11 November 2016 and a report will then be prepared for consideration by Council for these appointments.

RECOMMENDATION:

That Council:

1. **Affirms the proposed Committee structure which includes the amalgamation of the Tweed River and Tweed Coastal Committees to form the "Tweed Coast and Waterways Committee".**
2. **Appoints the Councillor Representatives to the Committees for the period ending September 2020.**
3. **Adopts the following amended Terms of Reference:**
 - **Tweed Coast and Waterways Committee**
 - **Tweed Coast Koala Management Committee**

REPORT:

Aboriginal Advisory Committee.

Councillor/Staff Representative:

Alternate Representative:

Committee Contact:

Staff Committee Members:

Other Members:

Councillor to be nominated

Councillor to be nominated

Community Development Officer - Aboriginal
Manager Community & Cultural Services.

One Representative and alternate from:

- Tweed Byron Local Aboriginal Land Council
- Tweed Wollumbin Aboriginal Education Consultative Group.
- Tweed Aboriginal Corporation for Sport
- Tweed Aboriginal Co-op
- Bundjalung Aboriginal Home Care
- Canowindra – Cedric House
- Bungalwena Aboriginal Health Services

Frequency:

Meetings of the Committee shall be held monthly and at such time and place as the Committee sees fit.

Venue:

Tweed Byron Aboriginal Land Council Office,
Tweed Heads West or as nominated.

Duration:

3-6 hours.

Objective:

The primary objective of the Committee is to provide advice to Council in order to encourage and facilitate the development of the Tweed Aboriginal and Torres Strait Islander Community in the Tweed Shire.

In furtherance of this objective the Committee shall:

Act as a consultative Committee for Council's Tweed Aboriginal & Torres Strait Islander Community development function

Contribute to the development of a cooperative vision for the Shire.

Demonstrate leadership to emphasise the economic and social value of the Tweed Aboriginal & Torres Strait Islander Community in the Tweed Shire.

Provide a forum for ideas and discussions on a wide range of issues, especially those affecting the Tweed Aboriginal & Torres Strait Islander Community.

Foster strategic partnerships for community development, and

Contribute to the development of strategic policies and plans.

Comment:

Terms of Reference adopted by Council 19 Sept 2013 (ECM3146605).

Art Gallery Foundation

Councillor/Staff Representative:

Councillor to be nominated

Alternate Representative:

Committee Contact:

Art Gallery Director

Staff Committee Members:

Other Members:

Frequency:

Bi-monthly.

Venue:

Tweed Regional Art Gallery

Duration:

2 hours

Objective:

Comment:

Arts Northern Rivers Board

Councillor/Staff Representative:

Mayor and Manager Community & Cultural Services

Alternate Representative:

Councillor to be nominated

Committee Contact:

Manager Community & Cultural Services

Staff Committee Members:

N/A

Other Members:

Staff from other organisations

Frequency:

4th Monday every two months

Venue:

Varies

Duration:

Objective:

The objectives of Arts Northern Rivers are to:
Foster and promote the culture of the region;
Foster Indigenous arts and cultural programs and practices;
Promote the arts, and achievement in the arts, to enhance social and economic community development;
Encourage an increase in the level of cultural tourism.

Comment:

As per resolution of Council on 15/11/2011.

Audit Committee

Councillor/Staff Representative:

Two Councillors to be nominated

Alternate Representative:

Not required

Committee Contact:

Internal Auditor

Staff Committee Members:

General Manager; Director Corporate Services; Manager Financial Services;

Other Members:

The Committee consists of:

Three independent members - appointed by Council; and

Representatives of the external auditor.

Frequency:

5 times per year.

Venue:

Mount Warning Room

Duration:

4-5 hours

Objective: The objective of the Audit Committee (Committee) is to provide independent assessment and assistance to the Tweed Shire Council on control, governance and external accountability responsibilities. The Audit Committee's objectives are to assist Council:

- To promote a culture of adherence to Council policies and procedures;
- To assess the effectiveness of business systems and procedures;
- To monitor and manage appropriate risks and exposures;
- To ensure that statutory compliance is promoted and monitored;
- To assess the effectiveness of audit processes (both internal and external)

In achieving objective external financial reporting.

Comment: As per Audit Committee Charter Policy 1.6 adopted 18/7/2013.

Australia Day Committee

Councillor/Staff Representative: Mayor

Alternate Representative:

Committee Contact: Events Officer

Staff Committee Members: Events Officer

Other Members: Membership will comprise of community members from across the shire and one Councillor. Expressions of interest for community representation will be renewed every four years.

Frequency: As required

Venue: Council

Duration:

Objective:

Comment: Terms endorsed by CNL 17/7/2012 (ECM2822912)

Community Halls Advisory Committee

Councillor/Staff Representative: **Councillor to be nominated**

Alternate Representative: **Councillor to be nominated**

Committee Contact: Coordinator Community Development; Project Officer - Capacity Building.

Staff Committee Members: Administrative & Program Support Officer; Administrative Officer

Other Members: One delegate and up to two delegates from the following Community Hall Committees:

- Chillingham
- Crabbes Creek
- Crystal Creek
- Doon Doon
- Fernvale
- Limpinwood
- Piggabeen
- Pottsville Beach
- Tumbulgum

Frequency: Quarterly

Venue:

Duration:

Objective:

Comment: Community Halls Policy adopted 17 September 2015
Terms endorsed by Council 16 May 2015 (ECM3635284)

Destination Tweed

Councillor/Staff Representative: Mayor

Alternate Representative: Deputy Mayor

Committee Contact: Economic Development - Strategic Operations

Staff Committee Members:

Other Members: Board
Chief Executive Officer Destination Tweed

Frequency: Monthly

Venue: Alma Street, Murwillumbah

Duration: As required

Objective: Currently the following functions are performed by Destination Tweed. Destination Tweed is an independent organisation which is contracted to undertake these services on Council's behalf.
To this end Council and Destination Tweed entered into an agreement which commenced on 1 October 2010, for a term of four (4) years with an option for a further term of four (4) years.
The specific deliverable functions are:

- Investigate and Develop Tourism Product
- Operate Visitor Information Centres
- Preparation and Delivery of Tourism Marketing and Promotion Strategies, Plans and Public Relations Activities
- Market and Promotion of Tweed for Business investment

Comment: Updated 10/2012

Equal Access Advisory Committee

Councillor/Staff Representative:

Alternate Representative:

Committee Contact:

Staff Committee Members:

Other Members:

Frequency:

Venue:

Duration:

Objective:

Councillor to be nominated

Councillor to be nominated

Community Development Officer - Ageing and Disability

One Council officer from each of the following units may be represented on the committee for technical advice and support. The most senior Council Officer present may vote on issues before the committee.

- Community and Cultural Services
- Building Services
- Planning and Infrastructure
- Works.

A maximum of 8 community representatives including people with disabilities, carers and/or representatives of peak disability organisations. Meetings for 2013 will occur on the third Wednesday of each alternate month commencing in February 2013. The meetings will be from 10am to 12noon.

Location of meetings will be alternated between Murwillumbah and Tweed Heads, or as prescribed by makeup of committee.

2 hours.

1. Provide a forum to address public access issues raised by the community.
2. Provide advice and recommendations for consideration to Council on relevant access issues.
3. Provide advice to Council to assist in raising public awareness of access issues.
4. Provide advice to Council, as requested, on access provisions for major building and development applications.
5. Keep Council informed on disability access issues.

Exclusions:

Issues such as road infrastructure, traffic management, parking compliance, maintenance of footpaths, lighting, tree lopping or other access issues for which Tweed Shire Council may be responsible should be raised with Council Customer Service staff in the first instance.

Individual/personal complaints against private organisations which are not the responsibility

of Council should be referred to the appropriate peak advocacy body.
Updated (2847116)

Comment:

Far North Coast Bush Fire Management Committee

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: One nominated staff member.
Staff Committee Members:
Other Members: Emergency Organisation representatives.
Frequency: Twice yearly (minimum).
Venue:
Duration:
Objective:
Comment:

Floodplain Management Committee

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Manager Roads and Stormwater
Staff Committee Members: Director Engineering, Manager Roads & Stormwater (Chair), Engineer - Flooding & Stormwater, Manager Development Assessment & Compliance, Unit Coordinator Strategic Planning & Urban Development.
Other Members: Local community and industry based organisations
Coastal & Floodplain Management, Office of Environment and Heritage
NSW SES,
Deputy Region Controller NSW SES.
Frequency: Meetings will be arranged as required, to coincide with milestones for flood and risk management studies, or as other flood matters within the scope of considerations arise. Meetings are generally infrequent.
Venue: Council offices.
Duration: As required.
Objective: To provide a forum for the discussion of technical, social, economic, environmental, and cultural issues associated with floodplain management.
To distil possibly differing viewpoints into floodplain management plans.
In fulfilling the above objectives the following shall be considered:

- Existing flood risk - flood damages, emergency response capability
- Future flood risk - development, climate change impacts
- Flood mitigation measures - structural measures, property modification, development controls
- Community awareness - formulate and implement measures to raise awareness of flooding in the community by education programs and distribution of information Floodplain Development Manual. Reviewed 21/8/2012 (ECM2849720)

Comment:

General Manager Review Committee

Councillor/Staff Representative: All Councillors
Alternate Representative:
Committee Contact:
Staff Committee Members:
Other Members:
Frequency: Six monthly
Venue: Mayoral Office
Duration: 2 hours
Objective: The Committee is required to review the performance of the General Manager in accordance with the provisions of the General Manager's contract and performance criteria.

Comment:

Gold Coast Airport Community Aviation Consultative Group

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Chief Operating Officer Gold Coast Airport
Staff Committee Members: 2 current staff representatives.
Other Members:
Frequency: 3 times per year
Venue:
Duration:
Objective: The purpose of the Gold Coast Airport Community Consultative Group (CACG) is to ensure that community views are effectively heard by the airport and to give members the opportunity to obtain information about what is happening on-airport. The CACG will be open to residents affected by airport operations, local authorities, airport users and other interested parties and will be used to

Comment: exchange information on issues relating to Gold Coast Airport operations and their impacts. The CACG will not replace our existing Aviation Noise Abatement consultation Committee (ANACC).
21/6/2011 (ECM 32909726) Minute No 327 on 21/6/2011

Local Traffic Committee

Councillor/Staff Representative:

Councillor to be nominated

Alternate Representative:

Councillor to be nominated

Committee Contact:

Engineer - Traffic

Staff Committee Members:

Engineer - Traffic (Chairman);
Team Leader - Compliance; Executive Assistant Director Engineering.

Other Members:

State Member for Tweed (or delegate); State Member for Lismore (or delegate); Representatives from NSW Police and NSW Roads & Maritime Services

Frequency:

Monthly or as need arises

Venue:

Mount Warning Room

Duration:

2 - 3 hours

Objective:

The Local Traffic Committee (LTC) is primarily a technical review committee which is required to advise the Council on matters referred to it. These matters must relate to prescribed traffic control devices and traffic control facilities for which Council has delegated authority. The LTC has no decision making powers. The LTC should consider the technical merits of the proposal and ensure that the proposal meets current technical guidelines. The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to classified roads or functions that have not been delegated to the elected Council must be referred directly to the RTA or relevant organisation, however the RTA will generally seek the views of Council on classified road traffic issues via the informal items process.

Comment:

Northern Rivers Regional Organisation of Councils Inc (NOROC)

Councillor/Staff Representative:

Mayor

Alternate Representative:

Deputy Mayor

Committee Contact:

General Manager

Staff Committee Members: General Manager
Other Members:
Frequency: Quarterly.
Venue: Circulate between member councils.
Duration: 4 hours
Objective: To provide a co-ordinated approach for dealing with strategic direction and policy on regional matters impacting upon northern rivers councils.

Comment:

Richmond-Tweed Regional Library Committee

Councillor/Staff Representative: **Two Councillors to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Manager Community & Cultural Services
Staff Committee Members: Manager Community & Cultural Services
Other Members: Representatives from Byron, Ballina, Lismore and Tweed Councils.

Frequency: 10 am 2nd Thursday (Feb, May, Aug, Nov).
Venue: Rotational.
Duration: 4 hours.
Objective: The Richmond-Tweed Regional Library (RTRL) Service provides a regional service that includes the Local Government areas of Tweed, Byron Bay, Ballina and Lismore. Under the Libraries Act of 1939 the delivery of a library services is undertaken by the Executive Council, on behalf of the constituent Councils. The current Executive Council is Lismore City Council. The service is currently undergoing changes with regard to the Terms of Reference.

Comment: Richmond-Tweed Regional Library Agreement dated 5 November 1973 (ECM2642170)

Rural Fire Service Liaison Committee

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Enterprise Risk Emergency Management Officer
Staff Committee Members: Enterprise Risk Emergency Management Officer
Other Members: Representative of the Rural Fire Service
Frequency: Quarterly.
Venue: Council.
Duration: 1 hour.
Objective:

Comment: Monitoring performance standards & Rural Fire Service District Service Level Agreement.

Sports Advisory Committee

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Manager Recreation Services.
Staff Committee Members: Manager Recreation Services.
Other Members: Five (5) community representatives.
Frequency: 3rd Tuesday bi-monthly 5pm.
Venue: Alternates Tweed/ Buchanan Room and Cabarita Beach Sports Centre.

Duration:

Objective: Develop and implement policies, programs and practices aimed at improving access and equity in all aspects of Sport on the Tweed. Maximise the availability of resources for the development of sport and promote safety in their use.
Increase participation in sport and sports by the residents of the Tweed.

Comment: As per terms of reference reviewed 21/8/2012 (ECM2846627)

Tweed Coast Koala Management Committee

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Program Leader - Biodiversity
Staff Committee Members: Program Leader - Biodiversity and one other Natural Resource Management Unit officer
Other Members: One representative from:

- NSW Office of Environment and Heritage
 - NSW Rural Fire Service
 - Friends of the Koala
 - a Koala Conservation/Environmental Group
- Three representatives from the general community.

Frequency: Bimonthly.

Venue: Meeting Rooms - various.

Duration: 3 hours.

Objective: Provide overall guidance and direction to the project, ensuring that it remains on track and that outcomes are achieved.

Ensure the project meets the requirements of SEPP 44 and positively contributes to other Natural Resource Management Strategies and Plans such as Northern Rivers Catchment

Comment:

Action Plan and the NSW Koala Recovery Plan.

Provide input and advice in relation to all aspects of the project.

Reflect and consider community opinion within the context of the aim of the project and legislative constraints.

Recommend the public exhibition of the draft KPOM to Council.

Assist Council officers in the review of public submissions arising from exhibition of the draft KPOM.

Provide recommendation to Council on the adoption the Final KPOM.

The Tweed Coast Koala Management Committee will be dissolved on the adoption of the KPOM by Council.

Tweed Coast and Waterways Committee

Councillor/Staff Representative:

Alternate Representative:

Committee Contact:

Staff Committee Members:

**Two Councillors to be nominated
Councillor to be nominated**

Unit Co-ordinator Natural Resources.

Manager Recreation Services, Unit Coordinator Natural Resource), Program Leader - Waterways; Project Officer Biodiversity, Program Leader - Sustainable Agriculture

Other Members:

One representative from each of the three Tweed Coast Villages.

One representative from Tweed Byron Local Aboriginal Land Council, various State Government Representatives, Industry and community representatives.

Frequency:

Bi-monthly 2nd Wednesday.

Venue:

Canvas & Kettle Meeting Room.

Duration:

3 ½ hours.

Objective:

1. Aim:

To provide strategic-level advice to Tweed Shire Council regarding the ecological health and recreational use of the Tweed coast and waterways. This includes the ocean beaches, estuaries, non tidal tributaries and catchments of Cudgen, Cudgera and moobal Creeks and the Tweed River. The committee will focus on integrated management, promoting co-operation between community, government and industry.

2. Objectives:

To advise Council on the preparation and implementation of long-term, strategic-level coast and estuary management plans and works.
To implement the Tweed River Estuary Coast Management program (CMP).
Implementation of Priority Actions in the Tweed River Estuary Coastal Management Program.
Preparation of Upper Tweed River Catchment Management Strategy.
To implement the Priority Actions in the Coastal Zone Management Plan (CZMP) for Tweed Coast Estuaries.
Completion of an Environmental Impact Study; seek approval and licence for Sand Extraction Area 5 Tweed River.
Complete the Kingscliff CZMP.
To implement the Priority Actions in the Kingscliff CZMP.
Develop the Tweed Coast Coastal Management program.
Terms of Reference reviewed 21 August 2012 (ECM2947539)

Comment:

Tweed Regional Gallery Advisory Committee

Councillor/Staff Representative:

Councillor to be nominated

Alternate Representative:

Councillor to be nominated

Committee Contact:

Art Gallery Director

Staff Committee Members:

Art Gallery Director, MOAC Curator & Collections Manager; Manager Community & Cultural Resources Community Development Officer - Aboriginal

Other Members:

A maximum of thirteen citizens being residents and having an interest in the arts in the Tweed Shire including one representative and alternate from:

- Friends of the Tweed River Art Gallery Inc.
 - Tweed River Art Gallery Foundation Ltd
- Quarterly - 2nd Wednesday of month

Frequency:

Venue:

Gallery

Duration:

2 hours

Objective:

The Tweed River Regional Art Gallery Advisory Committee is appointed to assist and advise Council in matters relating to the care, control, funding, possible and future developments and management of the Tweed River Art Gallery.

Comment: Reviewed by Council 21/8/2012
(ECM2847315)

Tweed Regional Museum Advisory Committee

Councillor/Staff Representative: **Councillor to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Museum Director
Staff Committee Members: Museum Director; Manager Community and Cultural Services Director Community & Natural Resources;

Other Members: Membership of the Advisory Committee shall consist of a maximum of thirteen citizens as follows, appointed for the term of Council:

- Two representatives and an alternative representative appointed annually by each of the Management Committees of the three Historical Societies
- One Councillor appointed by Council for the term of Council
- Five citizens appointed for the term of the Committee who can support the development of the Museum
- One representative of the Aboriginal community nominated by the Tweed Aboriginal Advisory Committee.

Nominees from Murwillumbah Historical Society; Tweed Heads Historical Society and Uki and South Arm Historical Society

Frequency: At least quarterly.
Venue: Coolamon Centre meeting room.
Duration: 1.5 hours.

Objective: All matters relating to the development, management, care, control, funding, policies and possible and future developments and management of the Tweed River Regional Museum including:

Formal approval of acquisitions and de-accessioning from the collection, on the recommendation of the Senior Museum Curator

To review and recommend revisions, in consultation with the Senior Museum Curator, the Museum's Strategic Plan and all policies that are the basis of the Museum's programs and operations

Advising Tweed Shire Council on future developments of the Museum

To promote community awareness of the value and work of the Regional Museum and to assist with fund-raising and advocacy.

Comment: The Advisory Committee shall encourage the enjoyment, appreciation and education and use of the Collection and on Heritage matters in the Tweed Shire through advice to the Tweed Shire Council and in accordance with the International Council of Museum's Code of Ethics (a copy of which is available on request).
Reviewed by Council 21/8/2012
(ECM2847349)

Tweed Shire Council Mayor's Disaster Relief Fund

Councillor/Staff Representative: Mayor, Deputy Mayor.
Alternate Representative: Nil
Committee Contact: Manager Financial Services.
Staff Committee Members:
Other Members:
Frequency: As required.
Venue: Council.
Duration:
Objective: Established to provide a tax deductible donation fund for the residents of Tweed Shire to contribute to a Disaster Fund for the benefit of other Tweed Shire residents who are in need of monetary assistance.

Comment:

Tweed Shire Demand Management & Water Efficiency Review - Community Reference Group

Councillor/Staff Representative: **Two Councillors to be nominated**
Alternate Representative: **Councillor to be nominated**
Committee Contact: Engineer - Water Efficiency & Connections
Staff Committee Members: Engineer - Water Efficiency & Connections Chair
Other Members: Up to eight (8) community members drawn from the widest possible cross section of the Tweed Community.
Frequency: Bi-monthly
Venue: Council
Duration:
Objective: Review the assessment of the existing Demand Management Strategy and Implementation Plan.

- Identify additional demand management measures.
- Consider the analysis of those measures.

Comment:

- Make recommendations to Council on demand management and water efficiency.
 - Provide criteria on which the efficacy of adopted measures can be assessed.
- Adopted by Council 17 March 2016 (ECM3975881)
-

OPTIONS:

Not applicable.

CONCLUSION:

Not applicable.

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	Terms of Reference - Aboriginal Advisory Committee (ECM3146605)
Attachment 2	Audit Committee Charter V1.7 (ECM3875176)
Attachment 3	Terms of Reference - Tweed Australia Day Committee (ECM3283081)
Attachment 4	Terms of Reference - Community Halls Advisory Committee (ECM3635284)
Attachment 5	Terms of Reference - Equal Access Advisory Committee (ECM2847116)
Attachment 6	Terms of Reference - Floodplain Management Committee (ECM2849720)
Attachment 7	Terms of Reference - Sports Advisory Committee (ECM2846627)

Attachment 8	Terms of Reference - Tweed Coast and Waterways Committee (ECM4287536)
Attachment 9	Terms of Reference - Tweed Coast Koala Management Committee (ECM4288326)
Attachment 10	Terms of Reference - Tweed Regional Gallery Advisory Committee (ECM2847315)
Attachment 11	Terms of Reference - Tweed Regional Museum Advisory Committee (ECM 2847349)
Attachment 12	Terms of Reference - Tweed Shire Demand Management & Water Efficiency Review Community Reference Group (ECM 3975881)

5 [CS-EXT] Dates and Times for Future Council Meetings

SUBMITTED BY: Corporate Governance

Validms



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:

Dates and times of future Council Meetings need to be established for future Council meetings. This is also an opportunity to make provision for the scheduling of Community Access sessions to give community members and stakeholders an opportunity to informally address Council on upcoming agenda items or any other matter of relevance to Council.

RECOMMENDATION:

That Council determines the Dates and Times of future Council Meetings and Community Access sessions.

REPORT:

Council's Code of Meeting Practice Policy, in relation to the convening of Council Meetings, states:

"1.1.2 Where are council meetings held?"

Council meetings are normally held in the Council Chambers Civic and Cultural Centre, Tumbulgum Road, Murwillumbah. It is up to the council to decide when and where to have the meeting.

These meetings are open to the public. Confidential items are considered in closed session, which excludes press and public.

Council will meet in the following format:

- a) A Planning Committee Meeting (comprising all seven councillors) to only discuss planning related matters on the first Thursday of the month. The Planning Committee will include Community Access on the items on the Planning Agenda, with a Council Meeting to follow, to specifically adopt the recommendations of the Planning Committee; and
- b) A Council Meeting on the third Thursday of the month, where all other items are considered, including any planning matters that may have been deferred from the Planning Committee Meeting. This Council Meeting will include consideration of Notices of Motion, Questions on Notice, Mayoral Minute and all other reports. A Community Access session will be held at the commencement of the Council Meeting for members of the public to discuss pertinent matters other than planning matters.

(Adopted by Council 20 February 2014)

Dates of proposed meetings are available on Council's Internet site."

Also, the adopted Code of Meeting Practice Policy contains the following information:

1.1 Holding Meetings

1.1.1 How often does the council meet?

Ordinary council meetings are held on a regular basis, as decided by the council. Each council must meet at least ten (10) times a year, with each meeting being in a different month.

The Act Sec 365

Council is required to determine the date and times for future Planning Committee, Council and Trust (if required) Meetings.

Dates currently adopted to end of 2016 is as follows:

Meetings for 2016			
Planning Committee 1 st Thursday		Council 3 rd Thursday	
Date	Venue	Date	Venue
		17 November 2016	Murwillumbah
1 December 2016	Tweed Heads	15 December 2016	Tweed Heads

The following table outlines possible dates for consideration for the January to March 2017 period. In determining its decision Council may also give consideration to alternative meeting venues.

Legislation prescribes that council must meet a minimum of ten times per year in separate months.

Meetings for 2017			
Planning Committee 1 st Thursday		Council 3 rd Thursday unless otherwise resolved	
Date	Venue	Date	Venue
2 February 2017 Ø	Murwillumbah	16 February 2017	Murwillumbah
2 March 2017	Tweed Heads	16 March 2017	Tweed Heads

NOTE: Ø 2 February 2017 will be a combined Planning Committee and Council Meeting.

Community Access

With regards to the Community Access sessions also form part of the Code of Meeting Practice and the following excerpt of Part 13 of this Code states:

"Community Access sessions will be incorporated into both the Planning Committee and Council Meeting format, it is proposed that these sessions will be conducted on the first Thursday (Planning) and third Thursday (Council and Other) of the month from 4.00pm until 4.45pm."

OPTIONS:

1. That Council determines dates and times of future council meetings in accordance with the Code of Meeting Practice.

CONCLUSION:

Determine and advise the community of future meeting dates and times.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Expenditure associated with council meetings is included in the annual budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

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