



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

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

Agenda

Ordinary Council Meeting Thursday 18 August 2016

held at **Council Chambers, Murwillumbah Civic & Cultural Centre,**
Tumbulgum Road, Murwillumbah 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 July 2016

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 and Confidential Council Meeting held Thursday 21 July 2016 are attached for information and adoption by Council.

RECOMMENDATION:

That:

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 21 July 2016 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 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 July 2016 (ECM4150297)
(Confidential) Attachment 2	Minutes of the Confidential Council Meeting held Thursday 21 July 2016 (ECM4150219).

2 [CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meeting held Thursday 4 August 2016

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 held Thursday 4 August 2016 are attached for information and adoption by Council.

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held Thursday 4 August 2016 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:

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Attachment 1

Minutes of the Ordinary Council Meeting held Thursday 4 August 2016 (ECM 4169822).

SCHEDULE OF OUTSTANDING RESOLUTIONS

3 [SOR-CM] Schedule of Outstanding Resolutions



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

CODE OF MEETING PRACTICE:

Section 2.8 Outstanding Resolutions

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

19 SEPTEMBER 2013

ORDERS OF THE DAY

4 [NOM-Cr B Longland] Aboriginal Employment Strategy

NOTICE OF MOTION:

532

**Cr B Longland
Cr K Milne**

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

Current Status: The Reconciliation Action Plan (RAP) is currently in draft form and the Director Corporate Services and Director Community and Natural Resources are championing the process internally to provide input into the RAP, including meetings with the internal working group.

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

Terms of Reference have been determined by the internal workgroup at their initial meeting held on 27 July 2016.

Councillors may wish to note the hosting of the NSW Aboriginal Network Conference in August 2016, with 19 staff registered to attend.

16 JULY 2015

ORDERS OF THE DAY

31 [NOM] Parking Requirements for Small Businesses

408

**Cr K Milne
Cr P Youngblutt**

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

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

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

17 SEPTEMBER 2015

38 [NOM] Improving Community Consultation

519

**Cr K Milne
Cr G Bagnall**

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

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

Current Status: Director Planning and Regulation and Director Corporate Services met with the Mayor and it was agreed to develop a simple communication resource that explains the Development Application process.

17 MARCH 2016

ORDERS OF THE DAY

36 [NOM] Story Tiled Walls at our Libraries

148

**Cr C Byrne
Cr W Polglase**

RESOLVED that Council brings back a brief report to a future meeting with respect to the possibility of providing story walls through the sale of personalised tiles (or similar) at our newly refurbished libraries at Murwillumbah and Tweed Heads.

Current Status: Advice from Richmond Tweed Regional Library sought and advised that alternative funding will need to be sourced to enable story walls to be established at Murwillumbah and Tweed Heads libraries.

21 JULY 2016

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

16 [CNR-CM] Concept Plans and Estimates - South Murwillumbah

337

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. Council receives and notes this report.
 2. Council liaises with the business owners of South Murwillumbah to obtain a better outcome.
-

Current Status: Council workshop to be held October 2016, South Murwillumbah business owners to be invited to attend.

ORDERS OF THE DAY

47 [NOM] Sand Street, Chinderah

329

Cr G Bagnall
Cr K Milne

RESOLVED that Council brings forward a report in relation to the history, legal status/ownership and responsibility for the existing open drain which extends from within Sand Street, Chinderah through the north eastern corner of Lot 2 DP1127741 and then northerly to approximately Ocean Drive.

The report should address when the drain was constructed, by whom it was constructed and what approvals, if any, were obtained from affected landowners and any statutory approvals that may have been required and whether or not the Council currently maintains the drain or has in the past maintained the drain.

Current Status: Investigations to be undertaken and report to be prepared.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for July 2016

SUBMITTED BY: Cr K Milne, Mayor

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Councillors

COMMITTEE MEETINGS

Attended by the Mayor

No committee meetings were attended by the Mayor in July 2016.

INVITATIONS / MAYORAL REPRESENTATION:

Attended by the Mayor

- 3 July NAIDOC Opening and Flag Raising Ceremony – Minjungbal Cultural Museum, Corner Duffy Street and Kirkwood Road, South Tweed Heads. Cr Longland also attended.
 - 8 July NAIDOC March – Tweed Heads Civic Centre to Jack Evans Boat Harbour. Cr Longland also attended.
 - 8 July NAIDOC Dinner Dance – Twin Towns Services Club, Wharf Street, Tweed Heads. Cr Longland also attended.
 - 12 July Border Light Up – Border Marker, Corner Wharf and Griffith Streets, Tweed Heads.
 - 13 July Cabarita and Pottsville Lions Club Changeover Dinner – Cabarita Beach Bowls and Sports Club, Cabarita Road, Bogangar.
 - 14 July Photo Opportunity – Caring for Country Award – Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah.
-

- 19 July Citizenship Ceremony – Tweed Civic Centre, Corner Brett and Wharf Streets, Tweed Heads.
- 28 July Community Safety Precinct Meeting – Tweed Heads Police Station, 52 Recreation Street, Tweed Heads.
- 28 July Fred's Place Community Sleep Out – Twin Towns Masonic Centre, 8 Boyd Street, Tweed Heads.

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

- 10 July Danish Study Tour Welcome – Kingscliff TAFE, Cudgen Road, Kingscliff. Cr Byrne attended.
- 12 July Rising Stars Scholarship Presentation Ceremony – Kirra Hill Community Centre, Corner Garrick Street and Powell Crescent, Coolangatta QLD. Cr Longland attended.
- 30 July BEATS Awards Ceremony – Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah. Crs Byrne, Longland and Polglase attended.

Inability to Attend by or on behalf of the Mayor

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

REQUESTS FOR WORKSHOPS:

Councillors did not request any additional workshops during July 2016.

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

Councillors did not attend any conferences during July 2016.

Information on Conferences to be held

There was no information received on pending conferences during July 2016.

SIGNING OF DOCUMENTS BY THE MAYOR:

- 8 July Licence Agreement – Temporary Access to Council Land – Tweed Heads West Wastewater Treatment Plant.
 - 8 July Licence Agreement – Berger Houseboats – Berths 6,7,8,13,14 and 15 Southern Boat Harbour.
-

- 8 July Transfer Granting Easement – 218 Kennedy Drive Tweed Heads.
 - 15 July Transfer Granting Easement – Lot 2 DP 1192152 Sedalia Place Banora Point.
 - 21 July Transfer – Closure and Purchase of Road Reserve – Broadwater Esplanade Bilambil Heights.
-

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 the Mayoral Minute for the month of July 2016 be received and noted.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

RECEIPT OF PETITIONS

5 [ROP-CM] Receipt of Petitions

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Under Section 1.5.4 Receipt of Petitions in the Code of Meeting Practice Version 2.5:

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.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

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

SUBMITTED BY: Economic Development



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

In 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 since its adoption.

RECOMMENDATION:

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

REPORT:

Background

Economic Development

Council originally expressed its commitment to economic development in its Community Strategic Plan 2013 - 2023. 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 the economic development aims of this Plan. These include:

- Renewing the contract with Destination Tweed for four years until October 2018.
- Taking direct responsibility for the promotion of the Tweed as a destination for business development.
- Authorising 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. The Strategy outlines Council's commitment to the delivery of economic development and prosperity for the community.

Since the Economic Development Strategy has been adopted Council has achieved significant outcomes against each of the Directions, including:

- Membership of the NSW Business Chamber.
- Improved and nurtured the relationship with the local Tweed business chambers.
- Nominated to be an active member of the Small Business Commissioner's *Small Business Friendly Council Program*.
- Developed and expanded relationships with regional councils on both sides of the border, NOROC, Cross Border Commissioner, government agencies, RDA – Northern Rivers, TAFE NSW and Southern Cross and Bond Universities.
- Revised the Business Investment Policy to incorporate better incentives for small business as well as expanding the incentives available for larger businesses wanting to develop in the Tweed.
- Assisted some major businesses to establish in the Tweed, including Stone & Wood Brewery, Australian Bay Lobster, Husk Distillery.
- Involvement with the Cross Border Commissioner's *Cross Border Economic Development Sub-Committee*.
- Actively promoted the Tweed as a destination for Business.

Further achievements are detailed against each Direction in the body of the Report.

Internal Resources

In early 2016 the Manager of Holiday Parks and Economic Development Unit retired. This instigated a review of how the Unit was resourced and it was recommended to Council that the Unit be split into two separate operational units. These are a new Holiday Parks Unit

falling under the Community and Natural Resources Division and a new Economic Development Unit remaining within the Office of the General Manager. Each new unit would have a coordinator with the previous position of Manager of Holiday Parks and Economic Development being made redundant. This change to the corporate structure was approved by Council on 18 February 2016.

The rationale for the split into two units stemmed from the fact that the Holiday Parks are a medium sized business entity with separate administration staff and seven commercial properties to manage.

The new corporate structure of the Economic Development Unit consists of one unit coordinator (vacant) and one Corporate and Economic Planner. The position of Coordinator of Economic Development was advertised publically earlier this year and received over 40 applicants. After shortlisting and interviews, three candidates were considered suitable for the position. All three have subsequently withdrawn their applications. Short term fulfilment of the role is being pursued with a view to test the market again in the later part of 2017.

Destination Tweed - Contract Renewal

On 1 October 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 which led to a unified position that Council 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.

Economic Development Committee of Council

One key outcome of the Tweed Economic Development Strategy is to develop an Economic Development Committee of Council to oversee the implementation of the Strategy. Progress on the establishment of this committee has been delayed. This is due to reform in the Local Government Sector and to State Agencies where Small Business has been moved from the Office of Small Business Commissioner to Economic Skills and Regional Development. The new Department has indicated that new Statutory Joint Organisations will have clear economic development committees and that Economic Development sub committees are to be established within each Regional Leadership Group (of State and Local Government Agencies) and Regional Development Australia. The current aim is to therefore await the establishment of the Joint Organisation in the Northern Rivers to ensure any Committee Council establishes is in accord with the Department of Industry (Economic Skills and Regional Development) requirements and guidelines. To do otherwise would be to duplicate Committees and State Government direction.

Tweed Shire Economic Development Strategy

The Strategy has been adopted and under implementation for over two years. An Action Plan was prepared as part of the Strategy which summarised the commitments of both Destination Tweed and Council to delivering the outcomes of the Strategy.

Attachment 1 to this report is a table that reviews the current progress of the Action Plan which is presented as an appendix to the main Strategy.

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 review the priorities and resourcing of the actions identified in the Tweed Shire Economic Development Strategy.

CONCLUSION:

Significant progress and actions accomplished against key Directions in the Strategy. Relationship between Council and the Chambers of Commerce are strong. Council continues to pursue sustainable business outcomes and opportunity that deliver jobs and value add to the broader-economy. It is recommended that Council receive and note this progress report on the Tweed Shire Economic Development Strategy and that once the Joint Organisation and respective Economic Development Committee is established that the Strategy and Directions be reviewed.

COUNCIL IMPLICATIONS:

a. Policy:

Economic Development Strategy
Business Investment Policy
Telecommunications Infrastructure Action Plan

b. Budget/Long Term Financial Plan:

Annual Economic Development budget of \$1.2 million, encompassing Destination Tweed Contract, Airfield, Saleyards, Business Attraction and Economic Data Modelling.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|---------------|--|
| Attachment 1. | Tweed Economic Development Strategy - Progress Report - August 2016 (ECM4169500) |
| Attachment 2. | Tweed Shire Economic Development Strategy March 2014 (ECM 3328764) |
-

7 [GM-CM] Dissolution of Far North Coast County Council

SUBMITTED BY: General Manager

Validms



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.2 Conserve native flora and fauna and their habitats
 - 4.2.5 Establish and promote a framework for the implementation, continued development and monitoring of vegetation management and planning measures
-

SUMMARY OF REPORT:

This report is to advise Council of correspondence received from NSW Office of Local Government's Acting Chief Executive, Mr Tim Hurst, regarding the outcome of Rous County Council's proposal under section 383 of the Local Government Act 1993 to merge Far North Coast County Council (FNCC), Richmond River County Council (RRCC) and Rous County Council. The basis of the proposal was that FNCC and RRCC be dissolved and their functions transferred to Rous County Council. As a consequence, Tweed Shire Council will no longer be a constituent council of the revised Rous County Council.

The Minister for Local Government recommended the proposal to the Governor and a proclamation was subsequently made to effect the merger on 1 July 2016. The operation of the proclamation will reinstate Tweed Shire Council as the local control authority for its area under the *Noxious Weeds Act 1993* effective 1 July 2016.

This report also discusses the way forward for the continuation of the Noxious Weeds Program within Tweed Shire, including the formulation and finalisation of an appropriate performance based Service Level Agreement with Rous County Council and the associated Delegations of Authority that are necessary to enable the Service Level Agreement to function.

RECOMMENDATION:

That Council:

1. **Receives and notes this report.**
2. **Further notes the Resolution of the Ordinary Council Meeting held 20 August 2015 as follows:**

"Council authorise the General Manager, should the restructure occur, to negotiate a service level agreement with the new entity for the provision of noxious weeds management services for an initial period of two years with a further two year option."

3. **Being a local control authority under the Noxious Weeds Act 1993 (the Act) and pursuant to Section 68 of that Act:**
 - **Delegates to Rous County Council the functions of Tweed Shire Council, as a local control authority, that are capable of being delegated under the Act.**
 - **Delegates to the position of General Manager, Rous County Council the functions of Tweed Shire Council, as a local control authority, that are capable of being delegated under the Act.**
 - **Delegates to the position of Manager Operations, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Sections 12, 18, 18A, 20, 36A, 41, 45 and 64 of the Act.**
 - **Delegates to the position of Manager Weeds Services, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Sections 12, 18, 18A, 20(3), 36A, 45 and 64 of the Act.**
 - **Delegates to the positions of Senior Noxious Weeds Officer, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Section 45 (excluding Section 45(2)(b)) of the Act.**
4. **Advises Rous County Council of its decision.**
5. **Advises the NSW Office of Local Government of its decision.**

REPORT:

At its meeting on 20 August 2015 Council considered a proposal for Structural Reform of Norther Rivers County Councils. In relation to that proposal Council resolved as follows:

- "1. Informs the Minister for Local Government that it supports the proposal to merge Far North Coast County Council, Richmond River County Council and Rous County Council.*
- 2. Council authorise the General Manager, should the restructure occur, to negotiate a service level agreement with the new entity for the provision of noxious weeds management services for an initial period of two years with a further two year option."*

The need for reform of the County Councils was confirmed through various independent external assessments and reports over a number of years. It was proposed that the integration of the counties was the most economic and effective way to rationalise and consolidate three separate administration and governance frameworks into one. Following unanimous agreement for change by member councils in the region as well as from each county council a proposal to merge the counties was prepared and put to the Minister for Local Government in 2014.

Advantages of service level agreement approach

Council identified that there was substantial merit in the three counties merging. In particular it was acknowledged that a service level agreement with the merged entity (Rous County Council) would provide council with the opportunity to enhance its capacity to control its costs and determine and manage service levels with respect to noxious weed services. Council would be able to collaborate closely with Rous County Council and at the same time determine where and how its funds were spent in relation to services delivered in its area.

The former Far North Coast County Council (FNCC) has a long history and proven track record as a local control authority. That substantial depth of experience and expertise within its workforce will be absorbed into the merged entity. The service level agreement approach will enable council to access that expertise and among other things ensure that it meets its obligations as the local control authority for its area under the Noxious Weeds Act 1993.

Negotiations are currently occurring on the content of the Service Level Agreement, and the level of accountability and measurement of outcomes under the fee for service arrangement, which is being framed on the previous council resolution for an initial period of two years, with a further two year option. To enable the Service Level Agreement to be put in place, Council is required to provide a number of Delegations both to Rous County Council as an entity and to nominated staff of Rous County Council required under the Noxious Weeds Act 1993.

Delegation of Authority

Before the dissolution of Far North Coast County Council it was the local control authority under the Noxious Weeds Act for the Tweed Shire Council local government area.

The operation of the proclamation brings with it accountability and responsibility and will reinstate Tweed Shire Council as the local control authority for its area under the Noxious Weeds Act 1993 effective 1 July 2016.

To enable Rous County Council to function and operate as a local control authority under the auspice of the Service Level Agreement, in the Tweed Shire local government area, a delegation of functions is required to be provided by council to Rous County Council, which will ensure continuity in the delivery of regulatory activities provided for under the Noxious Weeds Act 1993.

The proposed delegations are as follows:

Being a local control authority under the Noxious Weeds Act 1993 (the Act) and pursuant to Section 68 of that Act:

- Delegates to Rous County Council the functions of Tweed Shire Council, as a local control authority, that are capable of being delegated under the Act.
- Delegates to the position of General Manager, Rous County Council the functions of Tweed Shire Council, as a local control authority, that are capable of being delegated under the Act.
- Delegates to the position of Manager Operations, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Sections 12, 18, 18A, 20, 36A, 41, 45 and 64 of the Act.
- Delegates to the position of Manager Weeds Services, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Sections 12, 18, 18A, 20(3), 36A, 45 and 64 of the Act.
- Delegates to the positions of Senior Noxious Weeds Officer, Rous County Council the functions of Tweed Shire Council, as a local control authority, under Section 45 (excluding Section 45(2)(b)) of the Act.

Attachment 3 to this report provides a summary of the applicable Sections under the Noxious Weeds Act 1993.

Requirements as to transfer of rights, assets and liabilities

The proclamation effecting the merger includes a mechanism for the transfer of assets, rights and liabilities as a consequence of the merger. In relation to the former FNCC it provides as follows: *'...The assets, rights and liabilities of the former Far North Coast County Council are transferred to Rous County Council or Kyogle Council or Tweed Shire Council as determined by agreement between Rous County Council, Kyogle Council and Tweed Shire Council'*.

Where the councils are unable to agree '...then any one or more of them may apply to the Minister to determine the assets, rights and liabilities of Far North Coast County Council that are to be transferred from Far North Coast County Council to any of them'.

It is important that council progress discussions regarding this matter. However it is proposed that the priority action at this point is to finalise the service level agreement and establish certainty of service continuity as early in the new financial year as possible. Following completion of that action attention should then turn to the matter of asset transfer.

A further outcome of the dissolving of Far North Coast County Council is that council is no longer required to appoint a delegate to the County Council.

OPTIONS:

That Council proceeds with the previous decision of establishing a performance based Service Level Agreement with Rous County Council for the Noxious Weeds Program in Tweed Shire and the provision of appropriate delegations.

CONCLUSION:

That Council:

1. Receives and notes this report.
2. Further notes the Resolution of the Ordinary Council Meeting held 20 August 2015 as follows:

"Council authorise the General Manager, should the restructure occur, to negotiate a service level agreement with the new entity for the provision of noxious weeds management services for an initial period of two years with a further two year option."

3. Provides the appropriate delegations – as per the Action recommended
4. Advise Rous County Council of its decision.
5. Advise the NSW Office of Local Government of its decision.

COUNCIL IMPLICATIONS:

a. Policy:

Ramifications of the Dissolution of Far North Coast County Council now need to be considered including the establishment of a performance based Service Level Agreement with Rous County Council for continuation of the noxious weeds program.

b. Budget/Long Term Financial Plan:

The 2016/2017 budget has made allowance for an amount of \$176,167 to be expended for the control of Noxious Weeds. It is proposed that these funds will be reallocated for the purpose of service delivery under the proposed performance based service level agreement, which in year one is estimated to be \$158,600 ex GST.

c. Legal:

In accordance with the proclamation of dissolution of Far North Coast County Council.

d. Communication/Engagement:

Inform - We will keep you informed.

A Councillor Workshop was conducted on 28 July 2016 to discuss the process required resulting from the dissolving of Far North Coast County Council.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- Attachment 1. Advice from the Office of Local Government regarding the dissolution of Far North County Council (ECM4110327)
- Attachment 2. Proclamation advising of Dissolution of Far North Coast Council (ECM4117194)
- Attachment 3. Applicable Sections of the Noxious Weeds Act 1993 (ECM4164411).
-

8 [GM-CM] Joint Organisation Proposed Model

SUBMITTED BY: General Manager

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

At the Northern Rivers Regional Organisation of Councils (NOROC) meeting held on 5 August 2016 an item on the Joint Organisation Proposed Model was discussed and given the timing of the likely submission, the General Managers were requested, if required, to apply on behalf of NOROC.

RECOMMENDATION:

That:

- 1. This report on the Joint Organisation Proposed Model be received and noted.**
- 2. Should Expressions of Interest for early starter/pilot Joint Organisations be called for before the November Northern Rivers Regional Organisation of Councils (NOROC) meeting, the General Managers of member councils will apply on NOROC's behalf.**
- 3. The General Managers have the authority to write a submission on Northern Rivers Regional Organisation of Council's (NOROC) behalf.**

REPORT:

At the Northern Rivers Regional Organisation of Councils (NOROC) meeting on Friday 5 August 2016, the following information was considered with reference to the proposed Joint Organisation.

On 8 June 2016 the Office of Local Government published a discussion paper seeking feedback on the Joint Organisation (JO) model that has been developed through the pilot process. The proposed JO model accounts for:

Legal entity

- JOs will be proclaimed as bodies corporate in the Local Government Act

Functions

- Core functions being regional strategic planning and priority setting, intergovernmental collaboration and regional leadership and advocacy, will be embedded in legislation.
- Optional functions such as service delivery and capacity building will be enabled but not prescribed by legislation.

Membership

- Mayors will sit on the JO Board for the term of their office.
- JO Board will appoint the Chair.
- Equal voting rights and no casting vote for the Chair.
- Additional councillors may be appointed to the JO Board provided representation is equal among councils.
- General Managers will advise the JO Board
- NSW Government representative (DPC) will be associate (non-voting) member.
- Other organisations such as county councils, cross-border partners may be associate (non-voting) members.

Boundaries

- All councils in regional and rural NSW will be a voting member of a JO.
- JO boundaries will align with or nest within State Government Regional Plan boundaries.
- JOs will demonstrate a strong community of interest between member councils.
- JOs will be based around a regional centre, where possible, and be big enough to form partnerships.

Resourcing

- \$300,000 (one-off) funding
- Able to apply for grants and generate income.
- Executive Officer with appropriate skills under flexible, standard contract.
- Staff employed under LG Award.
- Service Sharing and Capacity Building
- Once core JO model is established JOs will be able to carry out optional functions such as shared service deliver through JO-formed corporations or other entities.
- JOs may choose to carry out optional functions directly or through member councils

Submissions on the proposed JO model were called for with feedback directed via a series of questions. It should be noted that Council submitted a response online on 15 July 2016.

The NOROC General Managers have also subsequently provided comments which are included in Attachment 1 to this report.

OPTIONS:

As per the recommendation that:

1. This report be noted.
2. Should Expressions of Interest for early starter/pilot Joint Organisations be called for before the November NOROC meeting, the General Managers of member councils will apply on NOROC's behalf.
3. The General Managers have the authority to write a submission on NOROC's behalf.

CONCLUSION:

The Office of Local Government has advised it will be calling for Expressions of Interest (EOI) for two "early starter" Joint Organisations but the timeframe for this has not been confirmed. Should the call for EOIs happen between the September election and NOROC's November meeting, it has been determined by NOROC to give the General Managers authority to write a submission on behalf of member councils, and this should be endorsed by council.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

In accordance with legislation affecting Joint Organisations.

b. Budget/Long Term Financial Plan:

Allowance will be made in the budget for any expenditure associated with the Joint Organisation.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

NOROC Joint Organisations Background Paper - Feedback Form (ECM 4172513)

9 [GM-CM] Business Investment Policy - Version 2.0

SUBMITTED BY: General Manager



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:

On 16 June 2016 Council resolved to place the draft Business Investment Policy Version 2 on public exhibition. The 42 day exhibition period closed on 8 August 2016. There were four submissions. All the submissions were considered positive, supportive and constructive. Minor changes have been made as a result of one of the submissions.

This report reviews the draft policy and the public submissions and recommends that Council adopt the draft policy.

RECOMMENDATION:

That Council nominates the General Manager to determine a commencement date of the Business Investment Policy v.2.0 after all amendments to the relevant S.94 Developer Contribution Plans have been amended to bring this Policy into force.

REPORT:

Background

Council adopted the Business Investment Policy (Version 1) on 16 May 2013. This Policy has proven successful since its adoption. The draft exhibit provided an opportunity to review the policy to bring all of Council's business incentives and discounts into a central document. Thereby simplifying and streamlining the application process for business. The review has also clearly provided those discounts applicable to different business tiers, with the greatest incentives for small business.

This review process has involved a working group which includes:

- General Manager
- Director Engineering
- Director Planning and Regulation
- Manager Development Assessment and Compliance
- Manager Roads and Stormwater
- Coordinator - Strategy and Business Management
- Corporate and Economic Planner

The draft Policy consolidates and aligns all existing discounts, deferrals and deferral exemptions currently in force in all S.94 plans which impact on commercial development. It also establishes the initial eligibility criteria for the new High Consumption Charge.

The revised policy has been broken into four major areas, identified in the diagram below. Each of these areas has been tailored towards a specific size and capacity of business.



In reviewing the existing policy numerous issues have arisen in respect to its operations. This revised draft exhibited Policy has been changed to prevent these issues from arising. Summarised these changes include;

- Better consolidation for Security Over Assets
- Review of Agreements (only enter into agreement with applicant)
- Inclusion of Bankruptcy, ABN, ATO checks
- Deferred payment minimum contribution \$20,000
- Revised definition and cut offs for Eligible Business Enterprises

Exhibition

On 16 June 2016 Council considered the changes to the existing Business Investment Policy presented as a revised draft version of the Policy. This was called Draft Business Investment Policy – version 2. It was resolved that the draft be placed on exhibition. In accordance with the Local Government Act the draft was exhibited for 28 days (27 June to 25 July 2016) and submissions were received for 42 days (27 June to 8 August).

A formal public notice of the draft was published in the Tweed Link which is distributed freely across the Tweed Shire and a press release was also issued to local media outlets. A link to the exhibition web site was forwarded to the NSW Business Chamber, local business chambers, local planning consultancies RDA Northern Rivers, Destination Tweed, NORTEC, and the NSW Department of Industry.

Submissions

During the submission period four submissions were received, two from local businesses, one from RDA Northern Rivers and one from the Tweed Chamber of Commerce and Industry. Below is a summary of these submissions and comments from Council officers.

Submitter	Submission	Officers Comments
Regional Development Australia - Northern Rivers.	<i>"The small business incentive discount for the Tweed Roads Contribution Plan is a welcome relief for new micro-businesses and small business".</i>	Noted.
Business 1.	Consider stronger language in the Objectives and Background and incorporate more direct objectives.	The Objectives and Background section have been revised.
	Better alignment of the Policy to the Economic Development Strategy.	The Policy specifically does not reference the Economic Development Strategy as this document was adopted in 2014 and has a finite life before it will be due for renewal. All references in the Policy are to the Community Strategic Plan. This document articulates Council's overarching focus for economic development.
	A return on investment should be established to monitor the successfulness of the Policy.	This is a positive suggestion. The policy will be monitored and reporting of the new policy will include a total value of the discounts made through the Policy. Council will also report on the successfulness of this Policy in its End of Term Report.

Submitter	Submission	Officers Comments
	Definition of "Residential and Tourism Accommodation" is not used in the report but is included in the definitions.	Tourism has been included as a business in the exhibited revision. All residential development remains ineligible. The definition has been revised to better reflect this.
	Document is limited in outline of process.	Additional documentation will be prepared outlining the processes. It is considered inappropriate to confuse a higher level policy document with processes and procedures. It will also allow for the development of these processes to mature as the policy is progressively brought into force. The purpose of a policy document is for Council to set strategic direction. Matters relating to bank guarantees and agreements require Council's approval to enter into and seal these documents. Administrative procedures will be developed once the policy is adopted.
Business 2.	Supportive of the Policy. Good to see supporting jobs and acknowledging small business as a regional economic driver. Also the deferred payments are good alternative for the financing structures of capital investors.	Noted.
Tweed Chamber of Commerce and Industry.	Endorse the draft as it promotes business. It should be seen as a hand up to business start-ups.	Noted.
	The document should be used to promote the Tweed as business friendly.	This has been identified as a priority within Council's work program through its implementation of the Tweed Economic Development Strategy.

Revision of Exhibited Draft

All the submissions were considered positive, supportive and constructive. Minor changes have been made as a result of one of the submissions. Below is a summary of the changes these changes:

- Revised Objectives and Background to incorporate more direct language.
- Revised the definition of "Residential and Tourism Accommodation" to remove reference to tourism.

Subsequently during the exhibition period several minor procedural points have been identified through the Infrastructure Coordination Committee. These have been incorporated into the revised draft and include:

- A note to advise that any discount to Tweed Roads Contributions (TRCP S.94 Plan No. 4) arising from the Eligible Business Enterprise – Small Business Incentive will be in addition to any applicable Employment Generating Incentive (currently 40% discount).
- The Policy will only be available to development approvals after the policy and appropriate modifications to the S.94 Plans have been made and brought into force.
- Other minor grammatical changes and formatting modifications.

These changes have been incorporated into the draft Policy which is attached to this report.

Changes to Developer Contribution Plans (S.94 Plans)

If the Policy is adopted, changes will need to be made to several S.94 developer contribution plans to bring the Policy into force. On 21 July 2016 Council resolved as follows:

- "1. *The following draft Developer Contribution Plans, amended to facilitate the draft Business Investment Policy as detailed in the attached report, be placed on public exhibition for a period of 28 days, in accordance with Environmental Planning and Assessment Regulations:*
 - *CP04 Tweed Road Contribution Plan draft Version 6.3*
 - *CP18 Council Administration Offices and Technical Support Facilities draft Version 2.3*
 - *CP23 Offsite Parking draft Version 2.4*

2. *The exhibited draft CP04 Tweed Road Contribution Plan Version 6.3 also includes amendments to delete heavy haulage contributions, and define gross leasable floor area."*

These S.94 amendments can only be applied once this Policy has been adopted. However the entire incentive package cannot be legally brought into force until Council has adopted both of these proposed policy changes. As a result, this report recommends that this Policy be adopted by Council but not brought into force until such time as the S.94 changes have also been adopted.

OPTIONS:

1. Adopt the draft Policy.
2. Request further amendments to the Policy prior to final adoption.

CONCLUSION:

This report recommends that Draft Business Incentive Policy Version 2.0 be adopted in accordance with the Local Government Act.

COUNCIL IMPLICATIONS:

a. Policy:

Business Investment v1.0.

Economic Development Strategy.

NSW Small Business Friendly Program.

Update of current Business Investment Policy v1.0.

Review incorporates a review of Sections 64 and 94 Contribution Plans.

b. Budget/Long Term Financial Plan:

The Draft Policy provides a variety of discounts to businesses ranging from 40% to 100% on various Contribution Plans. This invariably results in less available funds for infrastructure of which the Plans are designed to fund.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

An initial Councillor workshop was conducted on 2 June 2016. After Council considered the draft Policy on 16 June 2016 the Policy was publicly exhibited for 28 days inviting submissions for 42 days.

A formal public notice of the draft was published in the Tweed Link which is distributed freely across the Tweed Shire and a press release was also issued to local media outlets. A link to the exhibition web site was forwarded to the NSW Business Chamber, local business chambers, local planning consultancies RDA Northern Rivers, Destination Tweed, NORTEC, and the NSW Department of Industry.

An invitation to present the Draft Business Investment Policy was offered to the Business Chambers within Tweed Shire and a copy of the draft Policy has also been provided to the NSW Business Chamber for their information. A press release and a Tweed Link article were published and the General Manager undertook a radio interview with ABC North Coast.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1

Draft Business Investment Policy - Version 2.0 for adoption (ECM4075765).

10 [GM-CM] Tourism Demand Driver Infrastructure Grants Application

SUBMITTED BY: Economic Development

Validms



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:

On 4 July Council was advised by NSW Premier and Cabinet that it would be administering a Commonwealth Government grant for Tourism Demand Driver Infrastructure (TDDI). Through this program the Commonwealth Government provides funding for tourism projects, which must be matched dollar for dollar by the applicant. This funding will support the delivery of tourism infrastructure projects that contribute to NSW's tourism industry by driving demand, improving quality and increasing tourism expenditure.

Two projects have been identified as eligible for consideration for grant funding under the TDDI program. These are;

- **Re-Engineering of Jack Evans Boat Harbour**
The southern foreshore of the Jack Evans Boat Harbour experiences regular episodes of erosion which threaten adjoining park assets and also the environmental and recreational values of the harbour. The proposed re-engineering works will stabilise the foreshore thereby protecting these natural assets.

Matching Council Funds Required: \$100,000

- **Redevelopment of the Murwillumbah Visitor Information Centre**
This project will add an additional deck area adjoining the existing building and the Tweed River. This area would be fitted out as a commercial café.

Matching Council Funds Required: \$250,000

RECOMMENDATION:

That Council allocates:

- \$100,000 from the 2016/2017 economic development budget for the Re-Engineering of Jack Evans Boat Harbour; or**

b) \$250,000 from the 2016/2017 economic development budget for the Redevelopment of the Murwillumbah Visitor Information Centre;

dependant on the success of either of Council's applications to the Tourism Demand Driver Infrastructure Grant.

REPORT:

On 4 July Council was advised by NSW Premier and Cabinet that it would be administering a Commonwealth Government grant for Tourism Demand Driver Infrastructure (TDDI). Through this program the Commonwealth Government provides funding for tourism projects, which must be matched dollar for dollar by the applicant. This funding will support the delivery of tourism infrastructure projects that contribute to NSW's tourism industry by driving demand, improving quality and increasing tourism expenditure.

The following TDDI principles apply:

- *projects must align with one or more of the tourism 2020 strategic areas or to a request by Tourism Ministers;*
- *projects must align strategically with relevant state, regional and destination plans;*
- *jurisdictions must be able to show that projects will demonstrate a return on the Commonwealth Government's investment across the tourism supply chain; and*
- *projects must have funding that matches the Commonwealth Government's contribution, noting that funding may be sourced from either the public or private sector, or a combination of both. In kind contributions are not considered as matching funds.*

The funding available in the 2016-17 round of the TDDI is up to \$4.8 million. Funding of between \$100,000 and \$750,000 (excluding GST), with at least 50% match funding to be provided by the applicant, is available for projects that are to be finalised by 30 June 2017. Projects of greater or lesser value will be considered subject to merit.

Applicants are encouraged to maximise funding support from a range of sources including local and state government, private sector and regional organisations. Note that additional Commonwealth Government funding cannot be used as part of the 'matched funds'. In-kind contributions are not accepted as part of the funding contribution.

Funded projects should create and encourage visitation to a destination and assist the tourism industry in meeting Tourism 2020 targets and NSW's Visitor Economy Industry Action Plan.

Eligible projects include:

"Environmental - the development or enhancement of natural assets such as protected and recreational areas, public spaces such as beaches and parks and walking trails.

Built - such as mixed-used facilities, convention facilities, cultural institutions, entertainment and sporting facilities, city/town precincts and tourist attractions

Transport - such as roads, rail networks, ports and airports.

Enabling - such as tourism networks, plans and feasibility studies, and programs to improve industry capability and capacity (e.g. destination management planning, business planning, workforce development, cultural awareness, digital product development)."

Applications are due 9 August 2016.

Available Projects

Two projects have been identified as eligible for consideration for grant funding under the TDDI program. These are;

- **Re-Engineering of Jack Evans Boat Harbour**
The southern foreshore of the Jack Evans Boat Harbour experiences regular episodes of erosion which threaten adjoining park assets and also the environmental and recreational values of the harbour. The proposed re-engineering works will stabilise the foreshore thereby protecting these natural assets.

Matching Council Funds Required: \$100,000

- **Redevelopment of the Murwillumbah Visitor Information Centre**
This project will add an additional deck area adjoining the existing building and the Tweed River. This area would be fitted out as a commercial café.

Matching Council Funds Required: \$250,000

Both these projects were submitted to the TDDI with matching grant funds from Council to a maximum of \$250,000. Allocation of these funds will come from the existing Economic Development Budget of Council. For Council to continue with the grant applications Council will need to resolve to match these funds in the event that either of the applications are successful.

OPTIONS:

Council has two options available;

1. Resolve to match the grant funds from the Tourism Demand Driver Infrastructure (TDDI) program if either of the projects is successful.
2. Request that the Tourism Demand Driver Infrastructure (TDDI) applications be withdrawn.

CONCLUSION:

This report recommends that Council match the grant funds from the Tourism Demand Driver Infrastructure (TDDI) program if either of the projects is successful.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

The funds to match the Grant Funds will be sourced from the Economic Development budget

c. Legal:
Not Applicable.

d. Communication/Engagement:
Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

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

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

(a) the provisions of:

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

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

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

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

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

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

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

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

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

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

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

11 [PR-CM] 2016/17 Fees and Charges Amendments - Subdivision Approvals

SUBMITTED BY: Development Engineering

Validms



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 Tweed Shire has experienced a major increase in subdivision approval and construction activity over the last 12 to 18 months. Development proponents have acted on seeking approvals from Council and commencing construction on sites across the Shire, predominately along the Tweed Coast, but also in inland areas such as Terranora, Bilambil and Murwillumbah. Proponents of major sites at Cobaki, Kings Forest, Rise Bilambil, Mooball, Dunloe Park are also advancing the rezoning and more detailed technical investigations and approvals required to commence new housing and mixed use developments over a 5 to 10 year horizon, buoyed by a strong property market, low interest lending rates, and generally positive outlook in both the Tweed and Gold Coast housing and construction sectors.

This increased activity has been placing great pressure on the staff resources of Council's planning, development and engineering units, with proponents demanding quicker turnaround times to meet market demands. The Development Engineering Unit, which has responsibility for coordinating the technical assessment of engineering issues for development applications, assessing and inspecting the applications for the construction and hand-over of new infrastructure (including roads, water, sewerage, stormwater, open space), is particularly stretched, with only six staff available to perform such a wide range of critical technical evaluation.

In terms of Council's capacity to respond to these demands, the State Government's continued cap on certain statutory fees for development assessment under the Environmental Planning and Assessment Act, restricts Council's ability to gain a true fee for service. Council has also kept any increases to its non-statutory fees to a relatively modest level. This has meant that the staff numbers of professional officers in the Planning and Regulation Division have generally been restricted over the last two decades.

As a means of balancing the cyclical demands of staff resources for subdivision assessment, whilst still maintaining an efficient level of service to development proponents,

it is therefore proposed to seek endorsement to publicly exhibit amendments to Council's 2016/17 Fees and Charges to enable a modest increase of certain non-statutory subdivision fees, to provide a sufficient additional income source for the Development Engineering Unit to engage the services of an additional engineer, initially on a temporary, limited duration (6 to 12 month), or contractual basis.

RECOMMENDATION:

That Council endorse:

- The public exhibition of an amendment to Council's 2016/17 Fees and Charges for those items identified in Figure 1 below for a period of 28 days:**

Figure 1:

Item	Activity/Function	Title of Fee/Charge	Fee of Charge Levied 2016/2017 \$	Proposed 20% Increase \$	Est. Yield \$
23	Subdivision Related Certificates	(a) Construction Certificate Application Fee			
		Urban (per standard sized lot)	494.00	592.00	
		Rural (per lot)	420.00	504.00	
		Other circumstances (per hour). Invoices to be issued after 15 hours of assessment or sooner if the total assessment is less than 15 hours	163.00	195.00	
		(b) Construction Certificates amendment fee (per hour). Invoices to be issued after 15 hours of assessment or sooner if total assessment is less than 15 hours.	163.00	195.00	
		(c) Construction Certificate Application Fee (bulk earthworks only)			
		Urban (per lot)	263.00	315.00	
		Rural (per lot)	210.00	252.00	
		(d) Construction Certificate Application Fee (civil works only)			
		Urban (per lot)	315.00	378.00	
		Rural (per lot)	273.00	327.00	
		(e) Compliance Certificates (per hour - minimum 1 hour - NOT payable at time of lodgement)	163.00	195.00	
		(f) Subdivision Certificate (per lot)	242.00	290.00	

Item	Activity/Function	Title of Fee/Charge	Fee of Charge Levied 2016/2017 \$	Proposed 20% Increase \$	Est. Yield \$
		(g) 1% Compliance Bond - refundable upon registration of linen plan (minimum charge)	2310.00	2772.00	
		(h) 5% Maintenance bond - refundable after 6 month performance (minimum charge)	2310.00	2772.00	
		(i) Off-maintenance Inspection			
		(i) 0-5 lots	315.00	378.00	
		(ii) 5 + lots	630.00	756.00	
		(iii) Off maintenance re-inspection fee (per hour)	163.00	195.00	
		(j) Registration and Archiving - Certificates submitted by accredited certifiers (Statutory Fee)			
		Complying Development Certificate	36.00	43.00	
		Construction Certificate	36.00	43.00	
		Subdivision & Strata Subdivision Certificate	36.00	43.00	
		(k) Works as Executed	620.00	744.00	
		(l) Hire of Water Meter	\$10 per hour or \$70 per day	10 per hour or \$70 per day	
		(m) Plan re-certification	368.00	441.00	
		(n) Assessment of Specific Conditions of Consent if requested by the PCA. Invoices to be issued after 15 hours of assessment or after 3 months	163.00	195.00	
		(o) Construction Certificate (water supply and sewer infrastructure only) - per lot	252.00	302.00	
24	Bank Guarantee Administration Fee	Bank Guarantee received in conjunction with development application - administration & acceptance fee	263.00	315.00	

2. A report be submitted back to Council following the public exhibition.

REPORT:

Background – Increased Development Activity

The Tweed Shire has experienced a major increase in subdivision approval and construction activity over the last 12 to 18 months. Development proponents have acted on seeking approvals from Council and commencing construction on sites across the Shire, predominately along the Tweed Coast, but also in inland areas such as Terranora, Bilambil and Murwillumbah. Proponents of major sites at Cobaki, Kings Forest, Rise Bilambil, Mooball, Dunloe Park are also advancing the rezoning and more detailed technical investigations and approvals required to commence new housing and mixed use developments over a 5 to 10 year horizon, buoyed by a strong property market, low interest lending rates, and generally positive outlook in both the Tweed and Gold Coast housing and construction sectors.

Some of the main activity occurring at the moment is summarised below:

- *Fraser Drive Homestead Estate* – 86 lot residential subdivision. Internal road construction works and Fraser Drive roadworks are expected to be completed by October 2016. The developer intends to commence the subdivision certificate process which is the final step of the subdivision prior to creation of new titles. Allotments will be available for settlement after October 2016.
- *Dunes Subdivision, Kingscliff* - 50 lot residential subdivision. Bulk earthworks including significant importation of fill material and retaining wall are now complete. Construction of a major roundabout in Kingscliff Street along with the installation of underground services such as water mains, sewer pipes and stormwater drainage is well advanced. Internal road construction is also complete. Allotments will be available for settlement before the end of 2016.
- *Altitude Aspire (Area E)* - The bulk earthworks are now well under construction. The Construction Certificate for the stage 1 civil works (43 lots) has been recently approved by Council with construction of public infrastructure such as roads, sewer and water supply to commence immediately.
- *Highway Service Centre (Northbound), Chinderah*. Construction works associated with stormwater drainage, water supply works and bulk earthworks are proceeding. Subgrade stabilisation works and concrete encasement of Council's existing 600mm diameter water main is complete. Traffic will soon be deviated off Tweed Valley Way onto the temporary slip lane to facilitate completion of the roundabout. Works on the M1 off ramp are well advanced and the developer has advised that they plan to open the centre before Christmas 2016.
- *Riva Vue Estate stage 5* – 15 lot residential subdivision. Construction of the subdivision is nearing completion. It is expected that Rous River Way will be reopened to traffic in approximately two (2) weeks.
- *Terranora Village stage 17A* – 12 lot residential subdivision. Bulk earthworks are continuing with the commencement of civil works expected in September 2016.

- *Casuarina Health Retreat* – 21 lot residential subdivision. Filling operations are now complete and the installation of essential services such as sewer, stormwater drainage and water reticulation have commenced.
- *Willow Avenue* – 11 lot residential subdivision. Filling, road widening and the installation of public infrastructure is nearing completion. It is anticipated that the preparation of plans of subdivision for the creation of title will commence soon.
- *Collier Street* - 40 lot residential subdivision. Assessment of the Construction Certificate is now well advanced. The applicant is currently preparing various management plans for Council assessment.

The Funding of Additional Staff Resources

This increased activity has been placing great pressure on the staff resources of Council's planning, development and engineering units, with proponents demanding quicker turnaround times to meet market demands. The Development Engineering Unit, which has responsibility for coordinating the technical assessment of engineering issues for development applications, assessing and inspecting the applications for the construction and hand-over of new infrastructure (including roads, water, sewerage, stormwater, open space), is particularly stretched, with only six staff available to perform such a wide range of critical technical evaluation.

In terms of Council's capacity to respond to these demands, the State Government's continued cap on certain statutory fees for development assessment under the Environmental Planning and Assessment Act, restricts Council's ability to gain a true fee for service. Council has also kept any increases to its non-statutory fees to a relatively modest level. This has meant that the staff numbers of professional officers in the Planning and Regulation Division have generally been restricted over the last two decades.

As a means of balancing the cyclical demands of staff resources for subdivision assessment, whilst still maintaining an efficient level of service to development proponents, it is therefore proposed to seek endorsement to publicly exhibit amendments to Council's 2016/17 Fees and Charges to enable a modest increase of certain non-statutory subdivision fees, to provide a sufficient additional income source for the Development Engineering Unit to engage the services of an additional engineer, initially on a temporary, limited duration (6 to 12 month) basis.

Council's Coordinator Development Engineering has prepared the following proposal to increase certain non-statutory subdivision 2016/17 Fees and Charges to fund additional staff resources:

Assumptions:

1. *Average number of lots created over a 5 year period – 300 lots/year*

2016/17 fee for Construction Certificate	\$494/lot x 300 =	\$148,000
Inspections (\$163/hr) equivalent to \$335/lot	\$335/lot x 300 =	\$100,500
2016/17 fee for Subdivision Certificate	\$242/lot x 300 =	\$72,600
Total		\$321,000

Need to increase fees by approximately 20% to fund this position

Proposed new fee structure

Construction Certificate (20% increase)	\$592/lot x 300 =	\$177,600
Inspections (\$195/hr) (20% increase)	\$402/lot x 300 =	\$120,600
Subdivision Certificate (20% increase)	\$290/lot x 300 =	\$87,000
Total		\$385,200

Increased income **\$64,200**

It is proposed that the additional income could fund either a contractor or temporary, limited duration development engineer position, and would be reviewed annually to verify the extent of income received, and the prevailing workloads of the Development Engineering Unit.

It is therefore proposed to seek endorsement to publicly exhibit amendments to Council's 2016/17 Fees and Charges.

OPTIONS:

1. That the amended fees for Items 23 and 24 be publicly exhibited for 28 days; or
2. That the amended fees for Items 23 and 24 not be publicly exhibited for 28 days.

CONCLUSION:

These amended fees should be publicly exhibited for 28 days.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

The projected annual income resulting from the proposed increase in Fees and Charges is \$64,200. It is proposed that the additional income could fund either a contractor or temporary, limited duration development engineer position, and would be reviewed annually to verify the extent of income received, and the prevailing workloads of the Development Engineering Unit.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed. The amended fees for Items 23 and 24 will be publicly exhibited for 28 days.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

12 [CNR-CM] Expressions of Interest to conduct water based activities at Jack Evans Boat Harbour

SUBMITTED BY: Recreation Services

Validms



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
 - 3.1 Expand employment, tourism and education opportunities
 - 3.1.4 Market the Tweed as a destination for business and tourism
-

SUMMARY OF REPORT:

At its meeting held 21 April 2016, Council considered a report regarding a request for a letter of support to establish a recreation facility (inflatable aqua park) (aquaSplash) for a trial period in Jack Evans Boat Harbour between November 2016 and March 2017. This report specifically addresses B iii of that resolution:

"B. The General Manager advises the firm aquaSplash in writing of the following:

- iii. Prior to advancing any support for individual proponents such as aquaSplash, Council will need to conduct a Tender process to provide an equitable opportunity for other commercial proponents to use Jack Evans Boat Harbour."*

In accordance with item iii of the resolution an *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour* was advertised, closing 20 July 2016.

At the close of expressions, two submissions were received, both proposing floating inflatable water parks.

RECOMMENDATION:

That:

1. Council either:

- a) Invites both submissions received through the *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour* to

present their proposal to Council with a view that a preferred operator is selected to enter into an agreement with Council to operate; or

- b) Rejects all offers received through the *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour*.

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

REPORT:

At its meeting held 21 April 2016, Council considered a report regarding a request for a letter of support to establish a recreation facility (inflatable aqua park) (aquaSplash) for a trial period in Jack Evans Boat Harbour between November 2016 and March 2017. The resulting resolution is reproduced below:

- "B. The General Manager advises the firm aquaSplash in writing of the following:*
- i. Council generally supports that aquaSplash continue to investigate the concept and any necessary licences/approvals from the Department of Primary Industry – Lands for a trial use at Jack Evans Boat Harbour.*
 - ii. The proposed activity requires development consent from Council and the above support does not pre-empt or fetter any discretion Council exercises for the assessment and determination of a development application or any other statutory function Council has for Jack Evans Boat Harbour.*
 - iii. Prior to advancing any support for individual proponents such as aquaSplash, Council will need to conduct a Tender process to provide an equitable opportunity for other commercial proponents to use Jack Evans Boat Harbour.*
 - iv. Any future development application submitted to Council must include but not be limited to the following:*
 - a. Evidence of consultation with residents of Seascape, Twin Towns, Centro Shopping Centre, Tweed Heads Residents Association, Tweed Heads Chamber of Commerce and Big Trev Water Sports.*
 - b. The trial is to commence after 7 November 2016 and finish no later than 15 March 2017.*
 - c. An acoustic report undertaken by an acoustic consultant.*
 - d. A report from a suitably qualified ecologist or marine biologist assessing the impacts on the waterway including water quality monitoring for the duration of the trial and recommended mitigation measures if required.*
 - e. Car parking and traffic analysis.*
 - f. The colour of the inflatable aqua park be limited to blue and green.*
 - g. The aqua park application is to demonstrate how it will not hinder the fireworks display on New Year's Eve."*

In accordance with item iii of the resolution an *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour* was advertised, closing 20 July 2016. Attachment 1 provides a copy of the Expression of Interest documentation as advertised.

At the close of expressions, two submissions were received, both proposing floating inflatable water parks.

Should Council support the concept of a floating inflatable fun park in Jack Evans Boat harbour, it is recommended that the both proponents be invited to present their proposal to Council.

OPTIONS:

1. That Council invites both submissions received through the *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour* to present their proposal to Council with a view that a preferred operator is selected to enter into an agreement with Council to operate.
2. That Council rejects all offers received through the *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour*.

CONCLUSION:

The Request for Offer process was treated as a process to provide bidders with the opportunity to present their creative ideas relating to the use of Jack Evans Boat Harbour to Council for consideration.

The intent of the evaluation process was to compare proposal for varying activities for Council to consider and approve those it considered appropriate for further progression. As both bidders are proposing the same activity, no comparative evaluation is required at this stage of the process.

Should Council support the concept of a floating fun park in Jack Evans Boat Harbour, the recommended process is to invite the two proponents that lodged submissions to provide a presentation to Council from which an agreement will be negotiated with the preferred operator.

If Council does not support the concept of a floating fun park in Jack Evans Boat Harbour, it can reject all submissions received through the *Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour*.

It is also noted that Council will be commencing a tender process for non-motorised aquatic hire operations in August 2016 that will include Jack Evans Boat Harbour.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Potential income from activity licence fee.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

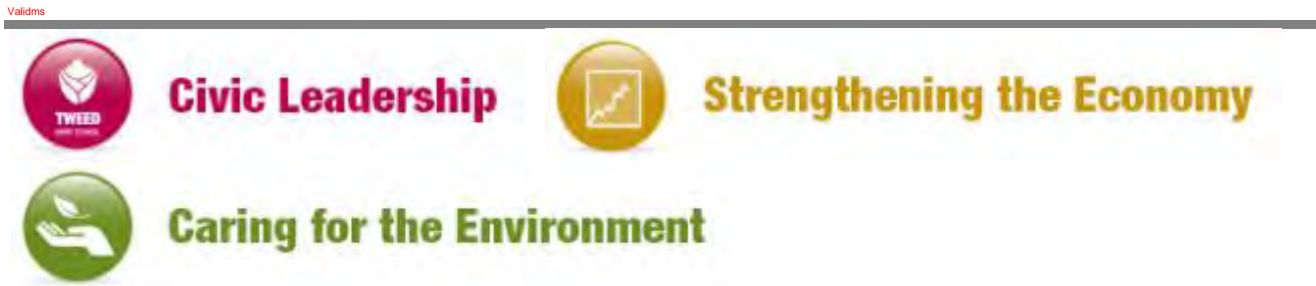
UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1 RFO2016103: Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour (ECM 4173165)

(Confidential) Attachment 2. Offer Evaluation - RFO2016103: Expressions of Interest: Licence to conduct water-based activities on Jack Evans Boat Harbour (ECM 4159613)

13 [CNR-CM] Submissions to proposed NSW government biodiversity legislation reforms

SUBMITTED BY: Natural Resource Management



LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.5 Manage and plan for a balance between population growth, urban development and environmental protection and the retention of economical viable agriculture land
- 3 Strengthening the Economy
- 3.3 Maintain and enhance the Tweed lifestyle and environmental qualities as an attraction to business and tourism
- 4 Caring for the Environment
- 4.1 Protect the environment and natural beauty of the Tweed
- 4.2 Conserve native flora and fauna and their habitats

SUMMARY OF REPORT:

The NSW State Government released draft legislation and supporting information in May 2016 seeking comment on proposed reforms to biodiversity and land management legislation.

The proposed reforms include the Draft Biodiversity Conservation Bill 2016 and Draft Local Land Services Amendment Bill 2016 and associated Codes of Practice and Biodiversity Assessment Method. The reforms propose the repeal of the *Threatened Species Conservation Act 1995*, *Native Vegetation Act 2003*, *Nature Conservation Trust Act 2001* and parts of the *National Parks and Wildlife Act 1974*.

Council staff analysed the proposed reforms, attended consultation events and prepared a detailed technical submission. Council staff also contributed significantly to a submission made by the Northern Regional Organisation of Councils and provided content for the Local Government New South Wales submission.

All submissions identified significant adverse implications for biodiversity and local government in New South Wales and that the nature and extent of consultation was inadequate in relation to the significance of the proposed reforms.

Copies of the Tweed Shire Council and Northern Regional Organisation of Councils submissions are attached.

RECOMMENDATION:

That Council receives and notes the Tweed Shire Council and Northern Regional Organisation of Councils submissions to the NSW State Government proposed land management and biodiversity legislation reforms.

REPORT:

The NSW State Government released draft legislation and supporting information in May 2016 seeking comment on proposed reforms to biodiversity and land management legislation.

The proposed reforms include the Draft Biodiversity Conservation Bill 2016 and Draft Local Land Services Amendment Bill 2016 and associated Codes of Practice and Biodiversity Assessment Method. The reforms propose the repeal of the *Threatened Species Conservation Act 1995*, *Native Vegetation Act 2003*, *Nature Conservation Trust Act 2001* and parts of the *National Parks and Wildlife Act 1974*.

Council staff analysed the proposed reforms, attended consultation events and prepared a detailed technical submission. Council staff also contributed significantly to a submission made by the Northern Regional Organisation of Councils and provided content for the Local Government New South Wales submission.

All submissions identified significant adverse implications for biodiversity and local government in New South Wales and that the nature and extent of consultation was inadequate in relation to the significance of the proposed reforms.

Review of the draft legislation also identified key concerns regarding the significant complexity of the proposed changes to interfere with the legitimate strategic planning functions of councils including their ability to implement development control policies that properly reflect the desires of their local communities was also identified. Similarly, the one size fits all approach is noted as not taking adequate account of council zoning or zone objectives and therefore being in conflict with the stated aim of facilitating ecologically sustainable development.

Copies of the Tweed Shire Council and Northern Regional Organisation of Councils submissions are attached for Council to receive and note.

OPTIONS:

That Council receives and notes the submissions provided to the NSW state government as part of the consultation on proposed biodiversity legislation reforms.

CONCLUSION:

Copies of the Tweed Shire Council and Northern Regional Organisation of Councils submissions on the NSW state government proposed biodiversity legislation reforms are attached for Council to receive and note.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Not Applicable

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Inform - We will keep you informed.

This report provides the technical submissions prepared by Council staff in response to NSW state government consultation on proposed biodiversity legislation reforms. Staff engaged with peers throughout Northern Rivers Regional Organisation of Councils, Local Government New South Wales and relevant agency staff within the available timeframe to prepare the submissions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Tweed Shire Council Submission – Proposed Biodiversity Reforms (ECM 4159155)

Attachment 2. Northern Regional Organisation of Councils Submission – Proposed Biodiversity Reforms (ECM 4159161)

14 [CNR-CM] NSW Environmental Trust grant 'Investing in the future of Pottsville's Koalas

SUBMITTED BY: Natural Resource Management

Validms



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
-

SUMMARY OF REPORT:

Council has been awarded a \$99,285 grant from the New South Wales (NSW) Government's Environmental Trust for a project entitled '2015/SL/0065: Investing in the future of Pottsville's Koalas'. In accordance with the application, funding of \$33,020 over the three year project period will be contributed from Council's Biodiversity Program.

The Pottsville Wetland provides critical habitat for the declining Tweed Coast koala population. The project will focus on koala habitat restoration and threat abatement, with the aim of fostering the protection and recovery of the koala population at the Pottsville Wetland. Actions will include creation of additional primary koala habitat via koala habitat plantings, restoration of 20 hectares of primary and secondary koala habitat and floodplain Endangered Ecological Communities, and reducing the impact of domestic pets and vertebrate pests on the koala, other susceptible threatened species and Endangered Ecological Communities at this site. These actions will complement similar work Council is undertaking across 268 hectares of its adjoining coastal reserve system at Pottsville.

A range of community engagement activities will be used to encourage the active involvement of neighbours and the broader Tweed community, in an aim to foster a sense of custodianship towards the Pottsville Wetland and its koalas.

RECOMMENDATION:

That Council:

- 1. Accepts the grant offer of \$99,285 from the New South Wales Government's Environmental Trust for the Investing in the future of Pottsville's Koalas project 2015/SL/0065.**
- 2. Votes the expenditure to implement the project until August 2019 and makes the appropriate adjustments in the September 2016 Quarterly Budget Review.**

REPORT:

Council has been awarded a \$99,285 grant from the New South Wales (NSW) Government's Environmental Trust for a project entitled '2015/SL/0065: Investing in the future of Pottsville's Koalas'. In accordance with the application, funding of \$33,020 over the three year project period will be contributed from Council's Biodiversity Program.

The Pottsville Wetland, a 288 hectare Council bushland reserve, provides critical habitat for the declining Tweed Coast koala population. This high conservation value bushland reserve also protects large areas of floodplain Endangered Ecological Communities and provides habitat for a range of threatened flora and fauna species. To the north it connects to Council's coastal koala reserve (Pottsville Environment Park and Koala Beach Bushland Estate) and Cudgen Nature Reserve and to the south it connects to Wooyung and Billinudgel Nature Reserves. Together these reserves function as a significant coastal habitat corridor.

The project will focus on koala habitat restoration and threat abatement at the Pottsville Wetland, with the aim of protecting and recovering the koala population at this site. Actions will include:

- Creation of additional primary koala habitat by planting 1300 koala food trees;
- Restoration of 20 hectares of primary and secondary koala habitat and floodplain Endangered Ecological Communities in accordance with the Pottsville Wetland Restoration Plan;
- Preparation of a site specific Fire Management Plan and creation of 'fire refuge' habitat;
- A program to monitor and control wild dogs, foxes and cats; and
- Measures to reduce the impacts of domestic pets on koalas and other susceptible threatened fauna.

The above actions will benefit a host of threatened species and Endangered Ecological Communities at this site and compliment similar actions Council is undertaking across 268 hectares of its adjoining coastal reserve system at Pottsville.

A range of community engagement activities will be used to encourage the active involvement of neighbours and the broader Tweed community, in an aim to foster a sense of custodianship towards the Pottsville Wetland and its koalas. Actions include:

- Regular community tree planting and maintenance days;
- Involving 'citizen scientists' to undertake bird surveys and record koala sightings;
- Inviting neighbours to participate in the 'Backyard Habitat for Wildlife' program; and
- Encouraging local school participation in promoting the conservation values of the Pottsville Wetland.

OPTIONS:

1. That Council accepts the grant offer of \$99,285 from the New South Wales (NSW) Government Environmental Trust for the project entitled '*Investing in the future of Pottsville's Koalas*'.
2. That Council declines the grant offer of \$99,285 from the New South Wales (NSW) Government Environmental Trust for the project entitled '*Investing in the future of Pottsville's Koalas*'.

CONCLUSION:

Council has been awarded a \$99,285 grant from the NSW Government's Environmental Trust for a project entitled '2015/SL/0065: Investing in the future of Pottsville's Koalas'. In accordance with the application, funding of \$33,020 over the three year project period will be contributed from Council's Biodiversity Program.

The project will significantly contribute to the implementation of actions in Council's Comprehensive Tweed Coast Koala Plan of Management at the Pottsville Wetland, specifically koala habitat restoration, management and abatement of threats (dog attack, fire management) and community engagement in koala conservation. Furthermore, the Tweed community have an expectation that Council will take all efforts to protect and actively recover the koala population. This project will assist in meeting this community expectation.

Therefore it is recommended that Council accepts the NSW Environmental Trust grant offer of \$99,285 for this project and votes the expenditure.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

The total value of the project over the three year period is \$269,000. There is a total cash contribution from Council's Biodiversity Program budget of \$33,020 and in kind contribution in staff time and resources valued at \$136,695. The grant amount is \$99,285.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Communication methods that will be used to promote the project, its aims and events/activities include media releases, Tweed Link articles, newsletter articles, Council's website, mail outs to residents and community groups, field days and events and direct liaison with members of the community.

Community engagement activities that will be used include tree planting and maintenance days, 'citizen science' projects, local school activities and 'Backyard Habitat for Wildlife' program activities.

Project delivery will require regular site visits/inspections and periodic site survey work. The regular presence of Council Officers at the project site enables direct engagement with neighbours and local residents. This helps identify local issues/concerns, assists in gaining project feedback, provides an avenue to disseminate information to the community and also gain valuable local information. It ultimately can assist with encouraging the active involvement of neighbours and local residents in conservation of their public bushland.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Letter of Offer for the grant from NSW Minister of the Environment (ECM 4077597).

REPORTS FROM THE DIRECTOR ENGINEERING

15 [E-CM] RFO2015162 2015/2016 Asphalt Resurfacing Program

SUBMITTED BY: Infrastructure Delivery

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Offer RFO2015162 2015/2016 Asphalt Resurfacing Program was called to engage a suitably qualified and experienced Asphalting Contractor to provide all plant, labour and materials to carry out resurfacing works in various locations within the Tweed Shire.

As per the Council Resolution for Item 13 of the Council Meeting held Thursday 18 February 2016, the offer was awarded to East Coast Asphalt & Concrete Edging Pty Ltd (ABN 51 755 877 285) for the amount of \$1,005,837.08 (exclusive of GST).

The Council Resolution also included that the General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations are reported to Council at finalisation of the contract.

Contract works are now complete and this report details appropriately deemed variations.

RECOMMENDATION:

That, in respect to Contract RFO2015162 2015/2016 Asphalt Resurfacing Program, the total value of variations of \$113,125.68 exclusive of GST, for Contract RFO2015162 2015/2016 Asphalt Resurfacing Program, be received and noted including the following variations:

- **Variation 1 - Works at Uki (Segment 280 Kyogle Road) (\$50,508.00 excl GST)**
- **Variation 2 – Additional Asphalt Tonnage on Contract (\$62,617.68 excl GST)**

REPORT:

Offer RFO2015162 2015/2016 Asphalt Resurfacing Program was called to engage a suitably qualified and experienced Asphalt Contractor to provide all plant, labour and materials to carry out resurfacing works in various locations within the Tweed Shire.

As per the Council Resolution Item for Item 13 of the Council Meeting held Thursday 18 February 2016, the offer was awarded to East Coast Asphalt & Concrete Edging Pty Ltd (ABN 51 755 877 285) for the amount of \$1,005,837.08 (exclusive of GST).

The final contract amount was adjusted to \$1,118,962.76 exclusive of GST due to the following variations to the scope of work:

Variation No.	Description	Amount (excl GST)	Status
1	Additional Works at Uki (Segment 280 Kyogle Road) added to the scope of works	\$50,508.00	Complete Approved
2	Additional Asphalt Tonnage on Contract required to complete the work in accordance with the design.	\$62,617.68	Complete Approved

OPTIONS:

1. Council accepts the recommendations made in this Council Report.
2. Council does not accept the recommendations made in this Council Report.

CONCLUSION:

Contract RFO2015162 was completed for \$1,118,962.76 excl GST.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

The subject variations are within the 2015/2016 Asphalt Resurfacing Program budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

16 [E-CM] Road Closure - Kyogle Road, Byangum

SUBMITTED BY: Design

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Council has received a notice of application to close and purchase sections of Crown road reserves at Byangum from NSW Trade and Investment, Lands Division. Council has been requested to provide its consent or objection to the closure of these sections of public road.

There are three (3) separate sections of road reserve that the applicant proposes to close and purchase as follows:

1. Road reserve running east west and separating Lot 1 in DP 583624 and Lot 1 in DP 183130.
2. Road reserve adjacent to Lot 1 in DP 583624 being part of Kyogle Road at the intersection of Bakers Road.
3. Road reserve separating Lot 95 in DP 755754 from the Tweed River.

Each section of road reserve has been individually assessed based on relevance to Council's Policy on Road Closure and Private Purchase and details of same are contained within the body of this report.

The section of road reserve (1. above) separating Lot 1 in DP 583624 and Lot 1 in DP 183130 complies with Councils Policy on Road Closure and Private Purchase and it is recommended that Council provides its consent to the closure and purchase of this section of Crown road reserve.

The section of road reserve (2. above) adjacent to Lot 1 in D583624 within Kyogle Road does not comply with Council's Policy on Road Closure and Private Purchase and it is recommended that Council objects to the closure and purchase of this section of road reserve.

The closure and private purchase of the section of road reserve (3. above) separating Lot 95 in DP 755754 was considered at Council's meeting of 20 April 2010 and resolved to object to its closure and it is recommended that the original resolution be upheld.

RECOMMENDATION:

That Council:

- 1. Does not object to the closure and private purchase of the Crown road reserve separating Lot 1 DP 583624 and Lot 1 DP 183130.**
- 2. Does object to the closure and private purchase of the section of road reserve adjoining Lot 1 DP 583624 being part of Kyogle Road, and the section of road reserve separating Lot 95 in DP 755754 from the Tweed River.**

REPORT:

Council has received a notice of application to close and purchase sections of Crown road reserve adjacent to Lot 1 DP 583624 and Lot 95 DP 755754 at Byangum from NSW Trade and Investment, Lands Division. Council has been requested to provide its consent or objection to the closure of these sections of public road.

There are three (3) separate sections of road reserve that the applicant proposes to close and purchase as follows:

1. Road reserve running east west and separating Lot 1 in DP 583624 and Lot 1 in DP 183130, both properties are currently in the same ownership. Refer to Diagram 1.
2. Road reserve adjacent to Lot 1 in DP 583624 being part of Kyogle Road at the intersection of Bakers Road. Refer to Diagram 2.
3. Road reserve separating Lot 95 in DP 755754 and the Tweed River. Refer to Diagram 3.

Each section of road reserve has been individually assessed based on relevance to Council's Policy on Road Closure and Private Purchase.

Diagram 1 – Road separating Lot 1 DP 583624 and Lot 1 DP 183130



The section of road referred to in Diagram 1 separating Lot 1 in DP 583624 and Lot 1 in DP 183130 is an unformed section of Crown road reserve and contains no Council or other public infrastructure or environmental impacts. The closure of this section of road reserve does not remove the potential for future access to or create any detrimental impact on any adjoining or surrounding properties.

The closure of this section of road reserve complies with Council's Policy on Road Closure and Private Purchase in that it meets the exemption requirements which state:

"Application will be considered for closure of roads which are demonstrably redundant in terms of access if not otherwise ineligible. The road does not fall into any of the categories which would potentially make it ineligible."

Diagram 2 – Road reserve adjacent to Lot 1 DP 583624 being part of Kyogle Road



The section of road reserve referred to in Diagram 2 which is adjacent to Lot 1 in DP 583624 and within Kyogle Road is considered to be Council public road reserve.

The closure of this section of public road reserve does not comply with Council's policy on Road Closure and Private Purchase and closure of this section of road reserve is not supported as it provides the potential for future road realignment and widening at the intersection of Kyogle Road and Bakers Road, Byangum. The road also adjoins the Tweed River and provides Council with the opportunity for direct access to complete riverbank rehabilitation that has been identified in this area as required. See Attachment 4.

Diagram 3 – Road reserve separating Lot 95 DP 755754 from the Tweed River



The section of road reserve referred to in Diagram 3 separating Lot 95 in DP 755754 from the Tweed River was considered by Council at its meeting of 20 April 2010 and it was resolved that:

"Council objects to the closure and purchase by the applicant of the section of Crown road reserve which runs along the eastern boundary of Lot 4 DP 705636 and Crown road separating Lot 95 from the Tweed River at Eungella and Byangum." (See Attachment 1.).

A further report was considered at Council's meeting of 16 May 2013 after a request was received from the applicant for reassessment of the application and withdrawal of Council's objection in relation to the section of road reserve along the eastern boundary of Lot 4 DP 705636. (See Attachment 2.).

The reassessment was based on information provided by the applicant noting the considerable damage and deterioration of the road reserve and adjoining riverbank. The applicant requested that the road reserve be considered for closure to allow him to work together with Council and obtain assistance with the riverbank rehabilitation works through the River Health grants program. It was resolved at the meeting that Council:

"Withdraws the original objection as resolved in its meeting of 20 April 2010 to the closure and purchase by the applicant of the Crown Road reserve which runs along the eastern boundary of Lot 4 in DP 705636."

At the time Council was not requested to, nor did it, withdraw its original objection to the closure of the section of road reserve separating Lot 95 in DP 755754 from the Tweed River.

Council met with the applicant onsite in July 2010 and then in correspondence dated 4 October 2013 agreed to provide assistance for the rehabilitation works required to arrest

ongoing bank erosion. The applicant has to date not addressed or completed any rehabilitation works within the identified area of Lot 4 DP 705636 and as such, it would be Council's opinion that the riverbank continues to be affected by ongoing erosion.

In regards to the current request before Council for the private purchase of the Crown road reserve adjacent to Lot 95 in DP 755754, the land in question, combined with adjoining public land holdings provides the opportunity for Council with direct access to complete riverbank rehabilitation that has been identified in this area. It is recommended that this land remain in Public ownership.

OPTIONS:

1. Council does not object to the closure and private purchase of the Crown road reserve separating Lot 1 DP 583624 and Lot 1 DP 183130 however it does object to the closure and private purchase of the section of road reserve adjoining Lot 1 DP 583624 being part of Kyogle road, and the section of road reserve separating Lot 95 in DP 755754 from the Tweed River.
2. Council does not object to the closure and private purchase of the Crown road reserve separating Lot 1 DP 583624 and Lot 1 DP 183130 or separating Lot 95 in DP 755754 from Tweed River and will consider the closure and private purchase of the section of Council public road reserve adjoining Lot 1 DP 583624 within Kyogle Road upon receipt of an application and associated fees directly to Council.
3. Council objects to the closure and private purchase of the sections of road reserve separating Lot 1 DP 583624 and Lot 1 DP 183130, adjoining Lot 1 DP 583624 within Kyogle Road and separating Lot 95 in DP 755754 from Tweed River.
4. Other combinations of Options 1, 2 and 3.

CONCLUSION:

The section of road reserve separating Lot 1 in DP 583624 and Lot 1 in DP 183130 complies with Council's Policy on Road Closure and Private Purchase and it would be recommended that Council provides its consent to the closure and purchase of this section of Crown road reserve by the applicant.

The section of road reserve adjacent to Lot 1 in DP 583624 within Kyogle Road does not comply with Council's Policy on Road Closure and Private Purchase and it would be recommended that Council objects to the closure and purchase of this section of road reserve by the applicant.

The closure and private purchase of the section of road reserve separating Lot 95 in DP 755754 was considered at Council's meeting of 20 April 2010 and resolved to object to the closure and it is recommended that the original resolution be upheld.

COUNCIL IMPLICATIONS:

a. Policy:

Road Closures and Private Purchase v1.2.

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.

Community / Engagement selection is not applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|---------------|---|
| Attachment 1. | Council Report dated 20 April 2010 (ECM 2249316). |
| Attachment 2. | Council Report dated 16 May 2013 (ECM 3062228). |
| Attachment 3. | Email from Department of Primary Industries - Lands dated 27 June 2016 (ECM 4116115). |
| Attachment 4. | Council's letter to landowner dated 4 October 2013 (ECM 3186225). |
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17 [E-CM] Further Development of the Tweed Valley Rail Trail

SUBMITTED BY: Roads and Stormwater

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Item 25 of the ordinary Council meeting held Thursday 21 July 2016 resolved to rank the Northern Rivers Rail Trail as Council's number one priority project in a submission to Regional Development Australia - Northern Rivers.

Approximately \$207,000 remains in a budget allocation towards the Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery). This Pilot Project is now 'shovel ready'. Nothing further can be done on this small section until the NSW State Government grants approval to the rail trail project.

To improve the project's case for securing major grant funding, this report proposes that the remaining funds allocated towards the Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery) be reallocated to general rail trail development. This will enable the funds to be used to complete detailed design and obtain planning approval for the Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek) which is now the priority rail trail project.

RECOMMENDATION:

That the remaining funds allocated towards the Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery) be reallocated to general rail trail project development in the September 2016 Quarterly Budget Review.

REPORT:

Item 25 of the ordinary Council meeting held Thursday 21 July 2016 resolved to rank the Northern Rivers Rail Trail as Council's number one priority project in a submission to Regional Development Australia - Northern Rivers.

In the 2014/15 budget, \$275,000 was allocated towards a Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery) (Delivery Program Item 2.4.3.4). Of this, approximately \$207,000 remains.

The Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery) is now 'shovel ready'. Nothing further can be done on this section until the NSW State Government grants approval to the rail trail project. Therefore, the remaining \$207,000 budget allocation has not been spent and sat idle for some time.

In 2015, with Council's endorsement (see item a37 of ordinary meeting 19 March 2015), Council officers collaborated with officers from the three other Councils on the Casino to Murwillumbah rail corridor, and local community group Northern Rivers Rail Trail Inc., to submit an expression of interest under Restart NSW's Regional Tourism Infrastructure Fund - Rail Trails. This application was unsuccessful; however, the feedback received indicated that a proposal such as the Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek) would be better placed to receive support and funding. Therefore, the Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek) was initiated and is now the priority rail trail project.

In early 2016, submissions were made to the NSW State Government and the Federal Governments National Stronger Regions Fund program. The submissions proposed, and requested funding for, the establishment of the Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek). No response has been received to date.

This report proposes that the remaining funds allocated towards the Pilot Rail Trail Project (Murwillumbah to Tweed Regional Gallery) be reallocated to general rail trail development enabling them to be used to progress the Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek) which is now the priority rail trail project. This will facilitate detailed design, survey, approvals and other preliminaries to further strengthen the case for establishment of a rail trail in future consultation with, or grant applications to, the State and Federal Governments.

OPTIONS:

1. Reallocate the remaining funds dedicated to the Murwillumbah to Tweed Regional Gallery pilot rail trail project to general rail trail development to enable them to be used to progress the Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek).
2. Decline to reallocate the remaining funds dedicated to the Murwillumbah to Tweed Regional Gallery pilot rail trail project to general rail trail development.

CONCLUSION:

Establishment of the Northern Rivers Rail Trail is a high priority to Council. To ensure the proposed Tweed Valley Rail Trail (Murwillumbah to Crabbes Creek) is best placed to receive support and funding from the NSW State and Federal Governments, the remaining funding dedicated to the Pilot Rail Trail Project could be reallocated to general rail trail

project development. This would allow detailed design and planning approvals to be completed to progress the Tweed Valley Rail Trail to construction ready status.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

It is recommended to reallocate \$207,278 from the Rail Trail Pilot Project (Murwillumbah to Tweed Regional Gallery) funds towards general rail trail project development.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Council officers have undertaken significant community consultation in relation to the Rail Trail project (see item 24 ordinary meeting 19 February 2015). Consultation is ongoing.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

18 [E-CM] Car Parking Study - Summary of Results

SUBMITTED BY: Roads and Stormwater

Validms



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
 - 3.4 Provide land and infrastructure to underpin economic development and employment
 - 3.4.2 Ensure sustainable provision of infrastructure (utilities, services and transport) is available to support economic development
-

SUMMARY OF REPORT:

In February 2016 the Roads and Stormwater Unit engaged an Engineering Masters student from Griffith University's Industry Affiliates Program to undertake a car parking study of three high demand central business districts: Murwillumbah, Kingscliff and Tweed Heads.

This study was completed in May 2016 and this report summarises the findings for each area.

The study demonstrates that parking supply in the three CBD areas is generally adequate to meet usual levels of demand. The study identifies several areas that have high demand, however these are located in proximity to other precincts with less demand, and therefore overall this indicates good levels of parking availability. The data does highlight a number of areas that need addressing to increase Council's level of service for parking provision, and a range of actions are proposed, for Council's consideration.

The study data will also inform a further review of potential future demands for car parking and associated infrastructure planning. This includes a report to Council on parking requirements for small businesses (as resolved July 2015) and review of Council documents, specifically Development Control Plan Section A2 - Site Access and Parking Code and Developer Contribution Plan No.23 Offsite Parking.

RECOMMENDATION:

That the following strategic actions form the basis of further work and consultation on car parking issues identified by the CBD Car Parking Study:

1. Murwillumbah:

- a) **Review the paid parking system for Level 2 of the multi-level car park. This review should consider the financial return of the existing system, the**

convenience of ticketing for customers and administration, and levels of compliance and enforcement for the facility.

- b) Investigate options for providing roof/shade structures on Level 3 of the multi-level parking.
- c) Investigate the feasibility of reinstating the elevator servicing the multi-level car park, to increase accessibility.
- d) Review and rationalise parking restrictions in Proudfoots Lane to increase utilisation. This should include consultation with adjoining landholders and retailers to improve back of house access and parking, to make this area more attractive and convenient for CBD customers.
- e) Review and rationalise bus stops and taxi ranks in Main, Queen and Wollumbin Streets in consultation with service providers to maximise parking supply in and around high demand precincts.

2. Kingscliff:

- a) Continue to consult with the Kingscliff Shopping Village regarding potential expansion of commercial and public car parking on the site. This should include review of Developer Contribution Plan No.23 - Offsite Parking to consider this site in the future works program.
- b) Audit commercial sites in Marine Parade and Pearl Street for the provision of on-site staff and customer parking spaces in accordance with their development approvals, including any impediments to customers' usage such as gates or lack of signage.

3. Tweed Heads:

- a) Liaise with Tweed Mall (Centro) to promote parking in its multi-level car park to alleviate high demand in its Wharf Street carpark, with measures such as signage and time limited parking.
- b) Audit commercial sites in Wharf, Bay and Frances Streets for the provision of on-site staff and customer parking spaces in accordance with their development approvals, including any impediments to customer's usage such as gates or lack of signage.

4. General:

- a) Develop better information and new tools to increase awareness of publicly accessible parking areas, including designated accessible parking bays (DAPBs).
- b) Complete a detailed audit of DAPBs for compliance against AS2890, and in consultation with the Equal Access Committee and other stakeholders, compile a works program for rectification and/or relocation works, for funding consideration in future budgets and grant opportunities.

- c) Consider a business case and policy position for increased resourcing of parking enforcement activities by Council's Rangers.**
- d) Undertake a review of potential future demands for car parking in the CBD areas, including a review of Development Control Plan Section A2 - Site Access and Parking Code and Developer Contribution Plan No.23 Offsite Parking, and a report to Council on parking requirements for small businesses (as resolved July 2015).**

REPORT:

In February 2016 the Roads and Stormwater Unit engaged an Engineering Masters student, Sam Philip, from Griffith University's Industry Affiliates Program (IAP) to undertake a car parking study. This study focused on three high demand central business districts (CBDs): Murwillumbah, Kingscliff and Tweed Heads. These areas are the subject of the majority of car parking related complaints from community members, Chambers of Commerce and Residents Associations. Concerns relate to the availability of car parking in CBD shopping areas and possible negative economic impacts.

The study comprised the following steps:

- Determine Supply - inventory of current car parking spaces, including any restrictions (e.g. timed parking, designated accessible parking bays);
- Determine Demand - observations of usage of car parking spaces over a six week period;
- Quantitative analysis to determine if supply meets demand;
- Qualitative surveys of car parking customers and business owners to gauge perceptions of whether levels of service for car parking are adequate;
- Assessment of Council's enforcement of car parking restrictions;
- Analysis of car parking design compliance with Australian Standards, particularly designated accessible parking bays (DAPBs).

During the study period, Council officers discussed the car parking study with Chambers of Commerce in the three study areas. A Councillor workshop was also provided on 12 May 2016.

The project was completed at the end of May 2016. Mr. Philip provided Council with a copy of the study report "*Improving Parking Efficiency at Tweed Shire Council through Statistical Analysis*" which formed his Engineering Masters Thesis with Griffith University. As this is an academic report, it has not been tabled for Council adoption. However, the data collected and the conclusions made through the study are valuable to Council in the next phase of strategy development for car parking in each CBD area. The study results are summarised as follows:

Murwillumbah

Study Area:



The study area comprises a total of 1442 spaces. 703 (49%) are timed 2P spaces, 471 (33%) are unlimited. 24 DAPBs are provided in the CBD. The study area includes all on street parking, plus off street car parking in the multi-level car park, Knox Park, Sunnyside Mall, the Presbyterian Church, KFC and next to Bowerbird. Off street parking for individual commercial sites was not included.

A total of 22 counts were taken on different weekdays and at different times between 8am and 5pm. No weekend or public holiday counts were taken in Murwillumbah. Four of the counts were on weekdays during the NSW school holiday period in April.

Survey data was then averaged based on precincts and percentage utilisation calculated. This was graphically represented on the following map based on colour coding: green (low demand) 0-60% utilisation, orange (moderate demand) 60-85% utilisation, and red (high demand) >85 utilisation.



Findings:

- There is high demand for parking in Main Street and Sunnyside Mall, however there is adequate parking (moderate to low demand) within a reasonable walking distance.
- Parking demand for high demand areas does not vary significantly based on the day observed or the time.
- Level 1 (2P/4P time limited) and Level 3 (unlimited) of the multi-level car park experience moderate to high utilisation - 80% and 85% respectively. However Level 2 (coupon parking) is under-utilised at only 50% occupancy.
- Survey respondents chose not to park in the multi-level car park for various reasons, including:
 - Too far to walk
 - Too hot on Level 3
 - Coupon system too complicated
 - Didn't know about it
 - Roof too low for car
- While Proudfoots Lane is central to the CBD it is under-utilised, with short time restrictions in place.
- Taxi and bus spaces are located in or adjacent to high demand areas, but were found to be under-utilised most of the time.

Kingscliff

Study Area:



The study area comprises a total of 1147 spaces. 677 (59%) are unlimited spaces, 170 (15%) are 3P, 166 (14%) are 2P. 31 DAPBs are provided in the CBD. The study area includes all on street parking, plus off street car parking at the Bowls Club, Surf Club, Faulks Park, the Boat Ramp, and Kingscliff Shopping Village. Limited surveys were also obtained for basement car parks in mixed used buildings on the corner of Turnock and Pearl Streets and Azure at the Fig Tree. However, generally off street parking for individual commercial sites was not included.

A total of 31 counts were taken in Kingscliff on different days of the week and at different times between 8am and 5pm. 24 counts were taken on normal work days, 6 on weekdays during the NSW school holidays in April and 1 on Easter Saturday.

Survey data was then averaged based on precincts and percentage utilisation calculated. This was graphically represented on the following map based on the same colour coding as above.

While the Easter count was excluded from the overall demand averages, so as not to skew the results, it provides a guide to peak car parking demands in Kingscliff.



Findings:

- Parking demand in Kingscliff varies between weekdays and weekends.
- On weekdays, high demand centres on the shopping village car park (85%) with moderate demand along Marine Parade. However on weekends, parking demand shifts away from the retail precinct to the Marine Parade foreshore car parks at the Caravan Park (87%), the Surf Club (85%) and the Boat Ramp (100%).
- Survey results confirm that while areas of Kingscliff experience high demand, there is low to moderate demand in parking precincts within a reasonable walking distance (up to 150m).
- Observations of underground car parking within the two multi-use developments showed under-utilisation (35%) despite their proximity to other high demand locations. This indicates low awareness of the public of the availability of customer parking in commercial developments.
- School holidays did not result in significant changes to parking demands, however the Easter Saturday saw very high demand in most precincts (90-100%), especially the Boat Ramp which saw almost as many cars parking on road verges and open space areas as in formed parking spaces.
- Areas such as the boat ramp see very large changes in demand from weekdays (low) to weekends and holidays (very high). It is generally not practical to supply parking infrastructure to meet these high demand times, as it will sit unused for the majority of the time. The boat ramp area currently self-regulates to the satisfaction of the asset owner (Recreation Services).

Tweed Heads

Study Area:



The study area comprises a total of 3268 spaces. 2434 (75%) are unlimited spaces, 597 (18%) are 2P, 96 (3%) are 1P. 46 DAPBs are provided in the CBD. The study area includes all on street parking, plus off street car parking at the Tweed Civic Centre, the Fire Station site and Tweed Mall (Centro). Off street parking for individual commercial sites was not included.

A total of 24 counts were taken in Tweed Heads on different days of the week and at different times between 8am and 5pm. 14 counts were taken on normal work days, 9 on weekdays during the NSW school holidays in April, and 1 on Easter Saturday.

Survey data was then averaged based on precincts and percentage utilisation calculated. This was graphically represented on the following map based on the same colour coding as above.

Findings:

- Parking demand in Tweed Heads varies between weekdays and weekends, with considerably less demand on the weekends in most precincts.
- All precincts were observed to have low to moderate parking demand, with the exception of the Centro car park off Wharf Street which consistently showed near full utilisation (95-99%). However, the multi-storey car park at the rear of Centro showed only 54% utilisation during limited weekday observations.
- School holidays did not result in significant changes to parking demands, and the Easter Saturday survey saw further reductions in parking demand below other weekend observations.



Parking Enforcement

Enforcement of parking restrictions is an important consideration of the parking study. Efficient enforcement usually leads to increased compliance. In the case of time limited parking, this assists in turnover of parking spaces, thus better servicing high demand areas.

Of the Rangers in the Compliance Section, two are assigned to parking regulation. Due to the high risk of customer aggression in this role, these two Rangers work together. If one of these Rangers is unavailable (leave etc.) the remaining Ranger carries out general duties rather than parking enforcement. As such, Council's ability to patrol CBD areas for parking infringements is limited significantly by resourcing. There are many areas outside of CBD areas, such as schools and recreational areas, which also place demand on the limited enforcement resources.

Aside from mobile technology for issuing infringement notices, Council has not invested in parking technology to assist the rangers with enforcement, such as license plate recognition systems.

The study suggested that consistent parking restrictions in CBD areas (e.g. uniform 2P parking across precincts) would make the enforcement task easier, and lead to better customer awareness and compliance. Uniform precinct parking limits would also reduce sign proliferation.

Compliance with Standards

The study provided a preliminary assessment of the compliance of designated accessible parking bays (DAPBs) against Australian Standard AS2890 - Parking Facilities. Standards apply to parallel and angled DAPBs in on-street and off-street locations.

DAPBs were assessed as follows:

- **Design:** Most DAPBs do not comply with the current requirements of AS2890, as they are not sufficiently dimensioned to allow for access and circulation around the vehicle i.e. for wheelchairs. Larger bays, with shared areas serviced by kerb ramps are required. This situation is common in the CBD areas, which were developed prior to these standards being in place, and DAPBs being retrofitted.
- **Grade:** Most DAPBs have pavement grades that exceed the maximums set by AS2890. Again this result is unsurprising as the DAPBs have been retrofitted on roadways that were designed prior to these access standards being considered.
- **Signage:** Signage and line marking for DAPBs was generally found to be adequate.
- **Accessibility:** Accessibility of on-street and off-street parking was found to be generally good, except for the Murwillumbah multi-level car park, where the elevator has been decommissioned due to repeated vandalism.
- **Supply:** While not specified by the Standards, Council's provision of DAPBs in the CBD areas was assessed as being adequate based on the demand survey results. Average utilisation of DAPBs ranged between 35-55% in Murwillumbah, 25-70% in Kingscliff, and 20-55% in Tweed Heads.

It is noted that the Tweed Shire Council Access and Inclusion Plan 2014-2018 includes strategic actions to identify and assess all DAPBs for compliance with Australian Standards,

to progressively upgrade non-compliant DAPBs where appropriate, to remove bays that cannot be upgraded, and to construct new bays in recommended locations.

Recommendations

The CBD car parking study represents the first phase in developing improved car parking strategies. It is useful in identifying trends in current demand for parking, and provides a quantitative method of assessing this demand against existing supply. By relying on data instead of anecdotal observations or perceptions from the community, Council can ensure that its strategic decisions for car parking will address the real needs.

Further phases of car parking strategy development will include forecasting of potential future demand in CBD areas due to redevelopment, and planning for infrastructure improvements, including funding. This will involve a review of Council's Development Control Plan Section A2 - Site Access and Parking Code and Developer Contribution Plan No.23 Offsite Parking. Officers also need to respond to a Council resolution from July 2015, which requested a *"report on the issue of Council's requirements for parking for development approvals for new small business and intensified use of existing, or change of use, small business approvals"*.

Based on the car parking study, the following actions are recommended as the focus for further work and consultation:

1. Murwillumbah:
 - a) Review the paid parking system for Level 2 of the multi-level car park. This review should consider the financial return of the existing system, the convenience of ticketing for customers and administration, and levels of compliance and enforcement for the facility.
 - b) Investigate options for providing roof / shade structures on Level 3 of the multi-level parking.
 - c) Investigate the feasibility of reinstating the elevator servicing the multi-level car park, to increase accessibility.
 - d) Review and rationalise parking restrictions in Proudfoots Lane to increase utilisation. This should include consultation with adjoining landholders and retailers to improve back of house access and parking, to make this area more attractive and convenient for CBD customers.
 - e) Review and rationalise bus stops and taxi ranks in Main, Queen and Wollumbin Streets in consultation with service providers to maximise parking supply in and around high demand precincts.
2. Kingscliff:
 - a) Continue to consult with the Kingscliff Shopping Village regarding potential expansion of commercial and public car parking on the site. This should include review of Developer Contribution Plan No.23 - Offsite Parking to consider this site in the future works program.

- b) Audit commercial sites in Marine Parade and Pearl Street for the provision of on-site staff and customer parking spaces in accordance with their development approvals, including any impediments to customers' usage such as gates or lack of signage.
3. Tweed Heads:
- a) Liaise with Tweed Mall (Centro) to promote parking in its multi-level car park to alleviate high demand in its Wharf Street carpark, with measures such as signage and time limited parking.
 - b) Audit commercial sites in Wharf, Bay and Frances Streets for the provision of on-site staff and customer parking spaces in accordance with their development approvals, including any impediments to customer's usage such as gates or lack of signage.
4. General:
- a) Develop better information and new tools to increase awareness of publicly accessible parking areas, including designated accessible parking bays (DAPBs).
 - b) Complete a detailed audit of DAPBs for compliance against AS2890, and in consultation with the Equal Access Committee and other stakeholders, compile a works program for rectification and/or relocation works, for funding consideration in future budgets and grant opportunities.
 - c) Consider a business case and policy position for increased resourcing of parking enforcement activities by Council's Rangers.
 - d) Undertake a review of potential future demands for car parking in the CBD areas, including a review of Development Control Plan Section A2 - Site Access and Parking Code and Developer Contribution Plan No.23 Offsite Parking, and a report to Council on parking requirements for small businesses (as resolved July 2015).

OPTIONS:

- 1. Adopt the recommended car parking strategic actions as listed above;
- 2. Adopt an alternative list of car parking strategic actions;
- 3. Resolve to undertake no further work on car parking strategies.

Option 1 is the recommendation of this report.

CONCLUSION:

The CBD car parking study demonstrates that parking supply in the three CBD areas is generally adequate to meet usual levels of demand. Mapping of parking utilisation highlights several areas that have high demand, however these are located in proximity to other precincts with less demand, and therefore overall this indicates good levels of parking availability. The data does highlight a number of areas that need addressing to increase

Council's level of service for parking provision, and a range of strategic actions are proposed, for Council's consideration.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

At this stage, the recommended strategic actions are relatively low cost, and will generally be able to be covered by existing budgets. However, many of these actions will generate projects or future works programs that will need to be considered for funding in future budgets, revised s94 plans, and/or grant opportunities.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

The car parking study involved general consultation with Chambers of Commerce and included customer surveys for feedback on parking levels of service.

The recommended strategic actions to progress the car parking work involve various levels of consultation, from general information sharing to raise customer awareness of parking facilities, to detailed discussions with individual property owners about possible involvement in future parking strategies and projects.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

19 [E-CM] Regulation of Traffic - Sandy Lane, Cobaki Lakes

SUBMITTED BY: Design

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Council has been approached by Leda Manorstead Pty Ltd to assist with ongoing issues they are experiencing at their development site located off Sandy Lane at Cobaki Lakes.

Over the last 2+ years the property has seen continued unauthorised access and vandalism at the site from motorcyclists and other recreational vehicle users with increased activity occurring over the last 12 months.

Leda has been working with the NSW Police as well as taking their own security measures to address the issue. At present however, the possibility of taking any legal action against trespassers to the site is restricted due to the rights of members of the public to use the public road reserve known as Sandy Lane to access the site.

To alleviate the issue of access to the site via Sandy Lane, Leda Manorstead Pty Ltd has requested permission to erect a lockable gate at their own cost, and sought Council assistance in regulating the traffic along Sandy Lane to private use only.

Section 122 of the Roads Act 1993 enables Council to regulate the use of Sandy Lane by the general public by way of a locked gate on the condition that keys to the locks are provided to all recognised emergency service providers and Council.

RECOMMENDATION:

That Council:

1. **Under Section 122 of the Roads Act 1993, consents to the regulation of the traffic on Sandy Lane at Cobaki Lakes by means of a lockable gated structure for a period of 12 months, effective from 23 August 2016.**
2. **Advertises the regulation of traffic on Sandy Lane at Cobaki Lakes in the Tweed Link.**

REPORT:

Council has been approached by Leda Manorstead Pty Ltd to assist with ongoing issues they are experiencing at their development site located off Sandy Lane at Cobaki Lakes.

Over the last 2+ years the property has seen continued unauthorised access and vandalism at the site from motorcyclists and other recreational vehicle users with increased activity in the last 12 months as a result of the closure of the nearby motor cross track at Reedy Creek.

Leda has been working with the NSW Police as well as taking their own security measures to address the issue. There have been numerous incidents reported to date which include track erosion on steep slopes, destruction of sedimentation and erosion control fencing, removal of survey pegs and property boundary fences and gates being cut and destroyed.

Leda have placed no trespass notices along the entire boundary of the site, employed private security guards over weekends, installed barriers at the two main gates and engaged the services of the NSW and QLD Police services on a user pay arrangement to conduct regular patrols of the area. As a further measure security cameras are currently being installed.

At present however, the possibility of taking any legal action against trespassers to the site is restricted due to the rights of members of the public to use the public road reserve known as Sandy Lane to access the site.

To alleviate the issue of access to the site via Sandy Lane, Leda Manorstead Pty Ltd has requested permission to erect a lockable gate (refer diagram 1) at their own cost, and has sought Council assistance in regulating the traffic along Sandy Lane to private use only.

Diagram 1 – Approximate location of gate along Sandy Lane, Cobaki Lakes.



Diagram 2 – Aerial view of the site.



Council may approve the regulation of the road by way of a lockable gate under Section 122 of the Road Act, 1993 which provides:

- "(1) A roads authority may regulate traffic on a specified public road or on all public roads for which it is the roads authority:
 - (a) in relation to a classified road, by means of an order published in a daily newspaper circulating generally throughout the State, or*
 - (b) in relation to any other public road, by means of an order published in one or more local newspapers or in a daily newspaper circulating generally throughout the State.**

- (5) A roads authority must revoke any order under this section as soon as the circumstances giving rise to its making cease to exist*

- (6) Unless sooner revoked, an order under this section ceases to have effect at the expiration of 12 months after it was made*

- (7) Subsection (6) does not prevent an order being remade."*

This section of the Act enables Council to regulate the use of Sandy Lane by the general public by way of a locked gate on the condition that keys to the locks are provided to all recognised emergency service providers and Council.

OPTIONS:

1. Council provides its consent to the applicant under Section 122 of the Roads Act, 1993, for the erection of a lockable gate on Sandy Lane at Cobaki Lakes on the proviso that Council and all recognised emergency services are provided with a key.
2. Council does not approve the erection of a lockable gate on Sandy Lane at Cobaki Lakes.

CONCLUSION:

To limit the amount of unauthorised access and pursuant vandalism being experienced at the development site off Sandy Lane at Cobaki Lakes it would be prudent to allow the erection of a lockable gate thus regulating the use of the road to members of the public.

COUNCIL IMPLICATIONS:

a. Policy:

Roads Act 1993.

b. Budget/Long Term Financial Plan:

No financial impact on Council - all costs relative to regulation of the road and construction of a gated structure are to be borne by the applicant.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Advertising to be placed in the Tweed Link notifying the public of Councils intention to regulate the use of the public road by erection of a gated structure.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Email from Leda Manorstead dated 4 August 2016 (ECM4172715).

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

20 [CS-CM] Community Strategic Plan End of Term Report

SUBMITTED BY: Financial Services

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 outgoing elected body of Council must prepare a final end of term report detailing achievements in implementing the strategic direction of the Community Strategic Plan over the term of the Council. This report is to be prepared and presented to the community in the same year as council elections in accordance with section 428(2) of the Local Government Act 1993 (NSW). With the Local Government Election to occur in September 2016, the outgoing Council is now required to prepare and present this report.

RECOMMENDATION:

That the:

- 1. Community Strategic Plan End of Term report be received and noted.**
- 2. End of Term report be distributed and publicised after the September 2016 Local Government elections.**
- 3. End of Term report be incorporated into the Annual Report.**

REPORT:

The Tweed Shire Council Community Strategic Plan 2013/2023 has led the direction of Council works and activities over the last four years. Council has reported on its progress in meeting the community strategic direction through a series of quarterly and half yearly reports during this period.

In addition to the regular progress reporting by Council, the outgoing elected body must prepare a final end of term report detailing achievements in implementing the strategic direction of the Community Strategic Plan 2013/2023, over the term of the Council. This report is to be prepared and presented to the community in the year in which an ordinary election of councillors is to be held in accordance with section 428(2) of the *Local Government Act 1993* and will inform the new Council on the progress to date of the achievements from the Community Strategic Plan. With the Local Government Election to occur on 10 September 2016, the outgoing Council is now required to prepare and table this report.

A Council Workshop was held on 28 July, 2016 to review the content of the End of Term Report.

Following the election of the Council in September 2016, the Integrated Planning and Reporting cycle recommences starting with a review of the Community Strategic Plan.

OPTIONS:

Not applicable.

CONCLUSION:

A final report on achievement in meeting the objectives of the Community Strategic Plan is attached to this report for presentation by the outgoing elected body of Council.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable

b. Budget/Long Term Financial Plan:

Not Applicable

c. Legal:

Item is in accordance with Section 428(2) of the Local Government Act 1993 (NSW).

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. End of Term Report, September 2012 - August 2016 to be distributed prior to meeting.

21 [CS-CM] Six Monthly Progress Report as at 30 June 2016

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:

As a requirement of section 404(5) of the *Local Government Act 1993* (NSW) and the Integrated Planning and Reporting Framework, the general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months.

The attached report details the Council's progress as at 30 June 2016 in carrying out/completing activities identified in the Operational Plan 2015/2016 adopted by Council at its meeting on 18 June 2015 as well as highlighting areas where progress is behind schedule and/or more action is required.

RECOMMENDATION:

That Council receives and notes the Six Monthly Progress Report as at 30 June, 2016.

REPORT:

At the Council meeting held on 18 June 2015 the Operational Plan 2015/2016 was adopted by Council and a reporting structure has been developed which is based upon four themes identified below:



Civic Leadership - Aim: To set the overall direction and long-term goals for the Tweed in accordance with community aspirations.



Supporting Community Life - Aim: To create a place where people are healthy, safe, connected and in harmony with the natural environment, to retain and improve the quality of community life.



Strengthening the Economy- Aim: To strengthen and diversify the region's economic base in a way that complements the environmental and social values of the Tweed.



Caring for the Environment - Aim: For Council and the community to value, respect and actively participate in the care and management of our natural environment for current and future generations.

Section 404(5) of the Local Government Act 1993 requires that 'the General Manager ensure regular progress reports are provided to the Council as to its progress with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every 6 months'.

At the conclusion of the life span of the Delivery Program, a full and comprehensive report is prepared for the benefit of the outgoing Council and the community. This End of Term Report will also be presented to the August 2016 Council meeting.

OPTIONS:

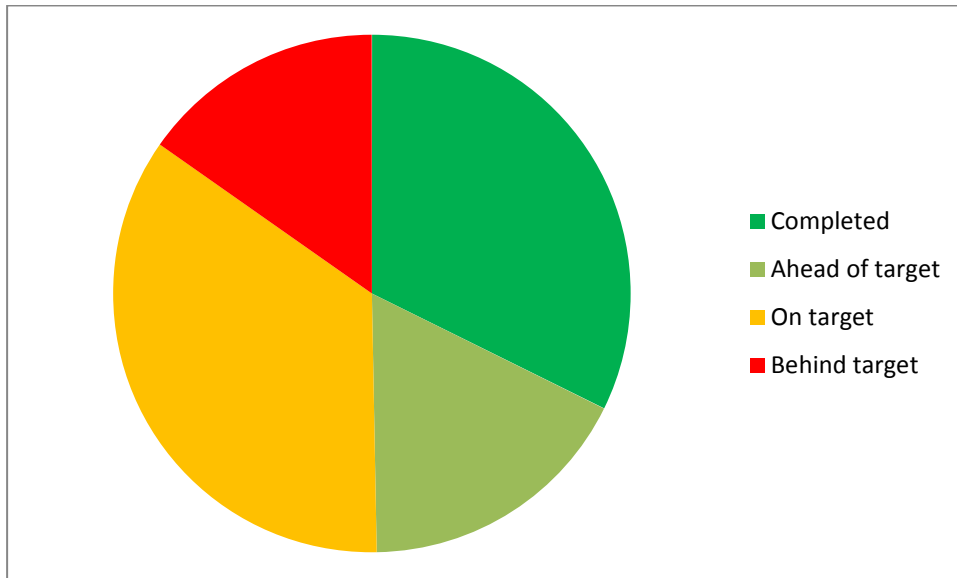
Not Applicable.

CONCLUSION:

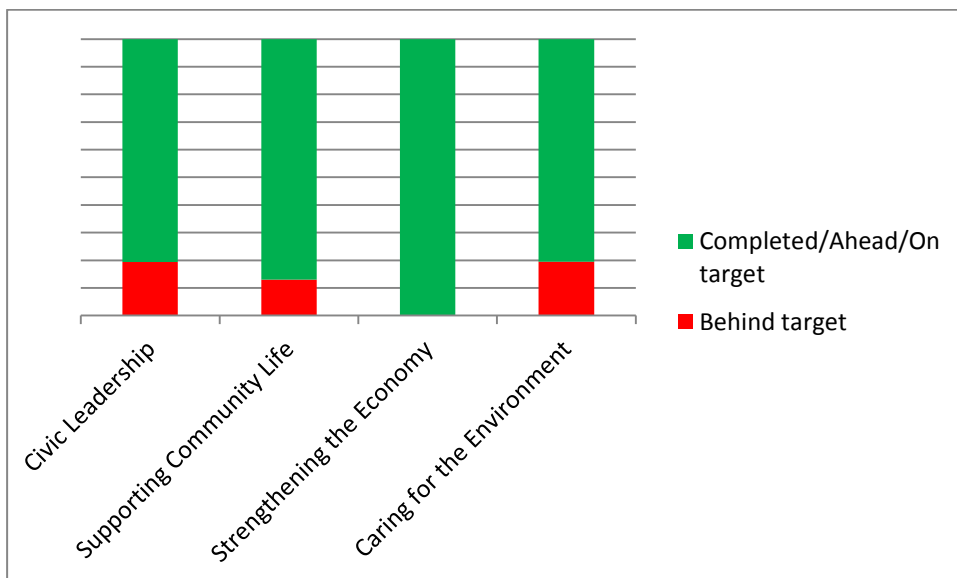
Overall Progress

Overall, 85% of the deliverables in the Operational Plan are completed, or on track to meet or exceed the target result.

More detail on these items is contained within the attachment to this report.



The chart below shows that Council has tracked well in the achievement of its targets in each of the strategic priorities.



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. Six Monthly Progress Report as at 30 June 2016
(ECM 4172987)

22 [CS-CM] Legal Services Register for the Period 1 April to 30 June 2016

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
- 1.2.1 Council will be underpinned by good governance and transparency in its decision making process

SUMMARY OF REPORT:

The Legal Services Register Report 1 April to 30 June 2016 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 April to 30 June 2016 is \$ 253,366.

The principal legal instructions that relate to this quarter include:

- 2791 - DA14/0164 - 27-37 Bells Boulevard - Defend appeal \$10,819
- 2792 – DA13/0401 - Cylinders Drive - Appeal \$2,628
- 2794 – DA15/0201 - 40 Creek Street- Defend appeal \$35,083
- 2795 – Soorley Street - Unauthorised activities \$12,850
- 2797 – DA15/0422 Seabreeze Estate - Defend appeal \$63,584
- 2798 – Penalty Infringement Notice - Defend appeal \$5,279
- 2799 – DA15/0742 Point Break Circuit - Defend appeal \$76,488
- 2802 – 3222 Kyogle Road - Unauthorised activities. \$23,532
- 2807 – 51 Phillip Street Chinderah - Unauthorised camping. \$2,532
- Local Government Act - Advices \$11,424
- Local Government Act - Advice on vested sick leave \$5,000
- Local Government Act - Advice on waste services contract \$4,147

This brings the total legal expenditure for the period 1 July 2015 to 30 June 2016 to \$550,940.

RECOMMENDATION:

That Council receives and notes the Legal Services Register Report for the Period 1 April to 30 June 2016.

REPORT:

Expenditure incurred on legal instructions for the period 1 April to 30 June 2016 follows:

Category 1 Planning and Environmental Law	Category 2 Local Government Law	Category 3 Commercial/Property Law	Category 4 District/Local Court
\$227,516	\$20,571	\$0	\$5,279

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:

Category 1 Planning and Environmental Law	Year to Date	Current Period 1 April to 30 June 2016
DLA Piper Australia	\$17,953	\$0
HWL Ebsworth Lawyers	\$28,485	\$10,819
Lindsay Taylor Lawyers	\$13,695	\$2,628
Maddocks Lawyers	\$126,106	\$76,434
Marsdens Law Group	\$76,473	\$35,083
Sparke Helmore Lawyers	\$123,186	\$100,020
Wilshire Webb Staunton Beattie Lawyers	\$2,532	\$2,532
Other		
Stacks/The Law Firm	\$1,135	\$0
Sub Total	\$389,565	\$227,516

Category 2 Local Government Law (litigation and advice)	Year to Date	Current Period 1 April to 30 June 2016
DLA Piper Australia	\$2,841	\$0
Lindsay Taylor Lawyers	\$20,957	\$8,314
Local Government Legal	\$0	\$0
Maddocks Lawyers	\$21,197	\$5,000
Marsdens Law Group	\$3,000	\$3,000
Prevention Partners NSW	\$25,219	\$479
Other		
Hall & Wilcox Lawyers	\$10,892	\$3,778
Sub Total	\$84,106	\$20,571

Category 3 Commercial/Property Law	Year to Date	Current Period 1 April to 30 June 2016.
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	\$0	\$0
Wilshire Webb Staunton Beattie Lawyers	\$0	\$0
Sub Total	\$0	\$0

Category 4 District/Local Court	Year to Date	Current Period 1 April to 30 June 2016
DLA Piper Australia	\$0	\$0
Marsdens Law Group	\$5,279	\$5,279
Stacks /The Law Firm	\$68,000	\$0
Other		
Russell Baxter Solicitor	\$3,990	\$0
Sub Total	\$77,269	\$5,279
Total	\$550,940	\$253,366

LEGAL SERVICES REGISTER as at 30 June 2016

Category 1 - Planning and Environmental Law					
Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 28 July 2016
Stacks/The Law Firm (2763)	Tweed River Hacienda Holiday Park. Unauthorised works by site owner.	Land and Environment Court - prosecution of site owner for ignoring Order Notice.	<i>Prev. Years</i> \$30,054 15/16 \$1,135 Total \$31,189	Judgment 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 site owner commenced in the Land and Environment Court. Directions proceedings held on 24 April 2015.	Completed. Matter heard on 1-2 July 2015. Judgment in favour of Council, respondent to carry out works and pay 75% of Council's costs of the hearing. Agreed costs of \$18,000 paid.
Sparke Helmores Lawyers (2773)	Prospero/Colin Streets, Murwillumbah.	Class 4 Civil Enforcement action initiated against owners, for failure to comply with Orders issued under Section 124 of the Local Government Act.	<i>Prev. Years</i> \$115,036 15/16 \$17,693 Total \$132,729	Consent Orders were issued against one of the parties. On 17 June 2015, consent orders were issued against the other party. Council at its meeting of 16 July 2015 resolved to issue contempt of the consent orders proceedings and to seek recovery of costs against both parties.	Completed. Consent Orders for cost has been agreed by the two parties - \$20,000 and \$10,000 respectively - both paid. Fence Order matter discontinued.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 28 July 2016
Sparke Helmore Lawyers (2783)	137 Adcock's Road, Stokers Siding.	Council at its Planning Committee Meeting held on 4 December 2014 resolved to institute Class 4 Action for construction of illegal earthworks.	<i>Prev. Years</i> \$4,214 15/16 \$1,089 Total \$5,303	Evidence gathered for Council's Solicitor to institute action completed and referred to Solicitor.	In Progress. Owner contacted, Council agreement entered into to rectify illegal earthworks.
HWL Ebsworth (2791)	DA14/0164 27-37 Bells Boulevard, Kingscliff. Dual use of existing tourist accommodation.	Defend Class 1 Appeal in Land & Environment Court.	<i>Prev. Years</i> \$10,853 15/16 \$28,485 Total \$39,338	9 April 2015 Planning Committee recommendation to Council that it engages Solicitor to negotiate consent orders or enter into a S34 Agreement. Consent Orders hearing date for 14 May 2015 was vacated. Notice of Motion seeking leave for Mantra to be adjointed was listed for 22 May 2015 and was consented to by the applicant.	Completed. Appeal was listed for various case management and conciliation conferences during 2015 and 2016. Agreement settled between the parties, sealed copy filed with the Land & Environment Court on 13 May 2016.
Lindsay Taylor Lawyers (2792)	DA13/0401 Cylinders Drive, Kingscliff. Applicants appeal against the refusal of Section 96 modification.	Council at its meeting on 6 August 2015 resolved to instruct its solicitors to negotiate consent orders or a Section 34 Agreement if appropriate.	15/16 \$13,695	Section 34 conference conducted on 25 August 2015.	Completed. Parties agreed to amend conditions of consent at the Section 34 conference.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 28 July 2016
Marsdens Law Group (2794)	DA15/0201 40 Creek Street, Hastings Point Class 1 Appeal deemed refusal of a 20 lot subdivision & associated works.	Defend Class 1 Appeal in Land & Environment Court.	15/16 \$76,473	Planning Committee at its meeting on 6 August 2015 resolved to defend this appeal. Proceedings were listed for a directions hearing on 10 September and 21 December 2015, where applicant was requested to provide further information.	In Progress. Court at a directions hearing on 24 May 2016, listed the appeal for a hearing on 17, 18, 21, 22, 23 November 2016. Applicant intends to provide additional information to Council for consideration. Appeal was subject to a Notice of Rescission which was defeated at an Extraordinary Council meeting held on 23 June 2016.
Maddocks (2795)	Unauthorised activities Existing use rights - Soorley Street, Tweed Heads South.	Provide legal opinion on existing use rights.	15/16 \$17,203	Letter sent to solicitors for property owner seeking answer to existing use rights questions - no answer. Council at its meeting held on 7 April 2016 resolved to commence legal proceedings to stop unauthorised activities and seek any punitive measures.	In Progress. Council's Solicitors has advised the Solicitors for the property owner, Class 4 proceedings in the Land and Environment will commence to remedy and restrain further unauthorised activities.
Maddocks (2797)	DA15/0422 65 lot subdivision - Seabreeze Estate Class 1 Appeal deemed refusal.	Council at its meeting on 22 October 2015 resolved that solicitors be engaged to defend the appeal for Development Application DA15/0422.	15/16 \$108,903	eCourt meeting held on 9 November 2015, Section 34 conference meetings held on 22 January, 29 January, 16 March and 23 March 2016. Meeting held on 22 April 2016 to determine hearing dates.	In Progress. Appeal listed for hearing on 15/17 August 2016.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 28 July 2016
Sparke Helmore (2799)	Point Break Circuit, Kingscliff Class 1 Appeal DA15/0742 for conversion of a Boathouse to a Combined Boathouse and Dwelling.	Council at its meeting held on 3 March 2016 resolved that it engage solicitors to defend the appeal.	15/16 \$ 80,872	Directions meeting held on 14 March and 4 April 2016. Appeal set down for a hearing on 14 and 15 June 2016. Orders made on 14 June that the applicant would pay Council's agreed costs thrown away in the amount of \$ 2,000.	In Progress. Appeal part heard - listed for a final day hearing on Tuesday 30 August in Sydney.
DLA Piper (2801)	Tanglewood Sewerage Treatment Plant. Class 2 Appeal relating to Section 68 application.	Council at its meeting held on 17 September 2015 resolved that it be represented at the Class 2 Appeal to meet its statutory obligation.	15/16 \$17,953	Directions meeting held on 28 September 2015 and on Friday 22 January 2016. Appeal stood over for further directions hearing for 4 March 2016. Subsequent discussions held with applicant and participants.	Completed. Participants in the appeal are content with Council's response in dealing with the appeal. Applicant on 16 March 2016 discontinued the proceedings.
Sparke Helmore (2802)	3222 Kyogle Road, Mount Burrell. Unauthorised activities.	Council at its meeting held on 7 April 2016 resolved to engage solicitors to commence proceedings pertaining to unauthorised activities and seek legal advice regarding options for punitive action.	15/16 23,532	Significant correspondence has occurred between Council's solicitors and the lawyer for the property owner, including a property inspection. The property owner's lawyers have provided a detailed list of actions that are to occur to remedy the unauthorised activities.	In Progress. Further property inspection to occur to review compliance with lawyers detailed list of actions.
Wilshire, Webb, Staunton Beattie Lawyers. (2807)	51 Phillip Street, Chinderah. Unauthorised camping.	Provide options to remedy unauthorised camping.	15/16 \$ 2,532	Advice provided in remedying unauthorised camping.	Completed. Camping now ceased, matter now concluded.

Category 2 - Local Government Law					
Provider (Reference)	Description of Matter	General Instructions	Costs to date	Comments	Current Status as at 28 July 2016.
Lindsay Taylor Lawyers	Local Government Act / Roads Act.	Provide appropriate advice in dealing with a resident, which impacts upon the maintenance of Council infrastructure.	15/16 \$1,673	Advice provided in the appropriate manner to communicate with a resident.	Completed.
Lindsay Taylor Lawyers	Local Government Act.	Provide advice on the validity of the Environmental Enforcement Levy.	15/16 \$2,494	Advice provided on the appropriate approach to charge an Environmental Enforcement Levy.	Completed.
Marsdens Law Group	Local Government Act.	Provide advice on management of existing and future caravan parks development on flood prone land.	15/16 \$ 3,000	Detailed advice provided in response to Council's request.	Completed.
Prevention Partners NSW	Local Government Act.	Provide appropriate advice on staffing matter.	15/16 \$10,849	Advice provided in dealing with the staffing matter.	Completed.
Prevention Partners NSW	Council Policy – Mayor and Councillors Expenses.	Review policy and provide appropriate advice.	15/16 \$9,710	Advice provided, together with a workshop with Councillors.	Completed.
Prevention Partners NSW	Local Government Act.	Provide appropriate advice on contractor matter.	15/16 \$1,572	Advice provided in dealing with the contractor matter.	Completed.
Prevention Partners NSW	Local Government Act.	Provide appropriate advice on contract matter.	15/16 \$3,088	Advice provided in dealing with the matter.	Completed.
Hall & Wilcox	Local Government Act.	Provide appropriate advices of Local Government Act clarification.	15/16 \$10,892	Advices provided.	Completed.

Provider (Reference)	Description of Matter	General Instructions	Costs to date	Comments	Current Status as at 28 July 2016.
Lindsay Taylor Lawyers (10166)	Extension of Waste Services Contract.	Provide detailed advice on the Waste Services Contract.	<i>Prev. Years</i> \$3,330 15/16 \$16,790 Total \$20,120	Detailed advice received on Council's legislative powers in dealing with an extension of the Waste Services Contract and subsequent preparation of new Waste Service Contract.	Completed.
Maddocks	Industrial Instrument Issue.	Provide advice on an industrial instrument issue.	15/16 \$10,000	Advice provided.	Completed.
Maddocks	Vested Sick Leave.	Provide advice on vested sick proposal.	15/16 \$5,000	Advice Provided. Report to Confidential Council meeting held on 21 July 2016.	Completed.
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.	In Progress. Recovery of assessed costs of \$134,058 being pursued.
Australian Financial Securities Authority / DLA Piper	Review of release of documents.	Review of released documents.	<i>Prev. Years</i> \$13,775 15/16 \$2,841 Total \$16,616	Advice provided.	Completed.
Maddocks (881769)	Local Government Act.	Provide appropriate advice and undertake investigation in dealing with matter.	15/16 \$6,197	Investigation undertaken and advice provided.	Completed.

Category 3 - Commercial/Property Law					
Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 28 July 2016.

Category 4 - District/Local Court					
Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 28 July 2016.
Marsdens Law Group (2798)	Local Court appeal against issue of Penalty Infringement Notices.	Defend the appeal in the Local Court.	15/16 \$5,279	Decision made after receiving the advice of the Solicitor reviewing the case notes, to withdraw the Penalty Infringement Notices.	Completed.
Stacks/The Law Firm (2698) (130331)	Homestead Holiday Park compliance matters.	Council resolved on 24 January 2012 to seek legal advice on breach of legislation to operate the Homestead Caravan Park.	<i>Prev. Years</i> \$48,318 15/16 \$67,500 Total \$115,818	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.	Completed. Two claims for costs have been lodged with Council - \$67,500 paid.
Stacks the Law Firm	Local Court challenge to issue of a Penalty Infringement Notice.	Defend challenge in Local Court.	15/16 \$500	Decision made to withdraw Penalty Infringement Notice.	Completed.
Russell Baxter Solicitor	Local and District Court Appeals.	Defend appeal issues in Local and District Court.	<i>Prev. Years</i> \$6,150 15/16 \$3,990 Total \$10,140	Appeal heard in District Court on 21 August 2015.	Completed. Appeal dismissed. Applicant to pay Council's costs of \$2,000 with six months to pay - currently outstanding.

OPTIONS:

Reporting as per Legal Services Procedure requirements.

CONCLUSION:

Legal expenses for the quarter related primarily to actions instigated in previous periods.

COUNCIL IMPLICATIONS:

a. Policy:

Legal Services Procedure

b. Budget/Long Term Financial Plan:

Total legal services budget - \$398,631.

Total legal expenditure 1 July 2015 to 30 June 2016 - \$550,940.

The shortfall in the legal services budget allocation will be funded from the overall Planning and Regulation Budget.

c. Legal:

Solicitors engaged from the appointed Legal Services Panel.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

23 [CS-CM] Postponement of Tweed Valley Country Roots Festival to October 2017

SUBMITTED BY: Director

Validms



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
 - 2.1.1 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
- 3 Strengthening the Economy
 - 3.1 Expand employment, tourism and education opportunities
 - 3.1.2 Attract major events to the Tweed
 - 3.1.3 Provide opportunities for visitors to enjoy access to the arts through cultural facilities, festivals and programs
 - 3.1.4 Market the Tweed as a destination for business and tourism
 - 3.1.6 Support creative practitioners and entrepreneurs to access professional and business development opportunities, to enhance their contribution to the creative economy
 - 3.3 Maintain and enhance the Tweed lifestyle and environmental qualities as an attraction to business and tourism

SUMMARY OF REPORT:

At the Council meeting of 21 July 2016, it was agreed to establish a three-year arrangement, on a sliding financial scale, with the Tweed Valley Country Roots Fest Pty Ltd to stage the Music Festival at the Murwillumbah Showground with the first year event proposed to be conducted from 1 to 2 October 2016.

On 28 July 2016 Council was formally advised by the organisers that the *“2016 Tweed Valley Country Roots Fest will be postponed until October 2017.”* The reason provided for the postponement was due to the negativity surrounding the 2015 Murwillumbah Country Roots Fest, which the current organisers were not associated with.

The organisers have stated their decision to postpone was not made lightly and re-iterate their commitment to putting on a music event in the Tweed Shire. As a sign of good faith and in lieu of the 2016 October long weekend music festival, they will host a smaller free street concert in association with the Tweed Foodie Fest on Friday 30 September 2016, with acts to include Kasey Chambers, Harry Hookey, Grizzlee Train, Bill Chambers and more.

The letter from the organisers is reproduced within the report and seeks Council's support to have their first year Events Sponsorship funding released in December 2016 to assist with marketing their 2017 event.

RECOMMENDATION:

That Council:

1. **Reaffirms its resolution of 21 July 2016 to establish a three-year arrangement with Tweed Valley Country Roots Fest Pty Ltd, on a sliding financial scale, as follows:**

2016/2017	2017/2018	2018/2019
\$15,000	\$10,000	\$7,500

2. **Endorses the release of the first-year funding of \$15,000 in December 2016 for the marketing of the 2017 event, and any future release of funds be conditional upon the terms detailed in the funding agreement between Council and the applicant.**

REPORT:

At the Council meeting of 21 July 2016, it was agreed to establish a three-year arrangement, on a sliding financial scale, with the Tweed Valley Country Roots Fest Pty Ltd to stage the Music Festival at the Murwillumbah Showground with the first year event proposed to be conducted from 1 to 2 October 2016.

On 28 July 2016 Council was formally advised by the organisers that the “2016 Tweed Valley Country Roots Fest will be postponed until October 2017.” The reason provided for the postponement was due to the negativity surrounding the 2015 Murwillumbah Country Roots Fest, which the current organisers were not associated with.

The letter from the organisers is reproduced below:

“Thursday, 28th July, 2016

*General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484*

RE: Tweed Valley Country Roots Fest

Dear Troy

We, the organisers of the Tweed Valley Country Roots Fest, wish to advise Tweed Shire Council that the 2016 Tweed Valley Country Roots Fest will be postponed until Oct 2017. We set out on this journey late in 2015 and it has been an eventful and often difficult journey with many unforeseen obstacles. Although we have dealt with these situations as they’ve presented themselves, it has had a significant effect on our planning and implementation with sale of tickets being delayed by many months from our original plans.

Many of these negative hurdles are a direct result from the financially failed 2015 Murwillumbah Country Roots Fest in which we were NOT associated with as organisers, yet we have been unfairly linked with.

The decision to postpone was not ideal, nor it was made lightly. However, with only ten weeks left to go until the 2016 festival date we cannot ignore the increasing risks we are putting on our investors, stakeholders and ultimately ourselves.

A postponement to 2017 does not deter us, it simply gives us extra preparation time and the opportunity to gain additional resources, sponsorships, partners and stakeholders. More than ever, we are committed to making this the successful event we believe it will become.

In lieu of the 2016 October long weekend festival postponement (and to show our ongoing commitment to the community), we are hosting a smaller FREE street concert in partnership with the Tweed Foodie Fest on Friday 30 Sept 2016. This includes Kasey Chambers, Harry Hookey, Grizzle Train, Bill Chambers and more.

We were thrilled to learn of the success of our application with Tweed Shire Council for triennial Event Sponsorship and thank you for your support. Tweed Valley Country Roots Fest would like to request that first year funding be released in Dec 2016 as this would assist greatly in marketing our 2017 event at the Tamworth Country Music Festival in January of 2017.

If council could please advise whether this would be possible, it would be much appreciated.

Once again, we'd like to re-iterate our commitment in putting on a first class music event in such a spectacular part of NSW.

We look forward to your response.

Yours sincerely,

*Nash Chambers Veronica Chambers
Festival Director Festival Director"*

OPTIONS:

That Council:

1. Reaffirms its resolution of 21 July 2016 to establish a three-year arrangement with Tweed Valley Country Roots Fest Pty Ltd, on a sliding financial scale and endorses the release of the first-year funding of \$15,000 in December 2016 for the marketing of the 2017 event. Any future release of funds will be conditional upon the terms detailed in the funding agreement between Council and the applicant.
2. Withdraw its support of the Tweed Valley Country Roots Fest Pty Ltd.

CONCLUSION:

On 28 July 2016 Council was formally advised by the organisers that the "2016 Tweed Valley Country Roots Fest will be postponed until October 2017." The reason provided for the postponement was due to the negativity surrounding the 2015 Murwillumbah Country Roots Fest, which the current organisers were not associated with.

The organisers have stated their decision to postpone was not made lightly and re-iterate their commitment to putting on a music event in the Tweed Shire. As a sign of good faith and in lieu of the 2016 October long weekend music festival, they will host a smaller free street concert in association with the Tweed Foodie Fest on Friday 30 September 2016.

It is recommended that Council gives consideration to releasing the first-year funding of \$15,000 in December 2016 to assist with marketing their 2017 event, and that any future release of funds be conditional upon the terms detailed in the funding agreement.

COUNCIL IMPLICATIONS:

a. Policy:

Events Sponsorship Version 1.0

b. Budget/Long Term Financial Plan:

Budget allocations have been made in the 2016/2017 Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

At its meeting of 19 May 2016, Council resolved to open the funding application round on Friday 20 May 2016 under the Events Sponsorship Policy. Councillors considered the funding applications received after the close of the public exhibition period for the draft Events Sponsorship Policy on Thursday 30 June.

At its meeting of 21 July 2016, Council agreed to establish a three-year arrangement, on a sliding financial scale, with the Tweed Valley Country Roots Fest Pty Ltd to stage the Music Festival at the Murwillumbah Showground from 1 to 2 October 2016.

The event organisers met with Council's Event Officer advising of the decision to postpone and to re-iterate their commitment to putting on a music event in the Tweed Shire. A copy of their letter outlining the situation is reproduced within the report.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

24 [CS-CM] Volunteer Policy Version 2.1

SUBMITTED BY: Human Resources

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:

At Council on 19 May 2016, it was determined to place the draft amended Volunteer Policy, Version 2.1 on public exhibition for 28 days, with submissions being invited until Thursday 30 June 2016.

No submissions were received during this period.

The purpose of the amendment is to include specific reference to Council's *Alcohol and Other Drugs in the Workplace Non-employee Workers Protocol*, which is applicable to volunteers as non-employee workers.

RECOMMENDATION:

That Council adopts the Volunteer Policy, Version 2.1.

REPORT:

As per summary.

OPTIONS:

That:

1. The Volunteer Policy, Version 2.1 be adopted as recommended.
2. Council does not adopt the Volunteer Policy, Version 2.1.

CONCLUSION:

Council recognises its responsibility for all of its workers including non-employees, including volunteers. The Volunteer Policy, Version 2.1 meets Council's responsibility with respect to policy compliance of all volunteers.

COUNCIL IMPLICATIONS:

a. Policy:

Volunteer Policy, Version 2.0 to be replaced with Volunteer Policy, Version 2.1. if adopted at the Council meeting of

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.

In accordance with Council's resolution of 19 May 2016, the draft Policy was placed on public exhibition for 28 days, with submissions being invited until Thursday 30 June 2016. No submissions were received during this period.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Volunteer Policy, Version 2.1 (ECM 3784696)

25 [CS-CM] Monthly Investment and Section 94 Development Contribution Report for Period ending 31 July 2016

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 **\$243,220,410** invested as at **31 July 2016** and the accrued net return on these funds was **\$654,954** or **3.23%** 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 July 2016 totalling \$243,220,410 be received and noted.

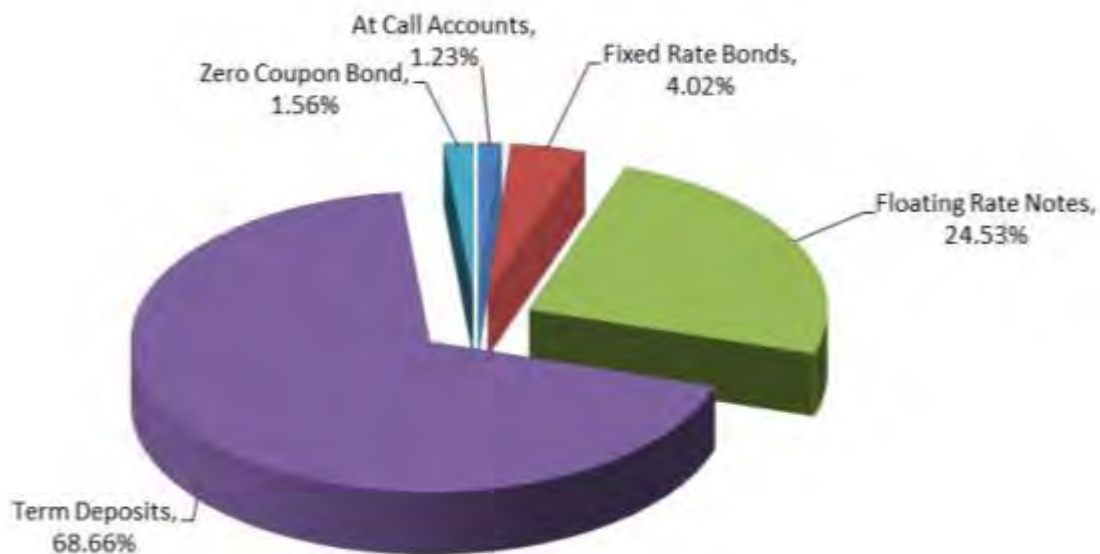
REPORT:

1. Restricted Funds as at 1 September 2015

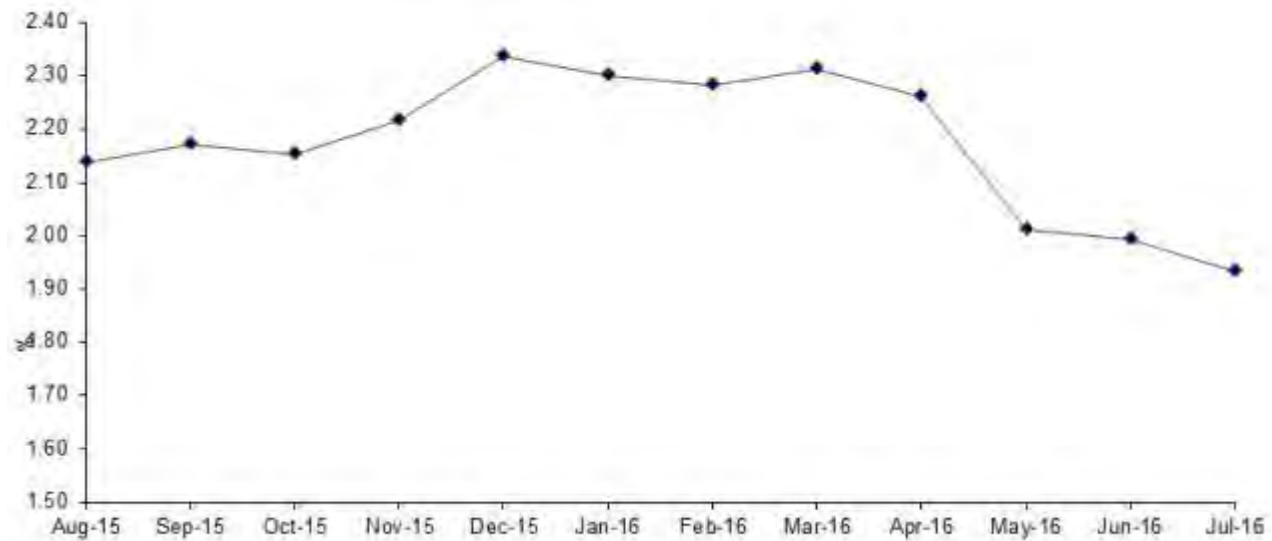
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
Externally Restricted (Other)	4,010	32,944	61,499	98,453
Crown Caravan Parks	18,283			18,283
Developer Contributions	26,759	2,651		29,410
Domestic Waste Management	13,981			13,981
Grants	2,923			2,923
Internally Restricted (Other)	43,083			43,083
Employee Leave Entitlements	11,330			11,330
Grants	3,169			3,169
Unexpended Loans	9,415			9,415
Total	132,953	35,595	61,499	230,047

Note: Restricted Funds Summary updated September 2015, corresponding with the Annual Financial Statements as at 30 June 2015

2. Investment Portfolio by Category



3. Investment Rates - 90 Day Bank Bill Rate



4. Bond and Floating Rate Note Securities

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
	CBA (08/16)	1,000,000.00	1,008,240.00	3.32	FRN	02-Aug-16
*	Suncorp (11/19)	1,000,000.00	1,000,330.00	2.74	FRN	05-Nov-19
*	Heritage (Morgans) (05/18)	2,000,000.00	2,004,060.00	3.14	FRN	07-May-18
*	Heritage (Westpac) (05/18)	1,000,000.00	1,002,030.00	3.14	FRN	07-May-18
	BOQ (11/19)	2,000,000.00	2,002,320.00	3.11	FRN	06-Nov-19
	Rabo (Morgans) (02/20)	2,000,000.00	2,010,400.00	3.07	FRN	11-Feb-20
	Bendigo (RBS) (11/18)	1,000,000.00	1,012,610.00	3.25	FRN	14-Nov-18
*	ME Bank (ANZ) (11/17)	1,000,000.00	1,005,070.00	2.98	FRN	17-Nov-17
	Bendigo (Westpac) (08/20)	1,000,000.00	999,550.00	3.09	FRN	18-Aug-20
	Bendigo (Westpac) (08/20)	3,000,000.00	2,998,650.00	3.09	FRN	18-Aug-20
*	Bendigo (Westpac) (08/20)	2,000,000.00	1,999,100.00	3.09	FRN	18-Aug-20
*	Suncorp (CBA) (08/19)	1,000,000.00	1,001,200.00	2.93	FRN	20-Aug-19

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
ING Bond(RBS) (08/16)	1,000,000.00	1,019,770.00	4.25	Fixed Rate Bond	23-Aug-16
NPBS (Morgans) (02/18)	1,000,000.00	1,001,610.00	3.07	FRN	27-Feb-18
Macquarie (RIMSEC) (03/20)	2,000,000.00	2,002,020.00	3.10	FRN	03-Mar-20
Rabo (ANZ) (03/21)	2,000,000.00	2,024,440.00	3.49	FRN	04-Mar-21
AMP (Morgans) (6/18)	1,000,000.00	1,005,190.00	2.86	FRN	06-Jun-18
Greater BS (06/19)	2,000,000.00	2,010,400.00	3.59	FRN	07-Jun-19
* BOQ (06/18)	1,000,000.00	1,002,670.00	3.02	FRN	12-Jun-18
* Suncorp Metway (Covered Bond)	2,000,000.00	2,007,100.00	3.10	FRN	22-Jun-21
* CUA (03/17)	1,000,000.00	1,004,930.00	3.30	FRN	20-Mar-17
* CUA (03/17) (CBA)	1,000,000.00	1,004,930.00	3.30	FRN	20-Mar-17
* Heritage (RBS/RIMSEC) (06/17)	2,500,000.00	2,593,750.00	7.25	Fixed Rate Bond	20-Jun-17
* CUA (12/17) ANZ	1,000,000.00	1,001,610.00	3.20	FRN	22-Dec-17
* CUA (04/19)	1,900,000.00	1,957,059.00	3.56	FRN	01-Apr-19
* CUA (04/19)	2,000,000.00	1,957,059.00	3.56	FRN	01-Apr-19
* Suncorp (04/21)	2,000,000.00	2,013,520.00	3.35	FRN	12-Apr-21
* ME Bank (04/18)	1,000,000.00	1,002,520.00	3.25	FRN	17-Apr-18
ANZ (04/20)	1,600,000.00	1,592,912.00	2.77	FRN	17-Apr-20
CBA (07/20)	2,000,000.00	1,996,460.00	2.85	FRN	17-Jul-20
* ME Bank (ANZ) (07/19)	1,000,000.00	1,001,410.00	3.40	FRN	18-Jul-19
* CBA (10/19)	2,000,000.00	2,000,560.00	2.80	FRN	18-Oct-19
* CBA (01/21)	1,000,000.00	1,005,060.00	3.10	FRN	18-Jan-21
* Bendigo Bank (04/21)	3,000,000.00	3,013,950.00	3.39	FRN	20-Apr-21
* CBA Bond (04/19)	1,000,000.00	1,056,630.00	4.25	Fixed Rate Bond	24-Apr-19
* CBA (04/19)	1,000,000.00	1,002,610.00	2.76	FRN	24-Apr-19
* NPBS (Westpac) (04/20)	2,000,000.00	1,991,660.00	3.32	FRN	07-Apr-20
Macquarie (ANZ) (10/18)	1,000,000.00	1,001,280.00	2.92	FRN	26-Oct-18
Westpac (07/20)	2,000,000.00	1,994,460.00	2.77	FRN	28-Jul-20
* Westpac (WBC) (10/20)	1,000,000.00	1,003,040.00	2.95	FRN	28-Oct-20

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
* ANZ Green Bond (06/20)	2,000,000.00	2,051,700.00	3.25	Fixed Rate Bond	03-Jun-20
* Suncorp Covered (RIMSEC) (12/16)	2,000,000.00	2,031,680.00	4.75	Fixed Rate Bond	06-Dec-16
* BOQ (06/18)	1,000,000.00	1,028,450.00	4.00	Fixed Rate Bond	12-Jun-18
CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,784,800.00	7.17	Fixed Rate Bond	22-Jan-18
Suncorp (NAB) (08/20)	3,000,000.00	3,011,610.00	3.18	FRN	20-Oct-20
	73,000,000.00	73,220,410.00	3.42		
LEGEND					
Investment Type		ABS = Asset Backed Security Bond = Fixed Rate Bond FRN = Floating Rate Note			
Counterparty		Bendigo = Bendigo & Adelaide Bank Heritage = Heritage Bank ING = ING Bank Investec = Investec Bank Macquarie = Macquarie Bank NAB = National Australia Bank		NPBS - Newcastle Permanent Building Society ME = Members Equity Bank RaboDirect = Rabo Bank Rural = Rural Bank (previously Elders Bank) Suncorp = Suncorp Metway Bank WBC = WBC Banking Corporation	
AMP = AMP Bank ANZ = ANZ Bank BOQ = Bank of Queensland CBA = Commonwealth Bank CUA = Credit Union Australia					

5. Term Deposits

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
Rabo Bank (Mar 2017) (RIMSEC)	04-Mar-14	07-Mar-17	07-Mar-17	2,000,000.00	4.15
* BOQ (Aug 2017)	05-Aug-15	08-Aug-16	08-Aug-17	2,000,000.00	3.00
RaboDirect (Curve) (Aug 2019)	07-Aug-15	07-Aug-16	13-Aug-19	2,000,000.00	4.30
* BOQ (Aug 2017)	11-Aug-15	06-Aug-16	08-Aug-17	3,000,000.00	3.00
* BOQ (Aug 2017)	11-Aug-15	06-Aug-16	08-Aug-17	1,000,000.00	3.00
Rabo (RIMSEC) (Feb 2018)	19-Aug-15	18-Aug-16	20-Feb-18	3,000,000.00	3.00
Rabo Bank (Curve) (Aug 2018)	21-Aug-15	21-Aug-16	21-Aug-18	2,000,000.00	4.10
* Westpac (Aug 2020)	25-Aug-15	24-Aug-16	25-Aug-20	2,000,000.00	3.00
Rabo (Curve) (Aug 2018)	26-Aug-15	26-Aug-16	28-Aug-18	3,000,000.00	3.00
* Bendigo Bank (Sept 2019)	01-Sep-15	03-Sep-16	03-Sep-19	1,000,000.00	4.15

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	Rabo Bank (Curve) (Sept 2019)	01-Sep-15	01-Sep-16	03-Sep-19	1,000,000.00	4.05
	QLD PCU (RIMSEC) (Sept 2018)	03-Sep-15	05-Sep-16	04-Sep-18	1,000,000.00	3.05
	NAB (Sept 2016)	04-Sep-15	04-Sep-16	06-Sep-16	4,000,000.00	4.25
*	Bendigo Bank (March 2017)	08-Sep-15	14-Mar-17	14-Mar-17	1,000,000.00	2.80
	P&N Bank (RIMSEC) (Sept 2017)	22-Sep-15	21-Sep-16	21-Sep-17	1,000,000.00	4.00
*	Bendigo Bank (Curve) (April 2017)	13-Oct-15	13-Oct-16	18-Apr-17	2,000,000.00	3.00
	Defence Bank (Curve) (Oct 2017)	27-Oct-15	26-Oct-16	24-Oct-17	1,000,000.00	3.00
	RaboDirect (Curve) (Nov 2016) annual interest	11-Nov-15	22-Nov-16	22-Nov-16	1,000,000.00	6.30
	Rabo (Curve) (Jul 2018)	26-Nov-15	26-Nov-16	03-Jul-18	3,000,000.00	3.10
*	Auswide Bank Bank (Dec 2016)	08-Dec-15	13-Dec-16	13-Dec-16	3,000,000.00	3.76
*	Bendigo Bank (Dec 2017)	15-Dec-15	18-Dec-16	18-Dec-17	2,000,000.00	3.15
	RaboDirect (Curve) (Jan 2019)	13-Jan-16	15-Jan-17	15-Jan-19	1,000,000.00	4.00
	Big Sky BS (Curve) (Feb 2017)	19-Jan-16	17-Jan-17	17-Jan-17	2,000,000.00	3.10
*	Auswide Bank (Curve) (Feb 2017)	03-Feb-16	07-Feb-17	07-Feb-17	1,000,000.00	3.50
*	CUA (Aug 2016)	03-Feb-16	09-Aug-16	09-Aug-16	2,000,000.00	3.05
*	BOQ (Aug 2016)	08-Feb-16	09-Aug-16	09-Aug-16	5,000,000.00	3.10
*	Bendigo (Curve) (Feb 2017)	09-Feb-16	11-Aug-16	14-Feb-17	2,000,000.00	2.95
	RaboDirect (Curve) (Feb 2017) annual interest	10-Feb-16	14-Feb-17	14-Feb-17	1,000,000.00	3.40
*	Bendigo Bank (Feb 2018)	16-Feb-16	16-Feb-17	13-Feb-18	3,000,000.00	3.10
	NAB (Oct 2016)	16-Feb-16	18-Oct-16	18-Oct-16	4,000,000.00	3.00
*	CUA (Curve) (Feb 2017)	17-Feb-16	14-Feb-17	14-Feb-17	2,000,000.00	3.05

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	BCU (Curve) (Feb 2017)	21-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.20
*	BOQ (Aug 2016)	23-Feb-16	23-Aug-16	23-Aug-16	4,000,000.00	3.10
*	Suncorp (Oct 2016)	23-Feb-16	25-Oct-16	25-Oct-16	2,000,000.00	3.00
*	Suncorp (Oct 2016)	23-Feb-16	25-Oct-16	25-Oct-16	2,000,000.00	3.00
	ING (Curve) (Feb 2017)	25-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.10
*	Auswide Bank (RIMSEC) (Aug 2016)	26-Feb-16	23-Aug-16	23-Aug-16	2,000,000.00	3.15
*	BOQ (Aug2016)	01-Mar-16	30-Aug-16	30-Aug-16	1,000,000.00	3.10
	Maitland MBS (RIMSEC) (Aug 2016)	01-Mar-16	23-Aug-16	23-Aug-16	2,000,000.00	3.05
*	ME Bank (Curve) (Mar 2018)	01-Mar-16	06-Mar-17	06-Mar-18	2,000,000.00	3.13
*	Rural Bank (Curve) (Aug 2016)	01-Mar-16	23-Aug-16	23-Aug-16	3,000,000.00	3.00
	NAB (Mar 2016)	08-Mar-16	04-Oct-16	04-Oct-16	4,000,000.00	3.10
*	Rural Bank (Curve) (Mar 2017)	08-Mar-16	07-Mar-17	07-Mar-17	1,000,000.00	3.05
*	Heritage (Mar 2017)	16-Mar-16	14-Mar-17	14-Mar-17	4,000,000.00	3.25
	NAB (Sept 2016)	22-Mar-16	13-Sep-16	13-Sep-16	1,000,000.00	3.10
*	Suncorp (Sept 2016)	22-Mar-16	20-Sep-16	20-Sep-16	4,000,000.00	3.05
*	Suncorp (Apr 2016)	19-Apr-16	18-Oct-16	18-Oct-16	4,000,000.00	3.10
	NAB (Feb 2020)	03-May-16	03-Aug-16	03-Feb-20	1,000,000.00	3.70
*	IMB (Nov 2017)	05-May-16	05-Aug-16	06-Nov-17	1,000,000.00	2.89
	AMP (RIMSEC) (May 2016)	10-May-16	09-May-17	09-May-17	3,000,000.00	3.00
	ING (RIMSEC) (Feb 2020)	11-May-16	11-Aug-16	11-Feb-20	1,000,000.00	2.97
	NAB (Feb 2020) annual interest	12-May-16	12-Aug-16	12-Feb-20	2,000,000.00	3.15
	CBA (Feb 2020)	13-May-16	15-Aug-16	13-Feb-20	1,000,000.00	2.89
*	Bankwest (May 2016)	17-May-16	20-Sep-16	20-Sep-16	2,000,000.00	2.75
*	Bendigo Bank (Curve) (May 2018)	17-May-16	22-May-17	22-May-18	2,000,000.00	3.05

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	QLD PCU (Curve) May 2018)	17-May-16	22-May-17	22-May-18	2,000,000.00	3.15
*	St George (Dec 2016)	17-May-16	19-Dec-16	19-Dec-16	3,000,000.00	3.10
*	Westpac (Feb 2021)	18-May-16	18-Aug-16	18-Feb-21	2,000,000.00	3.00
	CBA (May 2020)	19-May-16	19-Aug-16	19-May-20	2,000,000.00	2.72
	CBA (May 2020)	19-May-16	19-Aug-16	19-May-20	1,000,000.00	2.87
	Rabo Bank (Curve) (May 2020)	20-May-16	19-May-17	19-May-20	2,000,000.00	3.20
	NAB (May 2016)	24-May-16	22-Nov-16	22-Nov-16	2,000,000.00	3.00
	Defence Bank (Curve) (May 2018)	25-May-16	28-May-17	28-May-18	1,000,000.00	3.05
	Defence Bank (Curve) (June 2018)	31-May-16	05-Jun-17	05-Jun-18	1,000,000.00	3.05
*	Suncorp (May 2015)	31-May-16	31-Jan-17	31-Jan-17	3,000,000.00	3.00
*	Bendigo Bank (Curve) (June 2019)	01-Jun-16	01-Jun-17	04-Jun-19	2,000,000.00	3.15
	Gateway CU (RIMSEC) (June 2016)	07-Jun-16	08-Nov-16	08-Nov-16	2,000,000.00	3.00
*	IMB (Mar 2020)	17-Jun-16	19-Sep-16	17-Mar-20	2,000,000.00	3.05
*	BOQ (Sept 2016) quarterly interest	20-Jun-16	20-Sep-16	20-Sep-16	2,000,000.00	3.30
	NAB (Dec 2019)	20-Jun-16	19-Sep-16	17-Dec-19	2,000,000.00	3.05
*	Rural (Curve) (Feb 2017)	28-Jun-16	14-Feb-17	14-Feb-17	2,000,000.00	3.00
	Military Bank (Curve) (July 2017)	05-Jul-16	11-Jul-17	11-Jul-17	1,000,000.00	3.15
*	IMB (Jan 2020)	06-Jul-16	06-Oct-16	06-Jan-20	1,000,000.00	2.97
*	Westpac (Apr 2016) quarterly interest	07-Jul-16	07-Oct-16	07-Apr-21	1,000,000.00	3.57
*	Westpac (Jan 2021)	11-Jul-16	11-Oct-16	12-Jan-21	6,000,000.00	3.07
*	BOQ (Jul 2016)	12-Jul-16	17-Jan-17	17-Jan-17	2,000,000.00	3.00
	NAB (Jan 2020)	18-Jul-16	17-Oct-16	21-Jan-20	2,000,000.00	3.75
	NAB (Oct 2016)	21-Jul-16	22-Aug-16	18-Oct-16	2,000,000.00	2.79

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
RaboDirect (Curve) (Jul 2016)	26-Jul-16	27-Oct-16	27-Jul-21	1,000,000.00	3.30
RaboDirect (Curve) (Jul 2021)	27-Jul-16	27-Oct-16	27-Jul-21	1,000,000.00	3.30
ING (RIMSEC) (Jan 2019)	29-Jul-16	31-Oct-16	29-Jan-19	2,000,000.00	2.71
* ME Bank(Aug 2016)	29-Jul-16	03-Aug-16	02-Aug-16	2,000,000.00	3.63
		Total		167,000,000.00	3.23
LEGEND	Counterparties				
AMP = AMP Bank		Macquarie = Macquarie Bank		WBC = Westpac Bank	
ANZ = ANZ Bank		NAB = National Australia Bank			
Auswide = Auswide Bank		ME = Members Equity Bank			
BOQ = Bank of Queensland		NPBS = Newcastle Permanent Building Society			
CBA = Commonwealth Bank		P&N = P&N Bank			
Heritage = Heritage Bank		RaboDirect = Rabo Bank			
ING = ING Bank		Rural = Rural Bank			
Investec = Investec Bank		Suncorp = Suncorp Metway Bank			

6. Ethical Investments

* Ethical Financial Institutions highlighted **\$136,493,563** which represents **56.12%** of the total portfolio

Source: Australian Ethical - www.australianethical.com.au

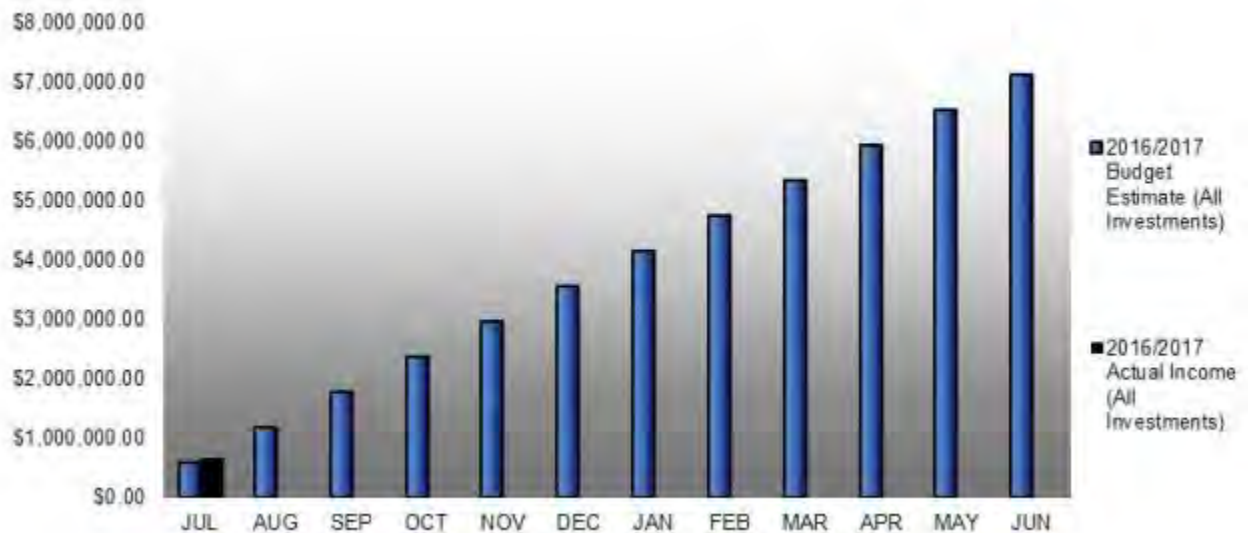
7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return	Above or (Below) 90 day BBSW Benchmark	
Overnight Money Market	3,000,000.00	3,000,000.00	1.05%	-0.88%	
Bonds & FRNs	73,000,000.00	73,220,410.00	3.42%	1.49%	
Term Deposits	167,000,000.00	167,000,000.00	3.23%	1.30%	
Benchmark 90 Day UBS Bank Bill Index	1.93%	243,000,000.00	243,220,410.00	3.26%	1.33%

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%	1.61%	A-1+	100%	11.89%
AA Category	100%	17.82%	A-1	100%	14.41%
A Category	60%	14.44%	A-2	60%	27.61%
BBB Category	20%	8.22%	A-3	0%	0.00%
Unrated	10%	1.20%	Unrated	10%	2.80%

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	45.36%	Minimum 40%
More than 365 days and less than 3 years	26.74%	Maximum 60%
3 years and less than 5 years	27.90%	Maximum 35%
Total	100.00%	

Market Value by Term Remaining

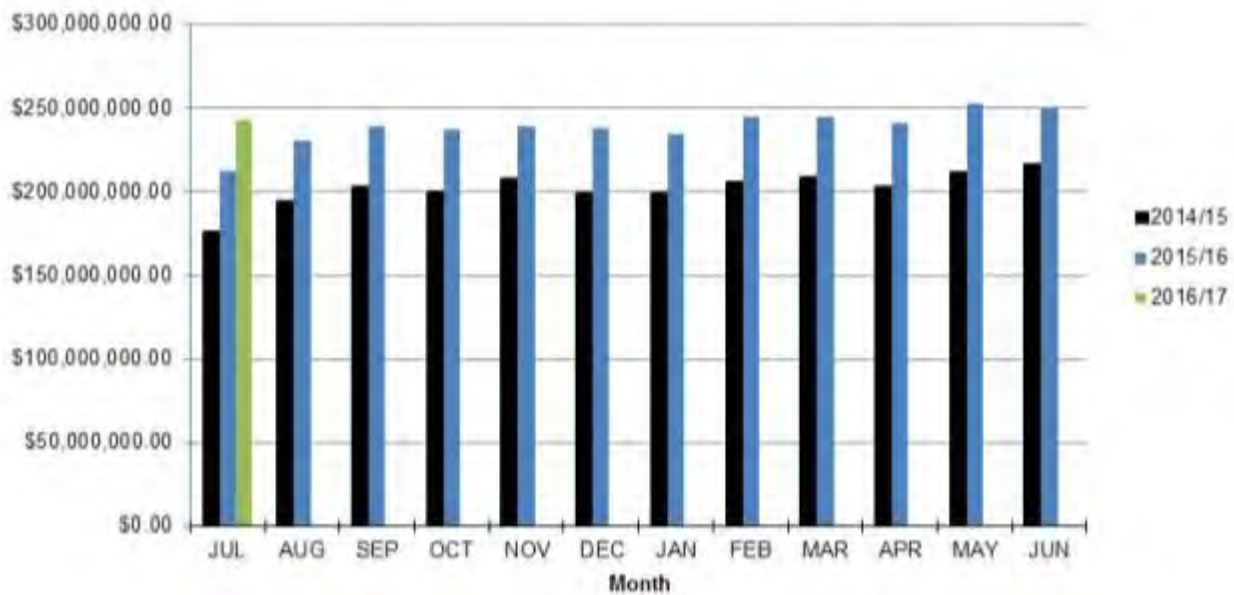


11. Investment Alternatives Explained

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	Credit exposure to company issuing the paper

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
			swap rate	
			Relatively liquid	May not be bank guaranteed
			Less administration than bank bills	Underperforms other asset classes in the long term
Fixed Rate/Bond	1 - 5 years	Greater than 3 years	Can accrue capital gain if sold before maturity and market interest rates have fallen	Can incur capital losses if sold before maturity and market interest rates have risen
			Fixed return - semi annual coupons	Credit exposure to company issuing paper
			Generally liquid	
			Can be government or corporate issuer	

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	4,300,222	
2	Western Drainage	611,779	
3	DCP3 Community Facilities	1,656	
4	TRCP Road Contributions	13,468,263	62,404
5	Open Space	415,557	5,933
6	Street Trees	188,159	
7	West Kingscliff	524,811	
10	Cobaki Lakes	-1,370	
11	Libraries	2,062,948	6,619
12	Bus Shelters	100,535	515
13	Cemeteries	87,696	965
14	Mebbin Springs	91,560	
15	Community Facilities	1,320,275	9,565
16	Surf Lifesaving	397,395	
18	Council Administration/Technical Support	1,530,045	14,740
19	Kings Beach	734,546	3,564
20	Seabreeze Estate	764	
21	Terranora Village	32,964	
22	Cycleways Shirewide	338,943	3,389
23	Carparking Shirewide	1,252,339	
25	SALT	1,103,067	
26	Open Space Shire wide	1,282,790	38,880
27	Tweed Heads Masterplan	310,282	
28	Seaside City	225,860	
91	DCP14	109,574	
92	Public Reserve Contributions	137,363	
95	Bilambil Heights	535,822	
	Total	31,163,844	146,573

14. Economic Commentary**Australian and World Economy and Cash Rate**

At its 2 August 2016 meeting, the Reserve Bank of Australia (RBA) decided to lower the cash rate by 25 basis points to 1.50 per cent, effective 3 August 2016.

The global economy is continuing to grow at a lower than average pace. Several advanced economies have recorded improved conditions over the past year, but conditions have

become more difficult for a number of emerging market economies. Actions by Chinese policymakers are supporting the near-term growth outlook, but the underlying pace of China's growth appears to be moderating.

Commodity prices are above recent lows, but this follows very substantial declines over the past couple of years. Australia's terms of trade remain much lower than they had been in recent years.

Financial markets have continued to function effectively. Funding costs for high-quality borrowers remain low and globally, monetary policy remains remarkably accommodative.

In Australia, recent data suggest that overall growth is continuing at a moderate pace, despite a very large decline in business investment. Other areas of domestic demand, as well as exports, have been expanding at a pace at or above trend. Labour market indicators continue to be somewhat mixed, but are consistent with a modest pace of expansion in employment in the near term.

Recent data confirm that inflation remains quite low. Given very subdued growth in labour costs and very low cost pressures elsewhere in the world, this is expected to remain the case for some time.

Low interest rates have been supporting domestic demand and the lower exchange rate since 2013 is helping the traded sector. Financial institutions are in a position to lend for worthwhile purposes. These factors are all assisting the economy to make the necessary economic adjustments, though an appreciating exchange rate could complicate this.

Supervisory measures have strengthened lending standards in the housing market. Separately, a number of lenders are also taking a more cautious attitude to lending in certain segments. The most recent information suggests that dwelling prices have been rising only moderately over the course of this year, with considerable supply of apartments scheduled to come on stream over the next couple of years, particularly in the eastern capital cities. Growth in lending for housing purposes has slowed a little this year. All this suggests that the likelihood of lower interest rates exacerbating risks in the housing market has diminished.

Taking all these considerations into account, the Board judged that prospects for sustainable growth in the economy, with inflation returning to target over time, would be improved by easing monetary policy at this meeting.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with 69.89% of the portfolio held in cash and term deposits . Term deposits and bonds are paying average margins over the 90 day bank bill rate, while cash "at call" accounts are generally paying below the RBA cash rate.

Bank demand for longer dated term deposit funds has increased due to diminished availability of wholesale funding, increased cost of wholesale funding and new banking capital requirements. This demand for long term funds is highlighted by the lowering of many "at call" rates to less than the RBA cash rate and increased margins above the 90 day bank bill benchmark for term deposits.

The historic low cash rate is still translating to lower total investment yields. This continues to present difficulties obtaining reasonable investment income without risking capital.

All investment categories, except cash at call, out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from higher yielding bonds and term deposits purchased before interest rate margins began contracting. Overall, the investment portfolio has returned a **weighted average 1.33% pa** above the 90 day UBS bank bill index for the last month.

Source: RBA Monetary Policy Decision

15. Investment Summary

GENERAL FUND

CORPORATE FIXED RATE BONDS	13,566,780.00	
FLOATING RATE NOTES	59,653,630.00	
ASSET BACKED SECURITIES	0.00	
FUND MANAGERS	0.00	
TERM DEPOSITS	56,000,000.00	
CALL ACCOUNT	3,000,000.00	132,220,410.00
		<hr/>

WATER FUND

TERM DEPOSITS	47,000,000.00	
FUND MANAGERS	0.00	47,000,000.00
		<hr/>

SEWERAGE FUND

TERM DEPOSITS	64,000,000.00	
FUND MANAGERS	0.00	64,000,000.00
		<hr/>

TOTAL INVESTMENTS		243,220,410.00
		<hr/>

It should be noted that the General Fund investments of \$132 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

All Water and Sewerage Fund investments can only be expended in accordance with Government regulation and Council resolution.

Statutory Statement - Local Government (General) Regulation 2005 Clause 212

I certify that Council's investments have been made in accordance with the Local Government Act 1993, the Local Government (General) Regulations and Council's investment policies.



Responsible Accounting Officer
 Manager Financial Services
 Tweed Shire Council

OPTIONS:

Not Applicable.

CONCLUSION:

Not Applicable.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Local Government (General) Regulations 2005 - Section 212 - Reports on council investments

"(1) The responsible accounting officer of a council:

(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:

(i) if only one ordinary meeting of the council is held in a month, at that meeting, or

(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and

(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.

(2) The report must be made up to the last day of the month immediately preceding the meeting."

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

ORDERS OF THE DAY



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

26 [NOM] River Trail - Walking/Bike Trail from Chinderah to Murwillumbah

NOTICE OF MOTION:

Councillor K Milne moves that a report be brought forward on establishing a walk/bike track from Chinderah to Murwillumbah

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:

Validms



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
-

Council has previously considered a report on this proposal along with other cycleways in 2012. A revision of this report can be provided if required.

Budget/Long Term Financial Plan:

The 2012 report estimated the cost for constructing a “cycle friendly road”, namely a widened road shoulder with appropriate line marking, at \$4.33 million.

Legal Implications:

Not applicable.

Policy Implications:

Not applicable.

27 [NOM] Shade Trees for Walking and Bike Tracks

NOTICE OF MOTION:

Councillor K Milne moves that Council brings forward a report on establishing shade trees along walking and bike tracks around the Shire and policies to support this.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Public Open Space Policy

The Public Open Space Strategy (POSS) will describe the benefits of trees in the public domain:

- contribution to the conservation of habitat
- access to nature and nature appreciation
- the important of providing shade in our parks and other open spaces
- enhancing amenity
- contribution of trees to clean air, and in urban environments in reducing the Urban Heat Effect will be is acknowledged

The development of the POSS will review the policies, guidelines and processes that help council achieve these benefits. The POSS will look into how Council plans for trees across all units; in new subdivisions, Council's street tree planting processes, climate change policy, tree management policy, structure planning and master planning. The POSS will identify gaps and make recommendations e.g. implement processes to maximise shade opportunities when upgrading or renewing infrastructure, a strategic street scaping plan to protect and enhance tree canopy, a measuring and monitoring system etc.

The POSS will identify shade guidelines and will propose the development of a shade policy with the driver being to address exposure to sun in recreation spaces and when using playgrounds, placemaking and ensuring the right plant species are selected, in terms of climate, aesthetics etc.

Current actions

Council currently undertakes an annual street tree planting program throughout the Shire which includes bike and walking tracks. The constraints in planting trees in many situations and as detailed in the *Tree Management Guidelines* include:

- Proximity to infrastructure such as paths and gutters.
- Underground services including water, sewer and telecommunications

- Overhead services such as powerlines
- Proximity to adjoining properties.
- Support of adjoining property owners to trees fronting their properties.

Delivery Program:

Validms



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:

Financial implications will be dependent upon the structure of any adopted greening strategies.

Legal Implications:

Not applicable.

Policy Implications:

Not applicable.

28 [NOM] Renewable Energy

NOTICE OF MOTION:

Councillor K Milne moves that a report be brought forward on fast tracking the shovel readiness for implementing the renewable energy proposals presented in the briefing note to the July Council meeting for the Regional Development Australia grants.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

A report outlining the next steps in progressing immediate renewable energy projects is supported.

Council officers and external suppliers have completed desktop investigations into potential renewable energy installations at key Council facilities. We have rough cost estimates, and some benefit estimates, which need further analysis. There is potential funding available in Council reserves, Revolving Energy Fund and Climate Change Fund for suitable projects which can confidently demonstrate a good return for investment.

Recent energy efficiency projects have had some ongoing issues that have highlighted the importance of close feasibility analysis and careful project roll out in order to achieve the core objectives of new electronic equipment and achieve ongoing energy savings.

Council has had some experience in renewable energy installations to capitalise on generous feed in tariffs from the Solar Bonus Scheme (3kW – Tyalgum Water Treatment Plant, 10kW Mechanical & Electrical Building, Chinderah, 3kW Banora Wastewater Treatment Plant).

The next wave of renewable energy projects on Council facilities will be of a bigger scale (50kW at Murwillumbah Depot through to 900+kW Banora Point). A preliminary business case has been prepared for a 50kW solar project at Murwillumbah Depot. Council is looking to call tenders prior to the end of this current financial year to commence this project. Additionally, a consultant brief is being developed for the preparation of a detailed business case for a significant scale 900+kW PV solar project at the Banora Point WWTP to demonstrate the viability or not at this site.

Future renewable energy projects warrant careful planning, project management and execution to achieve maximum sustainability benefits from economic, environmental and capacity development perspectives.

Mapping out the next steps to bring short term renewable energy projects to shovel readiness will help advance Council's renewable energy intentions from aspirations to action. Industry advice, other councils' and local businesses' expertise in successful renewable energy installations could help inform Council's report about renewable energy projects next steps.

A Renewable Energy Action Plan is being developed separately to:

- Formalise Council's policy position on why we are pursuing renewable energy, confirm the most appropriate types of renewable energy to be progressed and the quantum of projects options they wish to develop, the impact on long term financial plans and how funding would be achieved.
- To ensure Council has an independent assessment of which renewable energy solar installations on Council facilities provide the best returns. The plan intends to quantify how far cost-effective short and medium term renewable energy solar projects can go in pursuing Council's aspirational goal of being self-sufficient in renewable energy.
- The feasibility of appropriate large scale renewable energy projects will also be investigated.

Councillors should note that the eight renewable energy projects presented for Regional Development Australia grants would generate about 25% of those facilities energy needs.

Delivery Program:

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Budget/Long Term Financial Plan:

Following provision of a report from Council officers, there may be significant implications depending on the extent of future renewal energy projects being approved by Council.

Legal Implications:

Legal implications will be considered in the report.

Policy Implications:

Report would be consistent with Council resolutions to set an aspirational target of self-sufficiency in renewable energy and investigate large scale renewable energy generation options, with the intent of formalising Council's policy position on pursuing renewable energy.

The report would also help Council make progress towards the 2003 Tweed Community Greenhouse Gas Reduction Local Action Plan carbon reduction target.

29 [NOM] Roadside Honesty Boxes

NOTICE OF MOTION:

Councillor K Milne moves that Council brings forward a report on how to encourage the establishment of roadside honesty boxes around the Shire, where deemed safe, to simplify the approvals process, minimize fees, and to support local farmers and hobby farmers.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:

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

Budget/Long Term Financial Plan:

This task would require a reprioritisation of the 2016/17 Strategic Planning and Urban Design Work Program.

Legal Implications:

The task may require an amendment to the Tweed Local Environmental Plan 2014. Some legal interpretation of the Exempt and Complying State Environmental Planning Policy may also be required.

Policy Implications:

Following a number of compliance actions taken in respect of unauthorised roadside stall activities, a report was submitted to Council's meeting of 20 February 2014, which provided a detailed explanation of the prevailing statutory and policy controls affecting this type of activity.

Since that time, there have been some changes to the statutory controls affecting roadside stalls and food and drink vending activities:

Tweed Local Environmental Plan 2014

Under the Local Environmental Plan (LEP), a roadside stall is defined as:

"roadside stall means a place or temporary structure used for the retail sale of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property."

This type of use is effectively permitted on private properties in certain zones, (not on road reserves), requiring a development application, and to be compliant with Clause 5.4 of the LEP.

Exempt and Complying State Environmental Planning Policy (Codes SEPP)

The Codes SEPP specifies the following form of exempt development (does not require a development application).

"Subdivision 27A Mobile food and drink outlets

2.54A Specified development

The carrying out of the retail sale of food, drinks and related products on land from a mobile outlet such as a food truck, van, cart or other similar vehicle is development specified for this code.

2.54B Development standards

The standards specified for that development are that the development must:

- (a) have the consent of the owner of the land on which the development is carried out or, if a council or public authority has the control and management of the land, the consent, in writing, of the council or public authority, and*
- (b) not restrict any vehicular or pedestrian access to or from the land or entry to any building on the land, and*
- (c) not obstruct the operation of, or access to, any utility services on the land or on adjacent land, and*
- (d) not be located within the canopy of, or result in damage to, any tree growing on the land or on adjacent land, and*
- (e) not result in any damage to public property on the land or on adjacent land, and*
- (f) carried out on land within or immediately adjacent to a residential zone—only be carried out between 7.00 am and 7.00 pm on any day, and*
- (g) if located on a public place—have any approval required under section 68 of the [Local Government Act 1993](#), and*
- (h) if located on private land—be limited to 1 development on that land and not contravene any conditions of a development consent for any other use carried out on the land.*

Note. *A registrable vehicle within the meaning of the [Road Transport \(Vehicle Registration\) Regulation 2007](#), or a cart, bicycle cart or the like must operate in accordance with the Guidelines for mobile food vending*

vehicles (NSW/FA/F1055/1302) published by the NSW Food Authority in February 2013, and any requirements of the [Food Act 2003](#)."

This exemption would allow for a roadside stall with honesty box on either private or public land (such as road reserves), subject to compliance with the development standards above, which includes a requirement for the consent of the land owner.

For any such proposal in a road reserve, the vendor would require the prior consent of Council. It has been Council's policy in recent years not to support such activity in road reserves, and to encourage vendors to use the approved farmers market facilities at Tumbulgum, off Tweed Valley Way.

30 [NOM] Sustainability Rating Tools for Major New Subdivisions

NOTICE OF MOTION:

Councillor K Milne moves that Council begins the process to engage a qualified expert consultant that specializes in sustainability planning to advise Council on the best sustainability rating tool for subdivisions over 25 lots, and reports back to the September Council meeting on progress, and every 3 months following.

Councillor's Background Notes

A resolution was passed in 2012, 4 years ago, for rating tools to be developed. The report to the June Council meeting on this progress highlighted that this process may not even begin to occur until next year.

This is a vital opportunity for sustainability that is being missed in Tweed's new developments.

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:

Validms



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:

A report was provided to Council at its 16 June 2016 meeting on the progress of reviewing DCP-A5 Subdivision Manual. Within this report reference was made to the previous resolution of Council on developing a sustainability rating tool for subdivisions and the constraints for undertaking the same. Unfortunately there is currently no budget allocation for the engagement of an external consultant to assist in progressing the proposal to review and develop a rating tool. Additionally there are other priorities which officers are required to progress given previous resolutions of Council including the Car Park Study and Tweed Road Development Strategy.

An alternative option for Council to consider is for Council officers to provide an update of a previous report on the various forms of sustainability rating tools for new residential subdivisions.

Legal Implications:

None at this stage.

Policy Implications:

It is noted that in response to a previous Notice of Motion from Councillor Milne, a report was prepared by Council officers that evaluated existing sustainability rating tools. In respect of this report, Council resolved the following at its meeting of 17 April 2012:

“RESOLVED that:

- 1. The report to a Notice of Motion - Sustainability Development Control Plan be received and noted.*
- 2. Council supports a review of Development Control Plan (DCP) A5 – Subdivision Manual, be undertaken, as soon as resources permit and to build upon existing sustainability and urban design principles.”*

More recently, Council officers have been advancing the Development Control Plan (DCP) review and as part of this approach have been examining the best practice of sustainability assessment practices of new residential developments across Australia.

The officers have also organised with Ipswich City Council to visit and gain presentations on various new residential subdivision sites in the Ipswich region on 30 August. One of these sites is the Ecco Ripley Estate, which gained a 5 star Green Star sustainability rating.

It is expected that the learning gained from these investigations will add great value to the current DCP preparation process.

31 [NOM] Pottsville - Road Upgrade

NOTICE OF MOTION:

Councillor K Milne moves that Council brings forward a report on the Coronation Avenue, Pottsville road upgrade in regard to the merits and costs to retrofit a koala underpass.

Councillor's Background Notes

This section of Coronation Avenue at Pottsville crosses a narrow but vital wildlife corridor between Pottsville's koalas to the north and south. The corridor has been squeezed to a critical pinch point at the road interface and is recognized as a blackspot for koalas. The koalas on the coast are in serious jeopardy and need the best possible option to reduce mortality at road crossings.

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Budget/Long Term Financial Plan:

The estimated cost of retrospectively providing a 1.2 metre high by 1.8 metres wide culvert as part of the current construction is \$189,000 plus koala fencing of at least \$58,000 which is essential to force koalas to use the culvert. The total cost of \$247,000 is not currently included in the Long Term Financial Plan or budgets.

Legal Implications:

Not Applicable

Policy Implications:

The subject site is identified as being in a koala linkage precinct in the Tweed Coast Comprehensive Koala Plan of Management. Councils' environmental scientists, who have specific expertise in this area, have assessed the options for providing connectivity for koalas across this road and have not recommended a koala underpass and associated fencing.

Culverts and other connectivity structures do not function without 'fauna fencing'. Due to all land adjacent to southern side of the road being in private ownership; it is not feasible to install fauna fencing.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

32 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 14 July 2016

SUBMITTED BY: Roads and Stormwater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.1	Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities

SUMMARY OF REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 14 July 2016 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 14 July 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1 [LTC] Tweed Valley Triathletes 2016 to 2017 Season

"That the Tweed Valley Triathlon Season events be supported subject to:

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 addressing raised concerns including a letterbox drop to directly affected residents.***
4. ***Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.***
5. ***Adequate public liability insurance being held by the event organiser.***

6. ***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.***
7. ***Consultation with emergency services and any identified issues addressed.***
8. ***Arrangements made for private property access and egress affected by the event.***
9. ***The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.***
10. ***The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season."***

A2 [LTC] Brisbane Street Murwillumbah

"That:

1. ***The existing disabled parking space in Brisbane Street be relocated to allow Australia Post to access their garage.***
2. ***A new disabled parking space be installed three spaces north, in accordance with relevant Australian Standards for parking."***

A3 [LTC] Berkleys Lane, Pottsville

"That the yellow "No Stopping" line installed in Berkley's Lane between the pedestrian path and the coffee shop be endorsed."

A4 [LTC] Twin Towns Triathlon Season - 2016/17

"That the Twin Towns Triathlon Season events be supported subject to:

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 addressing raised concerns including a letterbox drop to directly affected residents.***
4. ***Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.***
5. ***Adequate public liability insurance being held by the event organiser.***
6. ***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.***
7. ***Consultation with emergency services and any identified issues addressed.***
8. ***Arrangements made for private property access and egress affected by the event.***
9. ***The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.***

10. *The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season."*

REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 14 July 2016 are reproduced as follows for the information of Councillors.

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 9.30am

PRESENT:

Committee Members: Cr Barry Longland, Snr Constable Tony Darby, NSW Police, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed.

Informal: Miss Alana Brooks (Chairperson), Mr Leon McLean, Ms Sandy Zietlow (Minutes Secretary).

APOLOGIES:

Mr Etienne La Grange Roads and Maritime Services of NSW, Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Ray Clark, Mr Nick Tzannes.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MIN1 [LTC] Confirmation of Previous Minutes Meeting held 9 June 2016

ORIGIN:

Roads & Stormwater

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 9 June 2016 be adopted as a true and accurate record of proceedings of that meeting.

SCHEDULE OF OUTSTANDING RESOLUTIONS

SCH1 [LTC] Schedule of Outstanding Resolutions - July 2016

ORIGIN:

Roads & Stormwater

SUMMARY OF REPORT:

No Outstanding Resolutions for meeting held 14 July 2016

BUSINESS ARISING

1. Confirmation of Speed Zone change on Kyogle Road

The Committee is advised that the Roads & Maritime Services have completed their speed zone review of Kyogle Road. The existing 80km/h speed limit will be reduced to 60km/h from 300 metres south of Braeside Drive to 250mtrs south of Glenock Road Uki.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

A1 [LTC] Tweed Valley Triathletes 2016 to 2017 Season

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4087045; Traffic - Committee; Festivals/Events - Other; Bicycle Matters - General; Roads - General; Civic Centre - Murwillumbah; Cane Road; Charles Street; George Street; Main Street; Queensland Road; Tumbulgum Road; Racecourse Road; Reynolds Street; York Street; Martin Street

SUMMARY OF REPORT:

Request received to use roads in Tweed Shire for the Tweed Valley Triathletes season commencing Saturday 17 September 2016 and concluding on Saturday 11 March 2017.

The senior (adult) course, as well as a swim leg in the pool, comprises a 10km cycle and 4km run. The cycle and run leave from the Tweed Regional Aquatic Centre. The cycle leg consists of a circuit which includes Tumbulgum Road, Cane Road, Queensland Road, Murwillumbah Street and Wharf Street. The run leg goes along Tumbulgum Road and then onto Racecourse Road for 1km and returns the same way.

The intermediate (adult) course includes a 7km cycle leg along Tumbulgum Road, Racecourse Road, Queensland Road, Murwillumbah Street and Wharf Street and a 2km run leg from the pool to the Tumbulgum Road/Racecourse Road intersection and return.

The Junior course includes a cycle along Tumbulgum Road to Reynolds Street and the 2 circuits of Charles Street, George Street, York Street, Martin Street and Reynolds Street before riding back to the Aquatic Centre via Tumbulgum Road.

Adult members are on the road between 6:05am and 7:10am. Junior members are on the road between 7:30am and 8:00am.

During Junior events adults are placed at the council car park entrance/exit, at the Tumbulgum Road/Reynolds Street 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.

RECOMMENDATION TO COUNCIL:

That the Tweed Valley Triathlon Season events be supported subject to:

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 addressing raised concerns including a letterbox drop to directly affected residents.
4. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.
5. Adequate public liability insurance being held by the event organiser.
6. 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.
7. Consultation with emergency services and any identified issues addressed.
8. Arrangements made for private property access and egress affected by the event.
9. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
10. The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season.

FOR VOTE - Cr Barry Longland, Mr Col Brooks - on behalf of Member for Murwillumbah - Mr T George, Snr Constable Tony Darby, NSW Police, Etienne La Grange Roads & Maritime

A2 [LTC] Brisbane Street Murwillumbah

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4106491; Traffic - Committee; Traffic - Parking Zones; Brisbane Street Murwillumbah.

SUMMARY OF REPORT:

Request has been received for the Disabled Parking space in Brisbane Street outside the Australia Post office to be moved forward one space. This would allow the Australia Post Corporate Van to utilise their 2 door garage.

RECOMMENDATION TO COUNCIL:

That:

1. The existing disabled parking space in Brisbane Street be relocated to allow Australia Post to access their garage.

2. A new disabled parking space be installed three spaces north, in accordance with relevant AS Standards for parking.

FOR VOTE - Cr Barry Longland, Mr Col Brooks - on behalf of Member for Murwillumbah - Mr T George, Snr Constable Tony Darby, NSW Police, Etiene La Grange Roads & Maritime

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A3 [LTC] Berkleys Lane, Pottsville

ORIGIN:
Roads & Stormwater

FILE NO: Traffic - Committee; Traffic - Parking Zones; Berkleys Lane.

SUMMARY OF REPORT:

A yellow "No Stopping" line has been installed in Berkley's Lane between the pedestrian path and the coffee shop on the eastern curve.

The yellow line was installed to improve pedestrian safety and traffic flow. Due to space restrictions the pedestrian path could not be continued safely and there was not enough space for paving behind the curve. The "No Stopping" zone gives all road users more opportunity to see one another and more space for pedestrians to move.

RECOMMENDATION TO COUNCIL:

That the yellow "No Stopping" line installed in Berkley's Lane between the pedestrian path and the coffee shop be endorsed.

FOR VOTE - Cr Barry Longland, Mr Rod Bates - on behalf of Member for Tweed, Snr Constable Tony Darby, NSW Police, Etiene La Grange Roads & Maritime

A4 [LTC] Twin Towns Triathlon Season - 2016/17

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4111801; Traffic - Committee; Traffic - Local Area Traffic Management; Bicycles - General; Leisure Drive; Fraser Drive; Terranora Road; Botanical Circuit; Vintage Lakes; Woodlands Drive; Darlington Drive.

SUMMARY OF REPORT:

Request received for permission to use Tweed Shire Roads for the 2016/17 Twin Towns Triathlon Season.

"Cycle management plan

Cycle leg of TTTC Saturday morning triathlon event comprises at 14.5 km course with members on the road at intervals between 6.15am and 7.15am.

- *TTTC program starts on 17 September, 2016 and concludes on 25 March, 2017 (a total of 28 weeks).*
- *All members must adhere strictly to NSW road rules.*
- *Bikes must meet a strict standard of maintenance. Working lights (front & rear) are compulsory for all competitors.*
- *Helmets must be worn at all times.*
- *Drafting is illegal (bunches should not form).*
- *Road signs are displayed at strategic points to alert motorists of the presence of cyclists*
 1. *Both sides of Terranora Road prior to the roundabout at Frazer Drive.*
 2. *Fraser Drive prior to roundabout at South Tweed Leagues Club playing fields.*
 3. *Greenway Drive prior to the roundabout at Leisure Drive.*
- *All registered persons are numbered allowing identification of any breaches of road rules.*

Breach of road rules and no complying with the Traffic Act will result in:

 1. *First offence - two week suspension*
 2. *Second offence - suspension for rest of season.*
- *Events will be cancelled when weather conditions are dangerous, as the club has a duty of care to all members.*
- *All members understand their obligation to be part of the road traffic flow and at no time to take precedence over normal traffic flow.*
- *Volunteer Traffic Marshalls are posted on the roundabout of Frazer Drive and Terranora Road and Leisure Drive and Woodland Drive (marked on map below with a red M). They wear fluorescent safety vests and carry mobile phones. In case of an emergency, they ring 000. For small incidents (e.g flat tyre), they ring the registration desk on 0438 785 659.*
- *Club Championship day will be March 25th, 2017. The club pays for police supervision of the traffic lights at Winders Place and Eucalyptus Drive.*

Dates of Competition

** Police supervised Club Championship race*

Course details

The cycle leg begins at Club Banora (side adjacent to tennis courts) then turn left onto Leisure Drive. Continue straight until traffic lights at Fraser Drive and turn left. Continue up Fraser Drive to the roundabout on Fraser Drive and Terranora Road, turn right back onto Fraser Drive and proceed down Fraser Drive. Continue to roundabout at Vintage Lakes and turn right 180° until travelling south on Fraser Drive. Turn left at the traffic lights then turn right at roundabout into Woodlands Drive and right at roundabout into Darlington Drive. Continue around loop until left at roundabout into Leisure Drive and then left back into Club Banora."

RECOMMENDATION TO COUNCIL:

That the Twin Towns Triathlon Season events be supported subject to:

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 addressing raised concerns including a letterbox drop to directly affected residents.
4. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.
5. Adequate public liability insurance being held by the event organiser.
6. 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.
7. Consultation with emergency services and any identified issues addressed.
8. Arrangements made for private property access and egress affected by the event.
9. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
10. The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season

FOR VOTE - Cr Barry Longland, Mr Rod Bates - on behalf of Member for Tweed, Snr Constable Tony Darby, NSW Police, Etienne La Grange Roads & Maritime

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE - MURWILLUMBAH

B1 [LTC] Road and Horse Rider safety in Rural Villages

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4124946; Traffic - Committee; Traffic - Safety

SUMMARY OF REPORT:

A request has been received in reference to Road and Horse Rider safety in Rural Villages.

"Over the past six months, the Club has received several complaints from horse riders about motorists and motor cyclists travelling at speed intentionally creating mischief when approaching horses on local roads. We understand that some of these incidents have been serious enough to have been report to the Murwillumbah Police.

Horses are regarded as a vehicle as is a pedal cyclist and motorists should always mind both with caution and observe safe distances. In particular motorists should be

aware that if a horse appears distressed, they should come to a full stop until the horse settles down.

We would very much appreciate your support and that of the Tweed Shire Council in creating improved awareness for local motorists about their responsibility in ensuring the safety of all road users, including horse riders.

Following our recent consultation with horse owners and riders in the Tweed Shire, we request that Council give consideration to the installation of "Caution Horses" signs in the following locations:

- *Upper Burringbar Road*
- *Ophir Glen Road*
- *Cudgera Creek Road, Burringbar & Cudgera Creek*
- *Tweed Valley Way, Burringbar (at Cudgera Creek Road junction)*
- *Round Mountain Road (from Cabarita Pony Club Grounds to Kanes Road)*
- *Townners Road*
- *Tweed Coast Road - at crossing to beach trails, between Cabarita & Hastings Point*
- *Wooyung Road*
- *Reserve Creek Road*
- *Smarts Road*
- *Warwick Park Road, Sleepy Hollow*
- *Smiths Creek Road, Uki/Stokers*
- *Rowlands Road, Uki*
- *Upper Crystal Creek Road*
- *Nobbys Creek Road*
- *Tyalgum Road*
- *Byrrell Creek Road*
- *Brays Creek Road*
- *Back Creek Road"*

COMMITTEE ADVICE:

That Council officers liaise with the Tweed Trail Horse Riders Club to identify high risk, high use sections of road where signs may be warranted.

B2 [LTC] Peaks Challenge Gold Coast - 14 August 2016

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4090742; 4090877; Traffic – Committee; Traffic – Control; Bicycle Matters – General; Festivals / Events Other; Numinbah Road; Tomewin Road

SUMMARY OF REPORT:

Request received for the Peaks Challenge Gold Coast bicycle event proposed for Sunday 14 August 2016. Total event distance is 235km ride starting and finishing at CBUS Super Stadium with an estimated 1,000 participants.

Start time is 5.30 – 6.00am and riders must be completed by 6.00pm.

COMMITTEE ADVICE:

That the Peaks Challenge Gold Coast on Sunday 14 August 2016 be supported subject to:

1. NSW Police approval being obtained.
 2. Endorsement of the event by Cycling Queensland.
 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 addressing raised concerns including a letterbox drop to directly affected residents.
 5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
 6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
 7. Adequate public liability insurance being held by the event organiser.
 8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
 9. Consultation with emergency services and any identified issues addressed.
 10. Arrangements made for private property access and egress affected by the event.
 11. 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 Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
 12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.
 13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
 14. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.
-

GENERAL TRAFFIC ADVICE - TWEED HEADS

B3 [LTC] Lorian Way and Shoal Place Kingscliff

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4015911, Traffic - Committee; Traffic - Safety; Shoal Place; Lorian Way.

SUMMARY OF REPORT:

A request has been received in reference to traffic safety issues in relation to the intersection of Lorian Way and Shoal Place Kingscliff.

"I am writing this email in reference to observed road safety issues identified in photos submitted to Tweed Shire Council on the 5th April 2016 in relation to the intersection of Lorian Way and Shoal Place, Kingscliff.

It is of my opinion that there are three serious issues in relation to this intersection;

- 1) Public transport and school buses double parking in and around the intersection, stopping over the intersection in breach of NSW road rules creating unsafe road conditions.*
- 2) Resident vehicles from townhouse block situated adjacent to the intersection parking on the nature strips and within 10m of an intersection in breach of NSW road rules obscuring clear view preventing safe transit from Shoal Place intersection instead of their appropriate onsite parking.*
- 3) Buses and public patrons using my driveway sited along Lorian Way as a bus stop blocking my driveway and allowing bus users to peer into our back yard affecting our right to privacy. Also exposure to diesel fumes and noise emitted due to the stop / start nature of these buses.*

My recommendations include

- 1) Make a section of roadway from Shoal Place intersection along my property boundary be made into a no stopping zone with signage and solid yellow painted line along roadway similar to that of the Lorian Way and Beach Street intersection.*
- 2) Increased surveillance by police and or council rangers to regulate parking breaches by residents and visitors in this area.*
- 3) Relocate bus pick up and drop off areas for school children and general public further north adjacent to the pad mounted sub-station located on the eastern side of Lorian way as some buses already use, and sign post accordingly."*

Council officers inspected the site twice and did not observe any parking issues at this location. A review of the most recent crash history did not reveal any crashes at this location.

COMMITTEE ADVICE:

That:

1. The requested parking control measures are not supported.
2. Parking issues in Lorien Way and Shoal Place be referred to Council's Regulatory Services.
3. Council officers liaise with Surfside Buslines to resolve bus pickup and drop offs in Lorien Way.

B4 [LTC] Casuarina Way, Casuarina

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4102894; RDS16/0591; Traffic - Committee; Traffic - Linemarking; Traffic - Safety, Casuarina Way

SUMMARY OF REPORT:

Request received to consider the installation of a double centre line on Casuarina Way, Casuarina between Barclay Drive and Dryandras Court.

This section of Casuarina Way is particularly winding. Multiple site inspections revealed that motorists frequently cut corners and there is a potential for head on collisions. The double centrelines would not interfere with the majority of parking within this section.

COMMITTEE ADVICE:

That double centrelines be installed through the curves on Casuarina Way between Barclay Drive and Dryandras Court.

B5 [LTC] Cycle for Life - 31 July 2016

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4109611; Traffic - Committee; Traffic – Control; Bicycle Matters – General; Festivals / Events Other; Bells Blvd, Casuarina Way, Dianella Drive, Tweed Coast Road, Clothiers Creek Road, Watty Bishop Road, Round Mountain Road, Kanes Road, Reserve Creek Road, Cudgera Creek Road, Pottsville Road, Tweed Valley Way, Stokers Road, Bakers Road, Kyogle Road, Parke Avenue, North Arm Road, Numinbah Road, Cane Road, Eviron Road, Duranbah Road, Cudgen Road.

SUMMARY OF REPORT:

Request received to conduct the Cycle for Life Event on the 31 July 2016.

The event is a social ride aimed to help raise awareness within the community about organ donation.

The event has 3 rides:

- A 10km return walk/ride along the Casuarina shared path from Salt Village to Cotton Beach.
- A 45km from Salt along Bells Blvd, Casuarina Way, Dianella Drive, Tweed Coast Road, Clothiers Creek Road, Eviron Road, Duranbah Road, Cudgen Road, Tweed Coast Road, Dianella Drive, Casuarina Way, Bells Blvd.
- A 94km ride with a maximum of 40 riders going from Salt along Bells Blvd, Casuarina Way, Dianella Drive, Tweed Coast Road, Clothiers Creek Road, Watty Bishop Road, Round Mountain Road, Kanes Road, Reserve Creek Road, Cudgera Creek Road, Pottsville Road, Tweed Valley Way, Stokers Road, Bakers Road, Kyogle Road, Parke Avenue, North Arm Road, Numinbah Road, Cane Road, Tweed Valley Way, Clothiers Creek Road, Eviron Road, Duranbah Road, Cudgen Road, Tweed Coast Road, Bells Blvd.

The 94km and 45km ride will have a lead vehicle and a backup vehicle with appropriate signage identifying cycling route and warning motorists of the presence of cyclist's on the road.

COMMITTEE ADVICE:

That the proposed Cycle for Life event at Salt on 31 July 2016 be supported subject to:

1. NSW Police approval being obtained.
 2. Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons.
 3. Community and affected business consultation.
 4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, 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, if required.
 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 Kingscliff Police, Kingscliff Fire brigade and Kingscliff Ambulance.
-

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 11 August 2016 in the Mt Warning Meeting Room commencing at 9.30am.

There being no further business the Meeting terminated at 10.20am.

EXECUTIVE MANAGEMENT TEAM COMMENTS:

A1 [LTC] Tweed Valley Triathletes 2016 to 2017 Season

Nil.

A2 [LTC] Brisbane Street Murwillumbah

Nil.

A3 [LTC] Berkleys Lane, Pottsville

Nil.

A4 [LTC] Twin Towns Triathlon Season - 2016/17

Nil.

EXECUTIVE MANAGEMENT TEAM RECOMMENDATIONS:

SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:

A1 [LTC] Tweed Valley Triathletes 2016 to 2017 Season

That the Tweed Valley Triathlon Season events be supported subject to:

- 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 addressing raised concerns including a letterbox drop to directly affected residents.**
- 4. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.**
- 5. Adequate public liability insurance being held by the event organiser.**
- 6. 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.**
- 7. Consultation with emergency services and any identified issues addressed.**
- 8. Arrangements made for private property access and egress affected by the event.**

9. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*
10. *The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season.*

A2 [LTC] Brisbane Street Murwillumbah

That:

1. *The existing disabled parking space in Brisbane Street be relocated to allow Australia Post to access their garage.*
2. *A new disabled parking space be installed three spaces north, in accordance with relevant AS Standards for parking.*

A3 [LTC] Berkleys Lane, Pottsville

That the yellow "No Stopping" line installed in Berkley's Lane between the pedestrian path and the coffee shop be endorsed.

A4 [LTC] Twin Towns Triathlon Season - 2016/17

That the Twin Towns Triathlon Season events be supported subject to:

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 addressing raised concerns including a letterbox drop to directly affected residents.*
4. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event if required.*
5. *Adequate public liability insurance being held by the event organiser.*
6. *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.*
7. *Consultation with emergency services and any identified issues addressed.*
8. *Arrangements made for private property access and egress affected by the event.*
9. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*
10. *The event organiser notifies Tweed residents by advertising in the Tweed Link prior to the start of their Triathlon season.*

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

CONFIDENTIAL ITEMS FOR CONSIDERATION

Nil.