



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 February 2016

held at Murwillumbah Cultural and Civic Centre
commencing at 5.00pm

COUNCIL'S CHARTER

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

Tweed Shire Council has the following charter:

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

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CONFIRMATION OF MINUTES

- 1 [CONMIN-CM] Confirmation of the Minutes of the Ordinary and Confidential Council Meeting held Thursday 21 January 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 January 2016 are attached for information and adoption by Council.

RECOMMENDATION:

That:

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 21 January 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 January 2016 (ECM X3931321).

(Confidential) Attachment 2 Minutes of the Confidential Council Meeting held Thursday 21 January 2016 (ECM 3931324).

2 [CONMIN-CM] Confirmation of Minutes of Ordinary Council Meeting held Thursday 4 February 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 4 February 2016 are attached for information and adoption by Council.

RECOMMENDATION:

That the Minutes of the Ordinary Council Meetings held Thursday 4 February 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.

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Attachment 1

Minutes of the Ordinary Council Meeting held Thursday 4 February 2016 (ECM 3946204).

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 establishing a specific internal working group.

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

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

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

21 MAY 2015

ORDERS OF THE DAY

41 [NOM] Holiday Letting/Tourist Accommodation

291

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

1. Council defers full enforcement action against existing operators of short term rental accommodation in the Shire until the Local Environmental Plan (LEP) amendment proposed at paragraph 3 is dealt with.
2. A meeting be convened which includes Councillors, Council staff, representatives of the short term rental accommodation industry and affected ratepayer/resident groups. The purpose of this meeting is to inform the process of developing a code of conduct for the industry while recognising its importance to the realisation of the Tweed's tourism potential.
3. Council processes an LEP amendment which can support the continuation of the holiday let industry in its current form.

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

The Department of Planning and Environment has approved a Gateway request made by Council to advance a Planning Proposal for new LEP controls. The Planning Proposal has been placed on public exhibition until 5 February 2016 and will be reported back to Council at its March meeting.

18 JUNE 2015

ORDERS OF THE DAY

33 [NOM] 2016 Local Government Aboriginal Network Conference

349

**Cr G Bagnall
Cr K Milne**

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

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

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.

REPORT FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

C3 [CNR-CM] Tweed Heads Cultural Precinct

418

Cr W Polglase
Cr P Youngblutt

RESOLVED that Council:

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

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

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: Motion to be resubmitted to the March 2016 Council meeting.

10 DECEMBER 2015

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

12 [CNR-CM] Council Aquatic Facilities

683

**Cr C Byrne
Cr P Youngblutt**

RESOLVED that:

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

Current Status: Aquatic Facilities Business Plan to be prepared for consideration at a future Council meeting.

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

686

**Cr K Milne
Cr G Bagnall**

RESOLVED that:

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

Current Status: Community Engagement to be scheduled and a report to be prepared for consideration at a future Council meeting.

ORDERS OF THE DAY

33 [NOM] Dual Reticulation

664

Cr C Byrne

Cr P Youngblutt

RESOLVED that Council brings a report to a future Council meeting with respect to dual reticulation schemes and other recycle water schemes currently in operation throughout Australia. The report is to give consideration, but not limited to, the success or otherwise of these operations and where possible a cost benefit analysis of the schemes and other matters relevant to recycling schemes.

Current Status: Report to be prepared.

35 [NOM] Murwillumbah Mural and Graffiti Walk and Riverbank Restoration

711

Cr G Bagnall

Cr K Milne

RESOLVED that Council:

1. Approaches key stakeholder groups that may be interested in advancing the restoration of the remaining degraded vegetation of western riverbank from the Coolamon Centre south to the Commercial Road, Murwillumbah boat ramp, to provide a key visitor experience for Murwillumbah and enhance the entrance to the town as well as showcase the magnificent mural and graffiti walk.
2. Advises the result of those discussions to a future meeting.

Current Status: Report to be prepared on stakeholder discussions.

21 JANUARY 2016

ORDERS OF THE DAY

24 [NOM] Water Augmentation and Review

29

Cr B Longland
Cr W Polglase

RESOLVED that Council staff brings a report to a future Council meeting with recommendations for the establishment of a community reference group to participate in the development and monitoring of Council's demand management and water efficiency initiatives and provide input to Council decisions concerning water security for the Shire.

Current Status: Report to be prepared.

25 [NOM] Black Rocks Sports Field

30

Cr B Longland
Cr P Youngblutt

RESOLVED that Council officers bring a brief report to a future Council Meeting providing:

1. Details of the various options for public access to the Black Rocks Sports Field.
2. An assessment of the effectiveness and reliability of solar powered gate at Council's Eviron Cemetery facility to be installed in the near future.
3. A recommendation on the suitability of the different options for the entrance to Pottsville's Black Rocks Sports Fields in terms of the maintenance of public access for users of the facility, as well as its capacity to enhance wildlife protection.

Current Status: Report to be prepared for the March 2016 Council meeting.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for January 2016

SUBMITTED BY: Cr K Milne, Mayor

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
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 - 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 in January 2016

INVITATIONS / MAYORAL REPRESENTATION:

Attended by the Mayor

- 26 January Australia Day Awards and Citizenship Ceremony – Kingscliff High School, 33 Oxford Street, Kingscliff. Crs Bagnall, Byrne, Longland and Polglase also attended.
- 26 January Australia Day Celebrations – Tumbulgum Hall, 126 Riverside Drive, Tumbulgum. Cr Bagnall also attended.
- 26 January Australia Day Celebrations – Burringbar Hall, 1 Old Pacific Highway, Burringbar. Cr Bagnall also attended.
- 29 January Official Opening of Dunbible Creek Bridge – Mistral Road, South Murwillumbah. Crs Longland and Polglase also attended.

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

- 9 January Gold Coast Airport First Flight by Hong Kong Airways – Gold Coast Airport, Eastern Avenue, Bilinga. Cr Longland attended.
-

- 14 January Commissioning Ceremony Rescue Vessel Point Danger 20 – Ivory Tavern, Ivory Coast Marina, Tweed Heads. Cr Longland attended.
- 15 January Tom Beatson Outlook Reopening Breakfast – Razorback Road, Tweed Heads. Crs Byrne, Longland and Polglase attended.
- 23 January Grand Opening of new Pottsville Foodworks – Overall Drive, Pottsville. Cr Longland attended.
- 30 January Junior Branch Titles Surf Life Saving Far North Coast – Cudgen Headland Surf Life Saving Club, 63 Marine Parade, Kingscliff. Cr Longland attended.

Inability to Attend by or on behalf of the Mayor

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

REQUESTS FOR WORKSHOPS:

Councillors did not request any additional workshops during January 2016.

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

Councillors did not attend any conferences during January 2016.

Information on Conferences to be held

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

SIGNING OF DOCUMENTS BY THE MAYOR:

- 15 January Request Document – Land Acquisition – Numinbah Road, Kynnumboon
 - 21 January Plan of Redefinition – Kunghur Hall
-

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Appropriate expenditure is allowed for attendance by Councillors at nominated conferences, training sessions and workshops.

c. Legal:

Not applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

RECOMMENDATION:

That:

- 1. The Mayoral Minute for the month of January be received and noted.**
- 2. The attendance of Councillors at nominated Conferences be authorised.**

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] Public Artwork Entry Statements at Murwillumbah and Kingscliff

SUBMITTED BY: Holiday Parks and Economic Development



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.5 Provide vibrant and accessible town, community and business centres
 - 2.6 Improve urban design
-

SUMMARY OF REPORT:

This report is prepared in response to a recent Council resolution to undertake a project to investigate the branding of the Tweed Shire which is inclusive of entry statements or public art at the gateways to Tweed Heads and Murwillumbah. Kingscliff has subsequently been identified as being an appropriate locality for a public art project to create an attractive entry statement.

The entry to Murwillumbah in the vicinity of Alma Street has long been earmarked for place making and street scaping initiatives to create an attractive welcome to Murwillumbah and to entice visitors to the CBD. For this reason the creation of an attractive entry statement in the form of public art on the Alma Street roundabout is considered to be a priority project to be undertaken prior to the wider branding exercise for the Shire. Additionally, a mural on Wommin Bay Road at the Pacific Motorway underpass is considered to be a suitable option for the creation of an attractive entrance to Kingscliff (subject to Roads and Maritime Services (RMS) approval).

The report outlines the primary aspects of these projects that need to be considered including allocating a budget and provides examples of the scale of art works that may be expected at different price points.

RECOMMENDATION:

That Council:

- 1. Approves the transfer of \$55,000 from the Major Events and Attractions Program (2014/15 rollover budget) and \$35,000 from the Economic Development (2014/15 rollover budget) to be allocated as follows:**
 - a) \$60,000 to commission and install public artwork at the roundabout at Alma Street, Murwillumbah, that serves the broader purposes of promoting Murwillumbah as a creative hub and facilitates cultural tourism as well as improving the general visual amenity of this gateway location; and**
 - b) \$30,000 to commission and install public artwork at the Pacific Highway underpass on Wommin Bay Road, Kingscliff, that creates an attractive entrance gateway to the coastal villages (subject to Roads and Maritime Services (RMS) approval).**
- 2. Endorses the proposed process for commencement of each public art project at Alma Street roundabout at Murwillumbah and Wommin Bay Road underpass at Kingscliff.**
- 3. Determines the method for selection of final art works by either:**
 - a) a public vote from a list of shortlisted proposals approved by Council; or**
 - b) by Council in accordance with Council's public art procedure; or**
 - c) by Council following a public vote from a list of Council approved shortlisted proposals to inform Council's final decision.**
- 4. Includes these budget transfers in the March 2016 Quarterly Budget Review.**

REPORT:

1 Introduction

Council resolved on the 22 October 2015 that:

Council's Holidays Parks and Economic Development Unit undertakes a project in consultation with Destination Tweed, to further investigate appropriate branding for the promotion of Tweed Shire, as identified in the Tweed Economic Development Strategy. The branding exercise is to include consideration of the promotion of priority locations of Tweed Heads and Murwillumbah in the form of entry statements or public art.

The development of an entry statement in the vicinity of the junction of Alma Street and Tweed Valley Way is considered to be a priority place making initiative which should commence prior to the branding exercise. Additionally, a suitable location has been identified for development of an entry statement in the form of a public art work for the significant population centre of Kingscliff.

This report addresses funding considerations regarding the development of entry statements in the form of public art at the stated locations. The branding exercise and development of an entry statement at Tweed Heads will be undertaken as a separate project.

2. Background

There is a long history associated with the proposed development of a significant gateway statement for Murwillumbah in the vicinity of Alma Street. The 1997 Murwillumbah Centre Design Master Plan recommended an Alma Street Gateway to “*generate intrigue and interest to entice and attract potential visitors to the heart of town*” and proposed public art and an “*entrance statement to roundabout*” as among the design features to accomplish this vision. The current Murwillumbah Town Centre Development Control Plan (Section B22 of the Tweed DCP 2008) also includes provision for the development in the vicinity of the Alma Street roundabout to be in keeping with a “*Gateway Character*”. The plan notes that the area forms an important gateway to the town centre and that the “*potential quality of future development and public domain works should be considered in this light, with an emphasis on creating an attractive and memorable southern entrance to the town.*”



Site at the intersection of Alma Street and Tweed Valley Way

The Town and Village Entry Statement Signage Report [ECM 3837546] which preceded the above Council resolution of 22 October 2015, was prepared in response to a number of previous Council resolutions pertaining to town and village entry statements and entry/welcome signage. Whilst the term "entry statements" featured in previous Council resolutions the distinction between the role of town signage and that of entry statements was unclear and so the report defined entry statements as:

Entry Statements are typically an element of public landscaping to mark and define the entry or "gateway" to a town, village, Local Government Area, precinct (e.g. a CBD area, residential estate, or recreational facility) or locality. The purpose of an entry statement is multi-faceted: while they assist the travelling public in way finding and direction, they are also a "place making" feature that provides a sense of arrival, identity, pride of place, beautification and promotion. While signage may be an element of entry statements, they may also feature vegetation, pavement treatments, walls/fencing, water features, public art and lighting effects.

Whilst road side entry signage provides a functional role, the role of entry statements is much broader than identifying a location. A place name may feature in an entry statement or this functional element may be satisfied by appropriate entry signage at a separate location.

The recent Tweed Regional Gallery and Margaret Olley Art Centre (TRGMOAC) Visitor Research Report (April 2015) highlighted that Murwillumbah has an opportunity to leverage greater economic benefit from the large number of visitors to the TRGMOAC. The report revealed that only 54% of visitors to the Gallery intended to visit Murwillumbah CBD. It is reasonable to assume that a majority of visitors would pass by the Alma Street roundabout as Tweed Valley Way is a primary access road for visitors to the Gallery. There is currently little in the way of an identifying landmark to entice the travelling public to detour into the CBD.

At a recent Council workshop in relation to town entry statements and signage, there was general agreement that the roundabout at Alma Street is a prominent and highly visible marker/landmark for the travelling public and visitors to the TRGMOAC and Murwillumbah. Presently the roundabout has been described as 'drab' and represents a poor welcoming statement for Murwillumbah and its surrounds. The installation of a professionally produced public artwork in the roundabout at Alma Street was regarded as the preferred option to provide a suitable entrance statement to act as a gateway to Murwillumbah.

Kingscliff is a significant population area for the Tweed Shire and may be considered as the gateway to Tweed's coastal villages. Kingscliff is a major tourist destination for The Tweed and is featured on Destination NSW's 'The Legendary Pacific Coast' touring route. Wommin Bay Road is a signed Tourist Drive (Tourist Drive 38) and is a significant entry point for Kingscliff, especially for tourists travelling from Queensland.

The Pacific Highway underpass at Wommin Bay Road forms a physical gateway to Kingscliff and the coastal villages and the retaining walls of the underpass present an opportunity to create an attractive entrance statement via a commissioned mural (subject to RMS approval). Presently the appearance of this gateway provides a poor welcome to visitors and fails to reflect the natural beauty of our coastal regions. This site is susceptible to graffiti attacks and the creation of an attractive mural has the potential to deter further attacks.



Wommin Bay Road at the Pacific Highway underpass (eastbound)

3. Purpose of project

Prior to commencement of any public art project, a well-defined purpose for installing the artwork needs to be established.

The primary purpose for installing artwork at the roundabout at Alma Street is to create an entry statement at an intersection that is a gateway to Murwillumbah and its surrounds as envisioned in the Murwillumbah Town Centre DCP. There are a number of other objectives that art work on the roundabout may fulfil as outlined in the various documents referenced on the previous page and other Council plans and strategies such as the Tweed Shire Economic Development Strategy:

- To create a welcoming gateway to Murwillumbah and surrounds;
- To entice travellers along Tweed Valley Way to detour into the Murwillumbah CBD;
- To express local creative identity and aid in branding and promoting Murwillumbah as an art town and creative hub;
- For wayfinding – to serve as a distinct marker between the Murwillumbah CBD and the TRGMOAC and create a defined link between the two;
- Highlight Murwillumbah as a destination for cultural tourism;
- Enable Murwillumbah CBD to capitalise on the high visitation rates to the TRGMOAC.

The site is adjacent to the heritage listed Murwillumbah Railway Station which is the starting point of the proposed Northern Rivers Rail Trail. Any proposed feature within the adjacent roundabout has the potential opportunity of supporting and enhancing the proposed rail trail project.

Similar objectives will be fulfilled by the creation of an entry statement in the form of a mural at Wommin Bay Road:

- Improve the visual amenity by creating an attractive entrance to Kingscliff and coastal communities for residents and visitors;
- Reflect the local identity of the coastal regions and aid in tourism promotion.

In addition to the specific objectives for art work at these particular sites, generally speaking there are a number of other broad reasons for installing public art and specifically art within the road reserve and on road infrastructure:

- To express community aspirations, enhance local identity, and promote a sense of place;
- To enhance the visual amenity of the built environment;
- To enhance cultural and natural heritage;
- To create opportunities to inspire and develop local artists;
- To provide a memorable experience for the motoring public.
- Murals have the potential to reduce the incidence of graffiti on road infrastructure.

Each of these projects has the potential to support the artistic development of regional artists as well as introducing the region to accomplished artists from further afield.

4. Budget

Council does not currently have any budget allocations directed toward public art projects.

The Cultural Development Fund is allocated to the development and implementation of the Cultural Plan which is yet to complete the engagement stage of the development process. Consultation with the Manager of Community and Cultural Services has revealed that there are insufficient funds in the Cultural Development Fund to adequately fund any additional projects.

There may be opportunities to partially fund the projects through various grant funding; however applications for grant funding do not come with a guarantee of success. Further research and investigation is required to ascertain grant opportunities that may be appropriate for each project, however possible sources of grant funding include:

- Catalyst – Australian Arts and Culture Fund (applications assessed quarterly);
- Community Building Partnership Program (2016 round unknown);
- Australia Council for the Arts – Arts Projects – Organisations (June & October 2016);
- Arts NSW – Arts and Cultural Projects funding (2016 round unknown).

The budget for these projects will need to consider associated costs from conception stage to completion and should include consideration of staff allocation for project management. A brief break down costs includes:

- Project development and project management costs (staff allocation);
- Commission paid to the appointed artists and any fees paid to short listed artists to further develop initial concepts;
- Site preparation and installation including any infrastructure and traffic management costs;
- Insurance, ongoing maintenance and possible utilities cost.



Cabarita streetscaping "Rock Hopping"

Decisions regarding the budget allocation for this project will need to take into account the purpose and objectives of commissioning the proposed art work. A budget on the low end of the scale may be suitable for art works in relation to general place making and street scaping projects whilst a high range budget will be required if the objective is to create an iconic feature to aid in promoting and attracting tourists to the region.

An example of a budget for a local street scaping project is the recent commission (2010) for street scaping work at Cabarita which had a budget of \$25,000.

The recent tendering process for three small murals for the Knox Park redevelopment attracted only one artist for which a commission fee of \$3,000 was paid.

Further recent examples from other Councils are provided below to provide an indication of the variation in budget and the associated size and scale of art works.

Wagga Wagga NSW

Wagga Wagga City Council recently (2015) commissioned an art work for the Tarcutta Street roundabout as part of an urban design policy focused on the improvement of roundabout centre island street scaping.

Budget: \$25,000

Material: Steel

Artist: John Wood



Warrnambool Vic

Commissioned 2015 for a pedestrian underpass

Commission: \$15,000

Material: Newly constructed concrete; paint

Artist: Bonsai



The commission budget will also influence the calibre of the artist that may submit proposals. Works of art by well-known artists may incur a higher commission fee but will have the added potential of the art work becoming an attraction in itself due to the reputation of the artist and thereby creating a unique attraction to the Shire. There are many examples of local governments using public artwork to promote towns and regions (e.g. Walcha Open Air Gallery; Warrnambool Street Art; Wagga Wagga cultural precinct and street scaping).

The intended purpose of the commissioned art work will greatly affect the budget required. Works intended to create iconic statements and serve as an attraction to the town will command a larger investment than art works used for street scaping and to purely enhance visual amenity. As the potential size and form of sculpture work is unbounded, examples below are provided to indicate the level of impact and the potential scale of the art work for a low, medium, low and high range budget starting with a minimum of \$15,000. The examples provided are not intended to be an indication of style, materials, form or character of any proposed art work and the price guides are a rough approximation.

Price range and scale examples for roundabout art at Alma Street

Low \$15,000 - \$25,000



Medium \$25,000 - \$50,000



High > \$50,000



Whilst a budget is required for the commissioning of the art work, it should be recognised that the entire project process will require project management resources from a number of units and impact the budgets and priorities of those units depending on the priority attached to these projects. Future budget allocations will be required for insurance and maintenance of the art work for its lifespan. The current budget allocation for maintenance of artworks will be impacted by these new proposals.

5. Approvals

Sculpture and freestanding artworks are deemed to be exempt development under the State Environmental Planning Policy (Exempt and Complying) Codes 2008 provided the site is not a heritage conservation item or is in a heritage conservation area. Additionally for any proposed art work or sculpture to be considered exempt under the Codes SEPP it will need to be no more than 6 metres in height in accordance with clause 2.78.

The underpass at Wommin Bay Road forms part of the infrastructure for the Pacific Highway and is controlled by the Roads and Maritime Services (RMS). Permission will need to be sought from RMS to make any alterations to this asset.

As both projects require works within the road reserve, a 138 application will be required once the final design has been chosen. Any works within the road reserve will have to comply with the applicable RMS standards and guidelines.

6. Proposed Process

The commissioning of a mural for Wommin Bay Road and a sculpture for Alma Street will follow the same process. Variations to the process may be required once a detailed assessment of the requirements for each project is made by the appointed working group.

1. Confirmation of a budget from Council for each project. The budgets will need to consider: Council project management costs (staff allocations); the objectives to be met by the project; artist's fees; production of artwork, site preparation and installation (incl. associated landscaping and lighting), and any certification and compliance costs.

2. Working group formed to include members from the Public Art Reference Group (PARG), relevant Council units such as Engineering and a member from Destination Tweed. The working group will prepare a project brief that sets out the parameters of the proposed work and includes:
 - i) Premise/purpose of the commission;
 - ii) Budget allocations;
 - iii) Guidance on desired nature, character, theme and materials of the art work;
 - iv) Compliance provisions with regard to Council's *Cultural Policy and Placemaking and Public Art Policy*;
 - v) The criteria by which submissions for the work would be assessed for shortlisting;
 - vi) Safety and compliance parameters.
3. Expression of Interest goes out to tender through the usual Council contract channels and networks as well as Arts Northern Rivers and other channels that may be deemed appropriate;
4. Tenders are assessed by the PARG and a short list prepared in accordance with the *Public Art Commissioning Structure Procedure*. Short listed recommendations reported to EMT as per the policy;
5. **OPTIONAL** Shortlisted recommendations are placed on public exhibition for feedback which is taken into consideration by the PARG and/or EMT in accordance with policy guidelines to consider community input;
6. The final design may be chosen by either:
 - a) the public from the shortlisted proposals approved by Council (contrary to current policy); or
 - b) by Council in accordance with Council's public art procedure; or
 - c) by Council following a public vote from a list of Council approved shortlisted proposals to inform Council's final decision.
7. A Section 138 Application for works within the road reserve is made;
8. Winning artist is engaged and work is installed in accordance with the Public Art Installation Agreement made with the artist by Council or following a vote on the Council approved shortlist.

Previous commissioning of artworks for street scaping projects included a fee paid to short listed applicants to further develop concepts prior to a final decision.

OPTIONS:

1. Approves the allocation of \$90,000 from the 2015/16 budget to be allocated as follows:

- a) \$60,000 to commission and install public artwork at the roundabout at Alma Street, Murwillumbah, that serves the broader purposes of promoting Murwillumbah as a creative hub and facilitates cultural tourism as well as improving the general visual amenity of this gateway location; and
 - b) \$30,000 to commission and install public artwork at the Pacific Highway underpass on Wommin Bay Road, Kingscliff, that creates an attractive entrance gateway to the coastal villages (subject to RMS approval).
 - c) endorses the process for formal commencement of each project.
2. That Council considers and allocates \$60,000 for the entry statement envisioned for the roundabout at Alma Street **only** and endorses the process for formal commencement of the project.
 3. That Council considers and allocates \$30,000 to create a gateway entry statement in the form of a commissioned mural at the Pacific Highway underpass on Wommin Bay Road **only** and endorses the process for formal commencement of the project
 4. Council chooses not to proceed with either project to install art in the roundabout at Alma Street or a mural in the underpass at Wommin Bay Road.

CONCLUSION:

Each of these entry statement projects provides an opportunity for Council to create welcoming and iconic entry statements to two of the Shire's major towns. The area in the vicinity of the roundabout at Alma Street is considered to be the gateway to Murwillumbah and the desire to improve the visual amenity of this gateway entrance is reflected in current structure plans for the area and previous Council resolutions. Whilst the installation of public art in the roundabout will achieve visual amenity objectives, an opportunity exists to view this project as being more than a simple place making or street scaping project. The consideration of the broader objectives to establish Murwillumbah as a creative hub and to increase cultural tourism to Murwillumbah will influence the type of work that is commissioned and the budgetary requirements.

The Pacific Highway underpass at Wommin Bay Road already constitutes a physical gateway to Kingscliff and coastal villages. The commissioning of a mural in this space creates an attractive gateway for residents and visitors and provides an opportunity to promote our coastal lifestyle and support the local creative community.

COUNCIL IMPLICATIONS:

a. Policy:

Placemaking and Public Art Policy v1.3.

Cultural Policy v1.1.

Tweed Shire Economic Development Strategy adopted 10 April 2014.

b. Budget/Long Term Financial Plan:

The budget allocation for this project is contingent upon Councils vision for art work at each of the locations at the Alma Street roundabout and Wommin Bay Road underpass. Minimum cost of a project to commission art work at the Alma Street roundabout to meet the modest

objectives of place making and street scaping is \$25,000. Maximum cost will be influenced by objectives of the project and calibre of artist commissioned. The cost of a mural at the Wommin Bay Road underpass will be dependent upon the project brief, calibre of commissioned artist and materials. The budget allocations for both projects will need to include:

- Project development and project management costs (staff allocation);
- Commission paid to the appointed artists and any fees paid to short listed artists to further develop initial concepts;
- Site preparation and installation including any infrastructure and traffic management costs;

Insurance and ongoing maintenance of the new art works will impact the current budget allocation for insurance and maintenance of Tweed Shire's public artworks.

It is proposed that \$55,000 be directed from the Major Events and Attraction Rollover/ Carryovers from 14/15 to fund the Alma Street roundabout art project. This will leave a budget of \$84K for this year and a \$33,000 carry over (total \$117K remaining).

Furthermore, it is proposed that \$35,000 be directed from Economic Development Rollover/ Carryover from 14/15 to fund a mural at the Wommin Bay Road underpass. The creation of major public artworks has the potential to act as a tourism drawcard to the Shire.

c. Legal:
Not Applicable.

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil

7 [GM-CM] Destination Tweed Annual Work Program 2015/16

SUBMITTED BY: Holiday Parks and Economic Development



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Destination Tweed is required to provide an Annual Work Program to Council as part of their current funding and performance agreement. This report provides Destination Tweed's Annual Work Program for 2015/16.

This report recommends that Council accepts Destination Tweed's Annual Work Program for 2015/16.

RECOMMENDATION:

That Council accepts the Destination Tweed Annual Work Program for 2015/16.

REPORT:

Under the current funding contract Destination Tweed are required to:

"Provide annual work programmes to Council, including milestones and performance indicators in September each year."

This is required in September each year in line with the funding contract anniversaries. The 2015/16 Annual Work Program was submitted to Council on 2 February 2016. The Work Program follows on page 3 of this report.

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
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MARKETING

Marketing of the Tweed will be centred on achieving the strategic goals and supporting industry to build their presence and that of the Tweed whilst ensuring that the return on investment is sustainable and measurable. This tourism marketing strategy is both linked to the outcomes of

STRETEGIC OBJECTIVES

- Increase Visitation
- Increase Tourism Expenditure
- Increase Visitor Nights
- Increase the awareness of the Tweed

STAYING ON TOP OF THE MARKET

- Conduct ongoing market research to fully appreciate existing markets and on-going changes and trends.
 - Identify, understand and track trends in the Tweed as well as across all tourism markets for future marketing - knowing the market and broader environment is critical.
- Output: Quarterly market research reports

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Market Research												
Analysis of Quarterly IVS & NVS data sets												
VIC Surveys												
DT VIC visitor survey												
Visitor Survey												
Conduct visitor satisfaction survey												

DEVELOPING A PRESENCE IN THE MARKET

- Develop an appropriate suite of collateral to promote the Tweed's experiences.
 - Ensure collateral is accessible to existing and potential visitors via traditional and digital channels.
 - Engage with industry to leverage bundling and packaging opportunities.
- Output: Informative and attractive marketing packages across print, web and mobile mediums

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Develop presence in key Intl markets												
Attendance on trade mission - China, NZ												
Inclusion in Trade missions - South East Asia, North America, UK & Europe												
PD outcome Taste the Tweed												
PD outcome Develop website and content												
PD outcome App development												
PD outcome Promotion of Tours												
DT Partnership programme												
produce annual Industry marketing activity prospectus												
Consumer Web Site												
Ongoing development to site functionality, look and feel												
Social Media												
Renew Social Content and strategy												
Event Support												
Continue to provide support to events in the Tweed												
PD outcome Development of event collateral for new events												
PD outcome Marketing and promotion of new events												
PD outcome Creative tourism												
PD outcome Develop collateral for creative tourism experiences												

PROACTIVE PROMOTION OF THE TWEED

- Drive strategic, tactical and cooperative campaigns promoting the Tweed experience.
 - Public relations and strategic advertising to niche markets through selected media.
 - Integrated social media strategy to raise the profile of the Tweed as a tourist destination and encourage greater visitation.
- Output: Marketing & Advertising of the Tweeds experiences matched to relevant markets.

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Campaigns												
Summer Campaign												
LPC's 'Legendry Drives' Campaign - DT, NCDN & DNSW Co-op campaign (RVEF)												
Tweed TVC												
Advertising in selected channels												
Development of 2016 Summer campaign												
Trip Advisor Campaign												
Manage and update content & Product												
Renegotiate campaign												
Winter Campaign												
Development and implementation of Winter campaign												
Wild About Whales - Co-op with NSWPS												
Collateral												
Tweed Visitor Guide												
Development, print and distribution of Guide												
Produce e-brochure												
Seafood Discovery Trail - Collaboration with CSGC												
Revisit a previous cooperative marketing activity.												
Produce new updated collateral												
Summer Lift out with Tweed Valley Weekly												
Annual lift out targeted at VFR Market and Locals												

Consumer Travel Shows																				
Presence at consumer Shows																				
Trails - Development of suite of Trail brochures & Digital content																				
Self Drive Trail																				
PD outcome	Walking Trails																			
PD outcome	Bike Trail																			
PD outcome	Food Trails																			
PD outcome	Art Trails																			
MICE																				
Redevelopment of MICE brochure																				
Production of digital content																				
Local Market Guide																				
PR	Redevelopment of Market guide for the Tweed																			
Public Relations – external – Continue to build awareness of Tweed as a tourism destination through public relations program including:																				
Media famils to generate articles in relevant external publications, TV and websites																				
Feature articles to generate exposure in relevant external publications and websites																				
Copywriting of editorial for selected tourist guides																				
Public Relations – internal - Continue to build awareness of Destination Tweed's activities, achievements and role in promoting tourism via:																				
Undertake community engagement strategy																				
Press releases distributed to local publications, radio stations, TV news programs and websites																				
Pitching of stories to local media outlets as above																				
Brand redevelopment																				
Develop Tweed Tourism brand - building upon regions strengths and differentiation with the GC, highlights competitive advantages over competitive regions.																				
EDS	Define parameters of brand development requirements and gain recommendations																			
EDS	Develop brief for rebranding strategy																			
EDS	Distribute brief & source quotes																			
EDS	Present quotes to Board for final decision																			
EDS	Implement rebranding strategy																			

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
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PRODUCT DEVELOPMENT

Product Development is a phrase that is misrepresented and often overused in relation to destination development, in this context it pertains to the development of the regions industry and experiences. Product Development should be seen as a way of creating the total visitor experience, either by creation of a new product or the expansion and/or development of existing products. The outputs from product development enable

STRETEGIC OBJECTIVES

- Increased investment in the Tourism Industry
- Development of Tourism Products & Experiences
- Building of stronger relationship with operators

STAYING ON TOP OF THE MARKET

- Tourism is a very dynamic and competitive industry that changes rapidly to external influences. Ensuring that tourism development occurs within trends and market needs is critical for the sustainable development of Tourism as a key economic pillar.
 - Undertaking, reviewing and analysing relevant data with to stay on top of the market.
- Output: Keeping current on industry & market trends, impart knowledge to keep industry informed and current.*

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Market Research												
Analysis of IVS & NVS data sets												
Analysis of industry research and paper												
Industry Trends & knowledge												
Industry updates and forums (ARTN, ATEC, TA etc.)												
Industry Development												
Networking events with industry to inform and educate												
Industry workshops and mentoring activity												
Industry training												
Industry news letter												
Distribute industry news letter												
TDMP												
undertake SA2 Profiling												
Review current documents and redraft												

DEVELOPING THE TWEED EXPERIENCE

- Leverage the Tweed's attributes to build niche products and experiences to increase visitation.
 - Implement the action points from the TDMP to facilitate product development opportunities in the Tweed.
 - Identifying opportunities to develop signature events in the Tweed, aimed at attracting visitors to the region.
 - Work with industry to assist in the development of new products and experiences.
- Output: Support and/or develop new products and experiences.*

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
EDS Implementation												
Work with TSC to support EDS activity												
Implement EDS activity												
Industry & Trade engagement												
Travel Trade engagement												
Attend Media ATE												
Attend ATE												
ITO Workshops (e.g. ATEC)												
Domestic Wholesale Programs												
Engagement with industry												
STO's & TA												
State investment/development bodies												
RTO's & LTA's												
TMG												

Events

	Event Support											
	Continue providing support to events in the Tweed											
EDS	Support & Advocate TSC in Event Strategy formulation											
EDS	Work with TSC in developing events in the Tweed											
EDS	Tweed Valley Country Roots Fest - EDS activity											
EDS	Engage with Promoter											
EDS	Approach DNSW for major events funding											
EDS	Assist in the development of Event											

Product Development

	Adventure Collective											
	Investigate and drive the development of an Tweed Adventure Collective											
	Coordinate Adventure Collective											
	Rail Trail											
	Support TSC on the development of Tweed Rail Trail											
	Creative Tourism - EDS activity											
	Support development of overarching Tweed creative entity											

	Undertake creative industries audit of the Tweed																			
	Work with creatives to develop tourism product and experiences with M'bah as a hub																			
	Explore opportunity for Art/Creative markets in M'bah																			
Trails Development																				
	Walking Trails																			
	Bike Trail																			
EDS	Food Trails																			
	Art Trails																			
Taste the Tweed - continuation of previous project outcomes and recommendations																				
	Investigate holding a annual major food event																			
	Meet with professional event managers to explore the opportunities for major food event																			
EDS	Investigate opportunity to develop paddock to plate tours																			
EDS	Review Tweed Fresh and reengage to determine commerciality																			
Australia's Green Cauldron																				
	Industry mentoring program																			
	Wild Journeys Programme																			
	Rejuvenation of Rain Forest Way																			
EDS	Creative Villages of the Cauldron																			

Sports Tourism

Sports Tourism																				
	Continue to work with QSM for events in the Tweed																			
	Evaluate SMA relationship																			
Tweed Coast Surf Pro																				
	Development of event with Surfing NSW , Leverage opportunities for operators & industry																			
	Work with NSW Surfing and DNSW event for 2017 and 2018 events																			
New event - Major International Surf Event opportunities																				
	Explore opportunities for the Tweed to Host major Surf event for 2017																			

ACTIVELY SEEKING AND ATTRACTING INVESTMENT / FUNDING

- Engaging with public and private sector to support new products and/or experiences for the Tweed.
 - Engaging directly with entities that can deliver new products or experiences.
- Output: Engagement with potential partners and investors for new products or experiences*

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Engage with Potential investors												
Identify & engage with potential new investors												
Provide customised information package for prospective investors												
Conduct meetings with prospective investors												
Provide introduction to relevant TSC officers if required												

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
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VISITOR SERVICING

Managing the Visitor information Centres is central to increasing length of stay and visitor spend. Visitor servicing is linked to the outcomes of the DMP action and marketing activity. The VIC are developing additional service and commercial activities to increase revenue opportunities

STRETEGIC OBJECTIVES

- Provide best practice customer service
- Ensure that visitors have access to comprehensive, up to date and easily understood information on experience available to them.
- To improve the quality of the visitor experience, visitor dispersal and achieve longer stays
- Promote high standards through accreditation, standardisation of services, staff professionalism and efficiency in the delivery of customer servicing.

DEVELOP A CULTURE OF VISITOR SERVICING

- Implement a structure that delivers consistent quality visitor servicing
 - Adoption of technology and resources to deliver accurate content across all channels.
 - Conduct Staff Training to ensure consistent accurate delivery of Tweed regional information.
- Output: continued accreditation and training conducted. Innovation and adoption of new technologies.

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Staff Training												
Various training activities and opportunities												
Regional NR AVIC training												
Implementation of AVIC Best Practice Operational Training modules												
Deliver in-house staff training via weekly 5MOT modules												
Product Awareness and knowledge												
Local Fam programme												
Regional NR &GC cooperative Fam programme												
Implantation of technology												
Review of current technology												
Implementation of recommendations from RVSS strategy												
Implementation of new reservations system												
Implementation of Appngo (cost dependant)												
AVIC												
Prepare and submit monthly VIC accreditation reports												
Prepare and submit annual VIC accreditation report												

MERCHANDISING & SALES

- Review current retail strategy and design.
 - Provide opportunity for local suppliers to sell through the centres to assist in building the Tweed experience.
 - Leverage on travel agents licence and facilitate booking of packages, accommodation and travel driven by DT marketing activities.
- Output: increased sales of local produce and goods, increased commission levels.

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Retail Sales strategy												
Implementation of new inventory management system												
Increase local content in retail shop.												
VIC Fit out review												
Conduct study on brochure and retail layout with recommendations for enhancement												
Undertake shop fit out												

VISITOR SERVICING PROGRAMS

- Value add existing services
 - Support destination development and marketing activities to build the Tweed experience.
- Output: diversified visitor servicing offered to visitors and community

Action	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Wi-Fi enablement												
Implement free Wi-Fi to support download of e-brochures, apps and access to website.												
Product Promotion												
Provide innovative display opportunities and other promotional channels through the VIC's												
Event Support												
Continue to provide support to events in the Tweed												
Provide visitor information services at VIC's												
Provide and online accommodation booking service												
Promote tourism operator services through the VIC's												

OPTIONS:

Council has two options:

1. Accept the Destination Tweed Work Program for 2015/16; OR
2. Not accept the Work Program and enter into discussions with Destination Tweed regarding the details of the works they propose to undertake in the current 12 month contract period.

CONCLUSION:

It is recommended that Council accepts the Destination Tweed Annual Work Program for 2015/16.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

8 [GM-CM] Organisational Restructure - Holiday Parks and Economic Development

SUBMITTED BY: General Manager

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:

Council has previously considered reports on:

- Organisational Structure – 20 February 2014.
- Organisational Restructure – Phase 2 – Revised Planning and Regulation Division Structure Proposal – 21 August 2014.
- Organisational Restructure – Phase 3 – Events and Festivals – 22 October 2015.

Since these resolutions have been implemented the organisation has worked very well within the revised structure, but following the recent resignation of the Manager Holiday Parks and Economic Development an opportunity has been identified to further review this Unit's structure.

Given the synergies between public facing business units such as the Art Gallery, Museums, Crematoria and Aquatic Facilities, it is considered to be a more appropriate alignment to locate Holiday Parks within the Community and Natural Resources Division. It is proposed that Economic Development remain within the Office of the General Manager.

Under this proposal the Manager Holiday Parks and Economic Development position will be relinquished and replaced by two Unit Coordinator positions with budget savings of \$14,000.00 and no increase to the establishment in the longer term.

RECOMMENDATION:

That Council endorses:

- 1. In accordance with Sections 332 and 333 of the Local Government Act 1993, the restructure of the Holiday Parks and Economic Development Unit into two separate Units.**

2. **The replacement of the Manager Holiday Parks and Economic Development with a Unit Coordinator – Economic Development, and a Unit Coordinator Holiday Parks.**
3. **The change in the reporting structure for the new positions of Unit Coordinator – Economic Development to the Office of the General Manager and Unit Coordinator Holiday Parks to the Director Community and Natural Resources.**

REPORT:

Council has previously considered reports on:

- Organisational Structure – 20 February 2014.
- Organisational Restructure – Phase 2 – Revised Planning and Regulation Division Structure Proposal – 21 August 2014.
- Organisational Restructure – Phase 3 – Events and Festivals – 22 October 2015.

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Given the synergies between public facing business units such as the Art Gallery, Museums, Crematoria and Aquatic Facilities, it is considered to be a more appropriate alignment to locate Holiday Parks within the Community and Natural Resources Division. It is proposed that Economic Development remain within the Office of the General Manager.

Under this proposal the Manager Holiday Parks and Economic Development position will be relinquished and replaced by two Unit Coordinator positions with budget savings of \$14,000.00 and no increase to the establishment in the longer term.

OPTIONS:

1. In accordance with Sections 332 and 333 of the Local Government Act 1993, that Council support the proposed restructure of the Holiday Parks and Economic Development Unit, and associated change in reporting lines.
2. To retain the current Holiday Parks and Economic Development Unit structure.

CONCLUSION:

The restructure will provide for the separate Holiday Parks Unit to focus on the management of those entities as a representative of the Trust and maximising return for ratepayers.

It will also provide the opportunity to attract a suitably qualified Coordinator for the separate Economic Development Unit, to focus on the implementation of economic development strategy and management of the sale yards, airfield and the Destination Tweed contract.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

Sections 332 and 333 of the Local Government Act 1993.

b. Budget/Long Term Financial Plan:

Savings = \$14,237.19 per annum as a minimum in the longer term. Initially the savings could be greater depending upon the appointment salaries of the Unit Coordinators. For example, if appointed at JG9.1 savings in the first year would be = \$40,549.51.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Communication with the Consultative Committee scheduled for 18 February 2016.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.	Current and (ECM 3944228)	Proposed	Organisational	Structure
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REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - SECT 79C

79C Evaluation

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

(a) the provisions of:

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

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

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

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

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

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

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

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

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

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

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

9 [PR-CM] Planning Proposal PP15/0004 - Water Extraction and Bottling Facilities in Certain Rural Zones

SUBMITTED BY: Strategic Planning and Urban Design

FILE REFERENCE: PP15/0004 Pt 1

Valid



Civic Leadership

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
- 1.5.2 Land use plans and development controls will be applied and regulated rigorously and consistently and consider the requirements of development proponents, the natural environment and those in the community affected by the proposed development

SUMMARY OF REPORT:

Planning Proposal PP15/0004 (LEP Amendment No. 16) enabling water extraction and bottling facilities in the RU1 Primary Production and RU2 Rural Landscape zones was considered by Council at its Meeting of 10 December 2015. Council resolved to support the Proposal, subject to exclusion of *State and Regionally Significant Farmland* and *Biophysical Strategic Agricultural Land* (BSAL).

The additional requirements triggered the need for an amended planning proposal and re-exhibition for a further 28 days, among other matters, prescribed in the Department of Planning and Environment's conditions of 'Alteration of Gateway Determination'. These requirements impact upon the Applicant, as well as other landowners, who are seeking to expand or develop their lands for commercial water bottling in association with their NSW Primary Industry (Office of Water) Licence.

As detailed within the Report, the application of the BSAL mapping in particular will result in a significant area of Tweed's rural lands being alienated from a merit assessment as to their suitability for commercial water bottling, which had been a long established and permitted rural industry in the Shire prior to April 2014, when the new Shirewide LEP took effect.

Recognising those concerns about adverse impact on ground water for land defined by the BSAL mapping and those of loss of productive farmland this report recommends removal of the RU1 Primary Production land from the planning proposal, and a new provision incorporating two new heads of consideration for any development application on land in RU2 Rural Landscape zone; the first being that a development application is to address potential impacts on natural water systems associated with the development of the land; secondly, the impact on resource access to productive farmland is also to be taken in to account.

While the precise effect and wording will need to be worked through with Parliamentary Counsel later in the process, the intent is to ensure that any potential impact on natural water systems and long-term access to farmland is duly considered at the time of development assessment. This would enhance the rigour of the assessment process for water extraction and bottling enterprises and permit those current licence holders to seek to test their land's suitability via NSW's merit-based planning scheme.

RECOMMENDATION:

That:

- 1. Planning Proposal PP15/0004 be amended to apply to land zoned RU2 Rural Landscape and to exclude its operation from the RU1 Primary Production zone; and**
- 2. Removes all references to Biophysical Strategic Agricultural Land and State and Regionally Significant Farmland as a prohibition to water extraction and bottling, and in its place amend the Planning Proposal to include a new LEP provision incorporating the following heads of consideration for any development application for this land-use:**
 - a. Development consent must not be granted to development for the purposes of water extraction and bottling unless the consent authority is satisfied that the development of the land:**
 - i. Will not have a significant or irreversible adverse impact on natural water systems, and**
 - ii. Productive farmland capability will not be significantly diminished or sterilised from use in the future, whether in isolation or by aggregation of lands.**
- 3. Planning Proposal PP15/0004 be referred to the NSW Department of Planning & Environment for alteration to the Gateway determination and if required the re-exhibition of the Planning Proposal in accordance with the conditions of any new determination.**

REPORT:

1. BACKGROUND

In July 2015 Council received an enquiry from Mount Warning Springwater seeking approval for expansion and relocation of their bottling facility onto a more suitable site within their land holding at Kyogle Road, Kunghur. Review of provisions of the Tweed Local Environmental Plan ("the LEP") 2014 indicated that whilst this land use was permissible under provisions of the previous LEP 2000, it is prohibited by default under the LEP as the set of definitions provided under the Standard Instrument template does not recognise a water extraction and bottling facility as a standalone land use. This determination resulted in Mount Warning Springwater lodging a planning proposal seeking changes to the LEP to facilitate their development proposal.

A report on the Strategic Planning & Urban Design Unit's Work Priorities Plan was considered at the Council Meeting of 6 August 2015. In a move to reduce cost and delay it was resolved to prepare planning proposals for Gateway Determinations for those 'new' proposals then identified within the report. The specifics of how each amendment would be achieved in the LEP were not discussed, as each was to be addressed in their respective planning proposal, publically exhibited if required by the Gateway Determination, and reported back to Council for determination. Mount Warning Springwater was listed as one of those new proposals. Initially staff expected that a site specific amendment might be the more expedient response however, it soon became apparent there were several landowners in a similar situation and that to progress an indeterminate number individual proposals would be very inefficient and unnecessarily costly. The logical option in the officer's opinion was to revert the new LEP to the previous status under the former LEP 2000 and enable this use with development consent in the RU1 and RU2, where it had once before existed without any apparent issue.

In its exhibited version, the planning proposal included classification of water extraction and bottling facility as a type of light industry with the intention of recognising this land use within the LEP (through Clause 2.5 Additional Permitted Uses for Particular Land) as a land use permitted with development consent in RU1 and RU2 zones.

The planning proposal was placed on public exhibition for 28 days and was reported to the Planning Committee meeting of 10 December 2015. Council resolved to change the scope of application of this Proposal by excluding it from land identified as State and Regionally Significant Farmland and land affected/within the BSAL mapping.

2. ABILITY OF BSAL MAPPING TO DETERMINE SUITABILITY OF LAND FOR COMMERCIAL EXTRACTION OF WATER

The BSAL mapping has been developed by the NSW Government as a base for identifying exclusion zones for coal seam gas (CSG) mining. Land on these maps has been identified on the basis of specific criteria, such as levels of soil fertility, land and soil capability classes and access to reliable water and rainfall levels. The maps have been prepared to assist with the assessment of state significant mining or CSG proposals at the Gateway assessment, conducted by an independent panel of scientific experts before a development application can be lodged. The maps have been given legal effect via an amendment to the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (the Mining SEPP).

Whilst the criteria for the preparation of the BSAL mapping were identical across New South Wales, their application in the Tweed Shire LGA resulted in a significant proportion of rural properties affected by (or partially identified as) the biophysical strategic agricultural land. This is attributed to Tweed's topography and the myriad natural waterways and water catchments that exist within the landscape. The effect is that significant areas of rural land/properties are mapped. Arguably this may be seen as a very positive outcome under the regime for which the mapping was intended, being Coal Seem Gas extraction industries. On the other hand, used in a very different context and to achieve a substantively different purpose; namely minimisation of impact on resource availability of productive farmland and impact on ground water level it may be seen as unnecessarily harmful to genuine rural enterprise, of class that may be suited to, and not incompatible with, other rural land uses.

The extent of land affected by the BSAL mapping is illustrated in the Figure below.

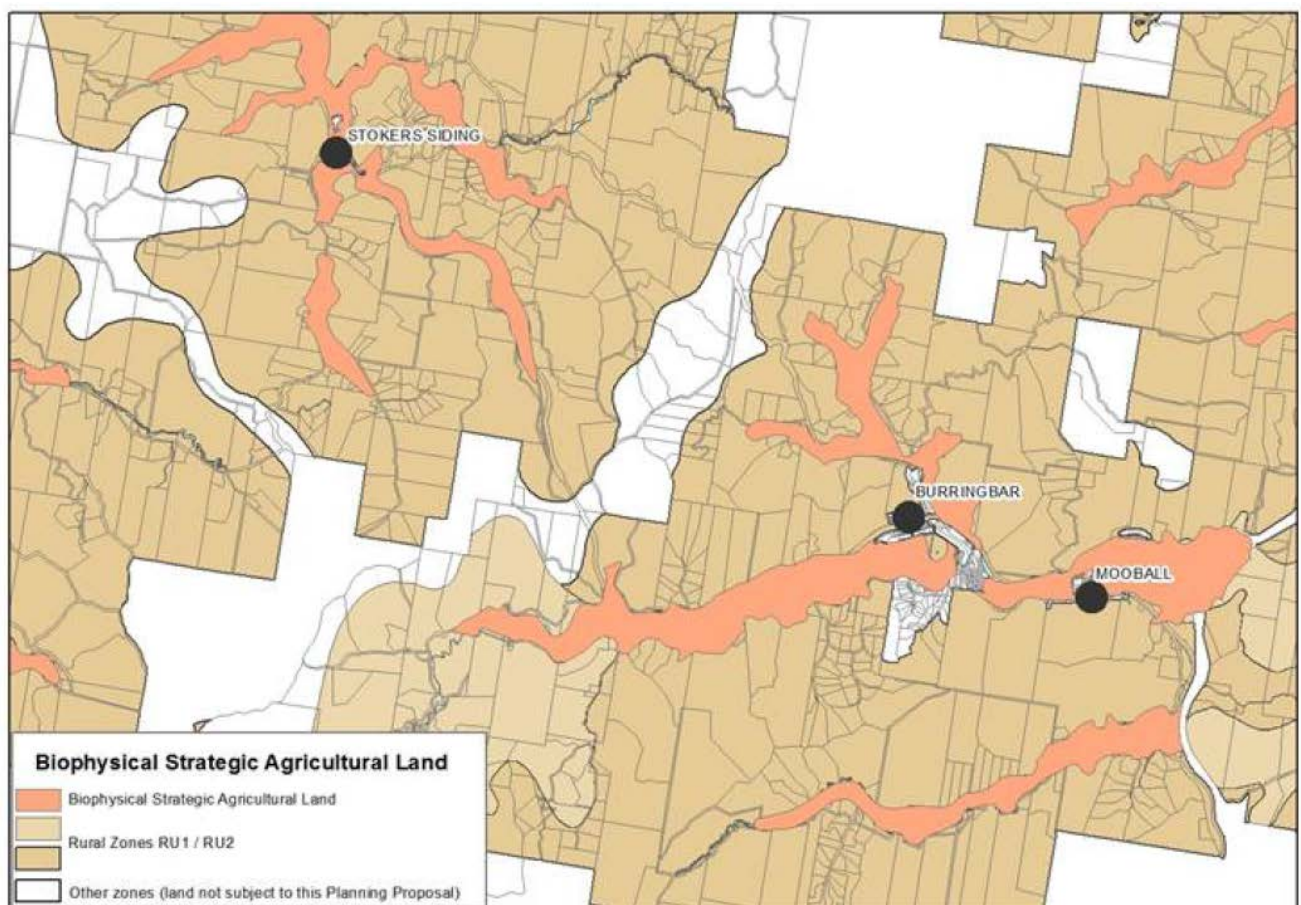


Fig. 1: Biophysical Strategic Agricultural Land in context of land zoned RU1 Primary Production and RU2 Rural Landscape.

Whilst the broad majority of rural properties are only partially affected by the BSAL, this mapping is very likely to act as prohibition of water extraction and bottling land use on entire lots or in the alternative depending on how the term "land" is interpreted and applied may lead to greater legal ambiguity, thence litigation.

It is considered that the application of the BSAL mapping will result in a significant area of Tweed's rural lands, including the Mount Warning Springwater site, being unnecessarily alienated from a merit assessment as to their suitability for a commercial 'rural-industry' water bottling use, which might otherwise show, in this and other cases, that the land is in fact suitable. Such an approach is considered to subvert good planning practice, which is to

increase access to a broad range of permissible rural industries, especially as the economic strength of rural areas is seen as one of the major contributors for addressing social disadvantage within rural communities and is a dominant factor in the argument against increased land fragmentation, and urbanisation. Rural industries of this type, particularly smaller operations, often provide a secondary income from land that is used for other rural pursuits, such as farming. They are also generally recognised for their employment generation and their contribution for branding and marketing of the region.

Recognising that there is concern for the natural environment and the loss of productive farmland this report recommends an alternative approach. The alternative, discussed in Section 5 below, respects a key regulatory fact, and responds with an approach that is tailored to Council's functions as a consent authority for certain land uses. These facts are simply that councils do not issue water licences for water extraction and are therefore not the responsible authority for regulating impact on the ground water / water table by extraction; that their role is regulating impact on the above ground use and any associated impact on receiving above ground waters. This would typically consist of; site drainage, traffic assessment, erosion, built structures, environmental impact on natural waterways by way of pollution and the like, but does not encompass the impact on ground water availability for extraction or related actions of monitoring flow and levels.

Although there is generally no specific requirement to assess the future resource availability of productive farm land for other rural land-uses, it is proposed to incorporate this as a consideration for water extraction and bottling facilities, in response to those concerns. It is further proposed to exclude RU1 Primary Production land, as it is this land that is identified as the most productive farmland, as further discussed below.

3. STATE AND REGIONALLY SIGNIFICANT FARMLAND

This mapping has been prepared on the basis of the *Northern Rivers Farmland Protection Project*, finalised in 2005. The State and Regionally significant mapping was developed to act as a *strategic settlement planning tool* (as referred to within the *Northern Rivers Farmland Protection Project, Final Recommendations, February 2005*), rather than an agricultural resource tool. The maps are intended to assist strategic planning processes by showing areas where urban and rural residential development should not be targeted.

The maps identify three farmland categories: state significant, regionally significant and significant non-contiguous. Generally, state and regionally significant farmland are zoned with the RU1 Primary Production zone, whilst non-contiguous land is predominantly zoned RU2 Rural Landscape and frequently overlaps with the BSAL mapping. The non-contiguous land has the general characteristics of state or regionally significant farmland but does not fit within the definition of 'large contiguous areas' which are the primary focus of the Farmland Protection Project.

Under the planning system, land identified as State and Regionally Significant is protected through Ministerial Direction 5.3 provided under Section 117 of the *Environmental Planning & Assessment Act 1979*, at the strategic planning level (i.e., LEP amendments), which is available at:

<http://www.planning.nsw.gov.au/~media/Files/DPE/Directions/local-planning-directions-section-117-2015-pdf.ashx>

The objectives of this direction are as follows:

- to ensure that the best agricultural land will be available for current and future generations to grow food and fibre,
- to provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and
- to reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.

These objectives are reflected in the RU1 Primary Production zone, which has been structured to protect prime agricultural land from the economic pressure of competing land uses.

4. WATER LICENSING PROCESS

As outlined in the report of 10 December 2015, the licence to access and use groundwater is granted by the NSW Office of Water (part of the Department of Primary Industries). The licence generally specifies matters related with management of groundwater use such as volume of water permitted to be extracted, length of tenure and other conditions of use. One of the conditions is the permissibility of water extraction in a local environmental plan. In accordance with this arrangement, development applications for water extraction facilities are assessed by Council, whilst granting a licence will remain a matter of the Office of Water.

One of the statutory obligations of the Office of Water is ongoing monitoring of groundwater levels. This is carried out through drilling to investigate the states' groundwater resources. Currently, the Office of Water has more than 3000 monitoring bores across the State and uses computer-based groundwater modelling to simulate aquifer behaviour, estimate 'sustainable yield' and predict the effects of groundwater extraction. The models are available on the Office of Water website, and may be accessed via:
<http://www.water.nsw.gov.au/realtime-data/groundwater>

While assessing impacts of groundwater use on the natural environment, consideration is also given to groundwater-dependant ecosystems, which require the input of groundwater to maintain their current composition and functioning. In 2012, The Office of Water assessed the risk to the ecological value and associated groundwater dependant ecosystem in the Tweed River Alluvium as low (on a low-moderate-high scale). In addition to that, under the classification provided in the National Groundwater Information System, rural parts of the Tweed are located within the Tweed River Alluvium groundwater management unit, and are generally characterised by high levels of groundwater development for irrigation, town supply and some industrial purposes (source: *Climate change impact on groundwater resources in Australia, 2011*).

To summarise, available data appears to indicate that rural areas of the Tweed Shire may be a subject of sustainable development and use of groundwater resources, as long as that use continues to be monitored and licensed by the Office of Water.

5. FURTHER AMENDMENTS TO THE PLANNING PROPOSAL

The above discussion provided provided an evaluation of the practicality of using the BSAL and State/regionally significant farmland mapping sets in delineating land suitable for water extraction and bottling facilities. From this discussion, a conclusion may be reached that the planning proposal in its current form as supported by Council on 10 December 2015 will

result in de-facto prohibition of this land use in most parts of the rural areas, including the Mount Warning Springwater site, which is seemingly contrary to the broader intent, which is avoiding unnecessary environmental harm, loss of long-term access to productive farming land, and impact on ground water systems.

On the basis of consultation with the Department of Planning & Environment, and with consideration to environmental concerns expressed through the Council resolution of 10 December 2015, an alternative mechanism for managing the risks is proposed. It consists of:

- Further amending the planning proposal to replace the reference to State/regionally significant farmland mapping with a revised scope excluding land zoned RU1 Primary Production (State and regionally significant farmland has been zoned with this zone), and supporting water extraction and bottling facilities on land zoned RU2 Rural Landscape only, and
- Further amending the planning proposal to replace the reference to BSAL mapping with the following heads of consideration for any development application for this land-use:

New Clause:

- n. Development consent must not be granted to development for the purposes of water extraction and bottling unless the consent authority is satisfied that the development of the land:*
 - i. Will not have a significant or irreversible adverse impact on natural water systems, and*
 - ii. Productive farmland capability will not be significantly diminished or sterilised from use in the future, whether in isolation or by aggregation of lands,*

This will require a further referral of the revised planning proposal to Department of Planning & Environment for Gateway re-determination, and will likely also trigger the need for re-exhibition of the planning proposal.

This approach balances concerns for ongoing viability of agriculture in the Tweed with opportunities for water extraction land use to operate in areas not identified as State or Regionally Significant farmland, and that are assessed having no significant impact on the long-term resource access to productive farmland.

OPTIONS:

1. Council resolves to support recommendation provided within this Report, or
2. Council not support the recommendations provided within this Report, and proceed with the Planning Proposal consistent with the resolution of 10 December 2015, excluding land identified as State and Regionally Significant Farmland and mapped as BSAL.
3. The matter is deferred to a workshop.

In light of current concern, Council officer's recommend Option 1.

CONCLUSION:

The Planning Proposal for water extraction and bottling facilities in the form resolved by Council on 10 December 2015 will result in *de facto* prohibition of this land use across a significant area of the Tweed's RU1 Primary Production and RU2 Rural Landscape zoned land, including the Applicant's site (Mount Warning Springwater). This Report recommends an alternative approach, balancing concerns for the ongoing viability of agriculture in the Tweed with opportunities for water extraction land use to operate in areas not identified as State or Regionally Significant farmland.

The amended proposal is considered to address the needs of establishing a broad range of rural land uses whilst ensuring that there are suitable heads of consideration for assessment.

COUNCIL IMPLICATIONS:

a. Policy:

Will bring about a Shire-wide amendment to Tweed Local Environmental Plan 2014, but the specific land use will remain under the control and supervision of Council by way of requiring development consent.

b. Budget/Long Term Financial Plan:

The Planning Proposal is funded by the Applicant, Mount Warning Spring Water Company, under a Cost Agreement with Council. However, should Council pursue an amendment that is detrimental to or otherwise not in the best interest of the Applicant Council should seek to terminate the Cost Agreement and undertake the planning proposal at its own cost, or alternatively will have to accept the cost liability should the Applicant give notice of its intention to terminate, which it is entitled to. Either way, Council must not be persuaded by the risk of cost in its course of action determining the suitability of the LEP amendment being sought.

c. Legal:

There is no foreseeability of legal matters arising at this time.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

10 [PR-CM] Time of Payment - Contributions for Building Development

SUBMITTED BY: Development Assessment and Compliance

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Council at its meeting of 21 January 2016 resolved to defer this matter for consideration at the next Council meeting. This report is again submitted for Council's consideration.

On 18 April 2013 Council resolved to change the requirement for the timing of payment of contributions for building works from prior to the issue of the construction certificate to prior to the issue of the occupation certificate. A copy of the report is provided in the attachments. The reason for the change at the time was that by requiring the payment at the construction certificate stage it was considered to be a financial impediment to the viability of some development proposals and was having negative impacts on the economic development of the Tweed Shire.

A review of the change of use development consents issued since 18 April 2013 has revealed that 13 consents have been complied with regarding payment and 12 have not. The value of outstanding Section 64 charges is \$92,000 and \$54,000 in outstanding Section 94 charges. Accordingly it is considered that the practice should change and the current system be limited to large residential and mixed use developments in the Tweed City Centre development control plan area with other large proposals by applicant request only. It is also recommended that Council pursue the outstanding contributions and any other non-compliance with the development consents.

RECOMMENDATION:

That:

1. The following items from Council's resolution of 18 December 2013 Minute Number 251 be rescinded:
 - *In regard to new development applications for building works, where there is a requirement for payment of Section 64 and Section 94 contributions, consent conditions for such payments will designate payment to be made prior to issue of Occupation Certificate.*

- ***Section 94 Contribution Plans (except CP 28 Seaside City) are to be progressively amended to mandate payment of contributions for building works prior to issue of Occupation Certificate.***
 - ***When the next review of "Developer Servicing Plans - Water Supply and Sewerage" is conducted, they are to be amended to mandate payment of contributions for building development prior to issue of Occupation Certificate.***
 - ***In regard to existing development consents for buildings:***
 - a) ***Payment of contributions will continue to be required in accordance with the relevant condition of consent***
 - b) ***It is open to proponents with existing consents to submit a Section 96 application to amend the timing of payment of contributions to be prior to issue of Occupation Certificate***
 - c) ***Such applications will be favourably considered given the objective of economic stimulus for the Tweed***
 - d) ***Such applications are to be determined under delegated authority at the discretion of the General Manager in accordance with current delegations***
 - ***In regard to existing complying development certificates for buildings, these are to be dealt with in accordance with the principles of 5 above.***
2. **In regard to new development applications for building works in the Tweed City Development Control Plan area for multi storey residential or multi storey mixed use developments, where there is a requirement for payment of Section 64 and/or Section 94 contributions, consent conditions for such payments will designate payment to be made prior to issue of Occupation Certificate.**
 3. **All other multi residential and mixed use developments where there is a requirement for payment of Section 64 and/or Section 94 contributions these will be considered individually by the General Manager or delegate where a request has been made in the development application for levying of contributions prior to the occupation certificate.**
 4. **The General Manager or delegate pursue payment of outstanding contributions and other non-compliances for the development consents issued after 18 April 2013 by requiring payment and compliance within 30 days of being given notice.**
 5. **Where payment and/or compliance is not undertaken Council commences appropriate action including legal proceedings to recoup outstanding charges and compliance with the development consent.**

6. **With regards to Section 64 water and sewer outstanding contributions the proponent be offered the option of paying the Section 64 amount or entering into an agreement with Council for a higher use charge if appropriate.**
7. **Amendments be made where necessary to relevant contribution and service plans and fees and charges to facilitate the above changes to the timing of payment of contributions.**

REPORT:

At its meeting on 21 January 2016, Council resolved:

"that this item be deferred for consideration at the next Council."

This report is again submitted for Council's consideration.

On 18 April 2013 Council adopted the following:

1. *In regard to new development applications for building works, where there is a requirement for payment of Section 64 and Section 94 contributions, consent conditions for such payments will designate payment to be made prior to issue of Occupation Certificate.*
2. *The draft 2013/2014 Fees and Charges are to require S64 contributions for building works be paid prior to issue of Occupation Certificate.*
3. *Section 94 Contribution Plans (except CP 28 Seaside City) are to be progressively amended to mandate payment of contributions for building works prior to issue of Occupation Certificate.*
4. *When the next review of "Developer Servicing Plans - Water Supply and Sewerage" is conducted, they are to be amended to mandate payment of contributions for building development prior to issue of Occupation Certificate*
5. *In regard to existing development consents for buildings:*
 - a) *Payment of contributions will continue to be required in accordance with the relevant condition of consent*
 - b) *It is open to proponents with existing consents to submit a Section 96 application to amend the timing of payment of contributions to be prior to issue of Occupation Certificate*
 - c) *Such applications will be favourably considered given the objective of economic stimulus for the Tweed*
 - d) *Such applications are to be determined under delegated authority at the discretion of the General Manager in accordance with current delegations*
6. *In regard to existing complying development certificates for buildings, these are to be dealt with in accordance with the principles of 5 above."*

At the time of adoption of the above council was exploring ways to assist significant projects moving forward. Delaying payment of contributions to the end of the process was one way Council could provide assistance with approved project start-ups. However it is considered that such assistance should be provided for the more significant developments in the Shire and not necessarily the small change of use proposals. The Serene Living 6 storey residential development at Tweed is an example where the system has worked successfully with the contributions paid prior to the issue of the occupation certificate.

The larger residential projects have more cross checks through the conveyancing steps with vendors and purchases engaging professional assistance to ensure all steps have been completed in the transaction including the issuing of occupation certificates. The risk of non-

payment of contributions when linked to the occupation certificate for large residential projects is low compared to a change of use from one commercial activity to another involving a shop or kitchen fit out. Upon completion of the fitout works there is nothing preventing the commencement of the use other than the conditions of the consent and the proponent seeking an occupation certificate. Whereas if the contributions are triggered by the construction certificate release progress can't be made until the contributions have been paid.

It is considered that the greatest impact on economic vitality assistance can be made at the large residential/mixed use style developments. The performance of the policy has demonstrated that deferring payment of contributions to occupation certificate stage for small proposals has resulted in non- payment and Council having to use resources to seek compliance with the consents.

Existing development consents will remain unchanged by any changes to the timing of payment of contributions.

OPTIONS:

1. Make no changes to the current practice.
2. Make changes to the current practice to confine the payment of contributions at occupation certificate stage to particular developments as recommended.
3. Require all building developments to pay contributions at the construction certificate stage.

Option 2 is recommended.

CONCLUSION:

Confining the payment of contributions to the large style building developments will substantially reduce the risk of non-payment and provide the greatest impact for financial assistance for significant projects and reduce the use of Council resources for compliance action.

COUNCIL IMPLICATIONS:

a. Policy:

Amendments to Council practice is recommended

b. Budget/Long Term Financial Plan:

Section 94 and Section 64 funds affected by non-payment.

c. Legal:

Legal action may be required to enforce compliance.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Council Report and Resolution 18 April 2013 (ECM 3909125)

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

11 [CNR-CM] Tweed Coast Koala Advisory Group

SUBMITTED BY: Natural Resource Management

Valid



Civic Leadership



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.2 Improve decision making by engaging stakeholders and taking into account community input
- 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 Tweed Coast Koala Advisory Group (TCKAG) was established in 2010 to assist with preparation of the Tweed Coast Koala Habitat Study and Comprehensive Koala Plan of Management (KPOM). The TCKAG was dissolved by Council in February 2015 on adoption of the KPOM.

Establishment of a new Koala Management Committee (KMC) as required by the KPOM has been postponed to address unforeseeable delays in the review and approval of the KPOM by the NSW Department of Planning.

It is proposed to continue to delay the establishment of the new KMC such that draft Terms of Reference are ready for adoption by the incoming Council. This proposal is based on the efficient use of staff resources, avoiding duplication of effort associated with establishing a committee for an abbreviated term in order to align with the term of Council.

RECOMMENDATION:

That Council endorses the proposal to delay the establishment of the new Koala Management Committee such that draft Terms of Reference is ready for adoption by the incoming Council.

REPORT:

The Tweed Coast Koala Advisory Group (TCKAG) was established in 2010 to assist with preparation of the Tweed Coast Koala Habitat Study and Comprehensive Koala Plan of Management (KPOM). The group has played a key role in the successful delivery of both these important documents.

The KPOM, as adopted in February 2015, identifies a range of relevant actions in relation to the establishment of a new Koala Management Committee (KMC) to advise and assist Council with implementation and review of the plan. The Terms of Reference are to be adopted by Council with the term of the KMC to be concurrent with the term of Council.

The TCKAG was dissolved on adoption of the KPOM by Council in February 2015. This was received and noted by Council on Thursday 21 May 2015 based on the minutes of the TCKAG meeting held Wednesday 1 April.

Staff have delayed the establishment of the new Committee due to the following:

- Negotiation with the Department of Planning is ongoing in relation to the review and approval of the KPOM under SEPP 44 – Koala Habitat Protection. As the TCKAG played a key role in preparation of the plan, the option to recall the committee to advise on resolution of any issues raised by the Department has been adopted.
- The time involved in negotiating the review and approval of the plan with the Department has extended well beyond expected timeframes such that the current term of Council has less than twelve months remaining.

It is noted that the extended timeframes associated with review and approval of the plan are not directly related to the content of the KPOM. The Department is negotiating legal advice received by Byron Shire Council on the interpretation of key definitions. They are seeking to clarify an agreeable resolution to this advice given the range of both existing plans and draft plans currently in preparation by Councils throughout NSW. Further, recent advice from the Department suggests an ongoing delay due to a review of SEPP 44 now being underway.

It is proposed to continue to delay the establishment of the new KMC such that draft Terms of Reference are ready for adoption by the incoming Council. This proposal is based on the efficient use of staff resources, avoiding duplication of effort associated with establishing a committee for an abbreviated term in order to align with the term of Council.

The temporary delay of establishment of a new committee will not impact implementation of the KPOM or community engagement due to the ability to refer finalisation of the KPOM to the previous advisory group and ongoing engagement with the community on koala issues through KPOM implementation and the Tweed Byron Koala Connections project.

OPTIONS:

1. Establishment of a new KMC can be pursued directly, resulting in an abbreviated term as per the current term of Council.
2. Establishment of the new KMC can be delayed such that draft Terms of Reference are ready for adoption by the incoming Council.

CONCLUSION:

It is proposed to continue to delay the establishment of the new KMC such that draft Terms of Reference are ready for adoption by the incoming Council. This proposal is based on the efficient use of staff resources, avoiding duplication of effort associated with establishing a committee for an abbreviated term in order to align with the term of Council.

COUNCIL IMPLICATIONS:

a. Policy:

Tweed Coast Comprehensive Koala Plan of Management 2015.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

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

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

Inform - We will keep you informed.

Advisory Groups are established to ensure broad community representation and inter-agency involvement in relevant issues. The temporary delay of establishment of a new committee will not impact implementation of the KPOM or community engagement due to the ability to refer finalisation of the KPOM to the previous advisory group and ongoing engagement with the community on koala issues through KPOM implementation and the Tweed Byron Koala Connections project.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR ENGINEERING

12 [E-CM] RFO2015147 Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane

SUBMITTED BY: Infrastructure Delivery

FILE REFERENCE: RFO2015147

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
- 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan

SUMMARY OF REPORT:

Request for Offer Document RFO2015147 for the Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement strategy.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Submissions closed at 4.00pm (local time) on 6 January 2016 in the Tender Box located in the Fleet Administration building Tweed Shire Council Works Depot, Murwillumbah NSW 2484.

Recommendations have been formulated based on the Selection Criteria which is contained in the Request for Offer Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**. A summary of the Selection criteria is also included in the body of this report.

RECOMMENDATION:

That in respect to Request for Offer RFO2015147 for the Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane:

1. **Council awards the contract for Supply of the Cab Chassis to 'Gold Coast Isuzu' (ABN 47010210723, ACN 010210723) for the amount of \$56,485.80 (Exclusive of GST)**

2. Council awards the contract for Build and Supply of the Service Body and Crane to 'Vince McNamara Engineering' (ABN 58103518878, ACN 103518878) for the amount of \$45,181.82 (Exclusive of GST)
3. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.
4. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A (2) of the Local Government Act 1993, because it contains:-
 - (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of the person who supplied it, or
 - (ii) Confer a commercial advantage on a competitor of the council, or
 - (iii) Reveal a trade secret.

REPORT:

Request for Offer Background

Offer RFO2015147 for the Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement strategy.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 6 January 2016 in the Tender Box located in the Fleet Administration building Tweed Shire Council Works Depot, Murwillumbah NSW 2484.

Offer Advertising

As per Councils Procurement Protocol Version 1.8 - Purchases from **\$50,000 to \$149,999 (inclusive of GST)**. Invite a minimum of three (3) written Offers including a price. Bidders selected using market knowledge – Documentation shall be developed from the range of standard contract templates. Offers shall be lodged either via Tweed Shire Councils etender facility, facsimile or Tender Box located at the Murwillumbah Civic Centre, excepting Offers for mobile plant which close in the Tender Box located at the Murwillumbah Works Depot **OR** purchase from an entity identified in section 55 (3) of the Local Government Act or clause 163 of the Local Government (General) Regulation 2005.

Offer Addendums

There was no notice to bidders issued before close of offer.

Offer Submissions

Two (2) offers for the supply of the Cab Chassis were recorded at the Tender Box and etendering opening and their details are as follows:

Supplier	ABN	ACN
Gold Coast Isuzu	47010210723	010210723
Murwillumbah Truck Centre	72001859454	001859454

Three (3) offers for the Build and Supply of the Service Body and Crane were recorded at the Tender Box and etendering opening and their details are as follows:

Supplier	ABN	ACN
Vince McNamara Engineering	58103518878	103518878
Lift Industries Pty Ltd	11109172803	109172803
Custom Truck Bodies and Trailers	23607269483	607269483

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offer. The details of the price and non-price evaluation are shown on the attached Offer Evaluation Report.

Criterion	Document Reference	Weighting (%)
Value for Money WOL Costs	Section 18	70
Operational Evaluation	Section 18	10
Maintenance Evaluation	Section 18	5
Operator Evaluation	Section 18	5
Local Content	Section 18	10

An Assessment Plan was developed based on the premise that competitive offers were to be received and scored against specific selection criteria in order to select the best value offer.

The Evaluation Panel consisted of the following who conducted the offer assessment

Position
Operations Coordinator Plant and Materials
Fleet Plant Maintenance Technician
Council Truck Operator No1
Council Truck Operator No2
Council Truck Operator No3
Council Truck Operator No4

A copy of the Offer Evaluation Plan Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

The information identifies the supplier in relation to the offer price and the evaluation of the products offered. If disclosed, the information would be likely to prejudice the commercial position of the supplier in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the offer.

OPTIONS:

1. Council accepts the recommendation to award the contract to Gold Coast Isuzu and Vince McNamara Engineering, or
2. Council awards the contract to another supplier, or
3. Council does not proceed with the contract and advises the suppliers of the reasons for not proceeding.

CONCLUSION:

The offer submitted for the supply of the Cab Chassis by Gold Coast Isuzu presents the best value to Council.

The offer submitted for the build and supply of Service Body and Crane by Vince McNamara Engineering presents the best value to Council.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

Budget provision included in 2015/2016 allocation for Plant Replacement.

c. Legal:

In accordance with Local Government (General) Regulations 2005.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Offer Evaluation Report (ECM 3939980).

(Confidential) Attachment 2. Offer Evaluation Scoring Sheet (ECM 3939962).

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

SUBMITTED BY: Infrastructure Delivery

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

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.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 27 January 2016 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Recommendations have been formulated based on the Selection Criteria which is contained in the Offer Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**. A summary of the Selection criteria is also included in the body of this report.

RECOMMENDATION:

That in respect to Contract RFO2015162 2015/2016 Asphalt Resurfacing Program:

1. Council awards the contract to East Coast Asphalt & Concrete Edging Pty Ltd (ABN 51 755 877 285) for the amount of \$1,005,837.08 (exclusive of GST).
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.
3. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

REPORT:

Offer Background

Offer 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.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 27 January 2016 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Offer Advertising

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for RFO2015162 2015/2016 Asphalt Resurfacing Program on Tuesday 22 December 2015 in The Sydney Morning Herald.

Offer Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 27 January 2016 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Three (3) Bidders were recorded at the Tender Box opening and their details are as follows:

Bidder	ABN
East Coast Asphalt & Concrete Edging Pty Ltd	51 755 877 285
Boral Resources (Qld) Pty Ltd	46 000 671 809
Fulton Hogan Industries Pty Ltd	54 000 538 689

The Offer evaluation was conducted as per the Offer Evaluation Plan dated 11 January 2016. The Offer Evaluation Plan was developed based on the premise that competitive Offers were to be received and scored against specific selection criteria in order to select the best value offer.

Offers were evaluated based on the Criterion noted in the table below which were also listed in the Conditions of Offering. Note that specific criteria & weightings were not detailed to potential Bidders during the tender period.

The details of the price and non-price evaluation are shown on the attached Offer Evaluation Report.

Criterion	Document Reference	Weighting (%)
Value for Money (Normalised Offer Price)	Schedule 3	60
Previous Contract Experience	Schedule 4	10
Methodology & Programming	Schedule 6	10
WHS, Quality & Environmental Management	Schedule 7	10
Local content	Schedule 11	10
	Total	100

The Offer Evaluation Panel consisting of an Engineer, Contracts Engineer and an Engineering Assistant conducted the Offer evaluation.

A copy of the Offer Evaluation Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

- (d) commercial information of a confidential nature that would, if disclosed:
- (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

The information identifies the Bidder in relation to the Offer price and the evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Offer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Offer.

OPTIONS:

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

CONCLUSION:

As per the Offer Evaluation Panel recommendation, it is recommended that Council awards the contract to East Coast Asphalt & Concrete Edging Pty Ltd (ABN 51 755 877 285) for the amount of \$1,005,837.08(exclusive of GST).

East Coast Asphalt & Concrete Edging Pty Ltd achieved the highest overall assessment score and is therefore deemed as the most advantageous option for Council.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.7.

In accordance with Local Government (General) Regulations 2005.

b. Budget/Long Term Financial Plan:

2015/2016 Asphalt Resurfacing Program is funded from the following:

- Resurfacing program
- Local roads resurfacing program
- Unallocated road rehabilitation program
- RMS regional roads block grant
- Car parks program

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Offer Evaluation Report (ECM 3939618).

(Confidential) Attachment 2. Tender Evaluation Scoring Sheet (ECM 3939107).

14 [E-CM] RFO2015152 Panel of Providers for CCTV or 3D Camera Work for Sewer Reticulation

SUBMITTED BY: Water and Wastewater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.3 Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability
-

SUMMARY OF REPORT:

The Request for Offer was called to engage a suitably qualified and experienced panel of service providers to perform CCTV or 3D Camera Work for Sewer Reticulation Network Inspections.

The Offer was officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.

Recommendations have been formulated based on the Selection Criteria which is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENT 1**. A summary of the Selection criteria is also included in the body of this report.

RECOMMENDATION:

That in respect to Contract RFO2015152 Panel of Providers for CCTV or 3D Camera Work for Sewer Reticulation:

1. Council appoints the following contractors to a Panel of Providers:

- **Dynamic Excavations (ABN 55 131 100 840),**
- **Pipe Vision Australia Pty Ltd (ABN 99 109 937 082) and**
- **Transpacific Industries Pty Ltd (ABN 57 099 813 546)**

for a period of 3 years with the option available to extend for a further 2 years based on performance.

2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.

3. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (c) **information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

REPORT:

Request For Offer Background

The Offer was called to engage a suitably qualified and experienced panel of service providers to perform CCTV or 3D Camera Work for Sewer Reticulation Network Inspections. The proposed panel arrangement was indicated as 3 year contract with the option available to extend for a further 2 years based on performance.

Offer Advertising

The Tender was officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Offer was advertised on 17 November 2015 in The Sydney Morning Herald and 21 November in the Brisbane Courier Mail and the Gold Coast Bulletin. The Offer was uploaded to Councils website on 18 November 2015.

Offer Submissions

As per the requirements of the Local Government Regulation 2005, offer submissions closed at 4:00PM (local time) on 9 December 2015 in the Tender Box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Offer submissions were recorded at the Tender Box opening and their details are as follows:

Bidder	ABN	Offer Amount (incl GST)
Aqua Assets Pty Limited	32 075 144 419	Schedule of Rates
Aussie Hydrovac Services Pty Ltd	45 108 068 542	
Clearflow Australia	84 149 518 075	
Dynamic Excavations	55 131 100 840	
Interflow Pty Ltd	34 000 563 208	
Pipe Hawk CCTV	68 602 706 043	
Pipe Vision Australia Pty Ltd	99 109 937 082	
Power Pumping Pty Ltd	84 125 093 718	
Reline Solutions	53 119 222 267	
Transpacific Industrial Solutions Pty Ltd	57 099 813 546	
Tunnel Vision Services	11 085 746 069	
Veolia Water Network Services	21 124 372 050	

Evaluation Criteria

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering. The details of the price and non price evaluation are shown on the attached Offer Evaluation Report.

Criterion	Document Reference	Weighting (%)
Value for Money (Normalised Offer Price) (Mandatory but Chairperson sets weighting)	Schedule 2 & 3	55
Price Compared with TSC Estimate	Schedule 2 & 3	Yes/No Item
Previous and Current Works (Experience)	Schedule 4	10
Project Management (Key Personnel)	Schedule 5	5
Methodology and Work Program (Time)	Schedule 6	10
WHS and Risk Management	Schedule 7	5
Environmental Management	Schedule 7	5
Quality Management	Schedule 7	Yes/No Item

Criterion	Document Reference	Weighting (%)
Proposed Subcontractors (Experience)	Schedule 8	Yes/No Item
Company Insurances	Schedule 9	Yes/No Item
Sustainable Procurement	Schedule 10	Yes/No Item
Local Content (Development of Local Business) (Mandatory 10% per Policy)	Schedule 11	10
Innovation	All Schedules	
Maintenance and Running costs	All Schedules	Yes/No Item
Life of Proposed materials and equipment	All Schedules	Yes/No Item
Warranty Periods Offered	All Schedules	Yes/No Item
Council's Contract Administration Costs	Schedule 6	Yes/No Item
	Total	100

An Offer Assessment Plan was developed based on the premise that competitive offers were to be received and scored against specific selection criteria in order to select the best value offer.

The Offer Evaluation Panel consisting of Senior Engineer Operations and Maintenance, Senior Technical Assistant Reticulation and Engineer Contracts conducted the tender assessment.

A copy of the Offer Evaluation Plan Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

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

The information identifies the bidder in relation to the tender price and the evaluation of the products offered by the bidder. If disclosed, the information would be likely to prejudice the commercial position of the bidder in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Offer.

OPTIONS:

1. Council resolves to accept the report recommendations and award contract RFO2015152 to a Panel of Providers
2. Council does not accept the report recommendations and approve an alternative action to meet the Councils operational requirements

CONCLUSION:

It is recommended that Dynamic Excavations (ABN 55 131 100 840), Pipe Vision Australia Pty Ltd (ABN 99 109 937 082) and Transpacific Industries Pty Ltd (ABN 57 099 813 546) be accepted to a panel of providers and called on an as required basis to perform CCTV or 3D camera work at the rates offered in their respective tender submissions for a period of 3 years with the option available to extend for a further 2 years based on performance.

The companies recommended to form a panel are deemed as the most advantageous option for Council. There is no guarantee of any amount of work to any of the panel members and each portion of works allocated in the contract period will be on a rates and availability basis.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6.

In accordance with Local Government (General) Regulations 2005.

b. Budget/Long Term Financial Plan:

Budget provision included in 2015/2016 allocation for Sewer Rehabilitation.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Offer Evaluation Report (ECM 3942119).

(Confidential) Attachment 2. Offer Evaluation Scoring Sheet (ECM3942870).

15 [E-CM] Acquisition of Easement to Drain Sewage at Kingscliff

SUBMITTED BY: Design

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
-

SUMMARY OF REPORT:

At its meeting held on 20 November 2014, Council resolved to approve the acquisition of easements to drain sewage at Kingscliff to formalise the location of a sewer rising main constructed by the SALT developer.

When preparing the application to the Office of Local Government, it was discovered that there was an error in part 2 of the resolution (copy attached), which was a wrong deposited plan number due to a typographical error.

This report is to correct that error and it is recommended that Council resolves to acquire the easement under the correct deposited plan number to enable the acquisition application to proceed with a revised resolution.

RECOMMENDATION:

That Council:

1. Approves the acquisition, with consent, of an Easement to Drain Sewage created in DP 1198430 within Lots 1 and 2 in DP 803772 under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act 1993 and the making of the necessary application to the Minister/Governor; and
2. Executes all necessary documentation under the Common Seal of Council.

REPORT:

At its meeting held on 20 November 2014, Council resolved to approve the acquisition of easements to drain sewage at Kingscliff to formalise the location of a sewer rising main constructed by the SALT developers. The report and resolution are attached for background information and ease of reference.

When preparing the application to the Office of Local Government, it was discovered that there was an error in part 2 of the resolution, where the incorrect deposited plan number was referred to as a result of a typographical error.

No actions had been taken on the resolution as there were difficulties in proceeding with the acquisition due to unforeseen circumstances.

Background to Delay

The 2014 resolution was made to enable the acquisition for easements within 4 properties and the bed of the stream in Cudgen Creek. One of the affected parcels was Lot 2 DP 1117599, being one of the parcels of the more widely known Lot 490.

As there was the land claim over Lots 1 and 2 in DP 1117599 (Lot 490), the approval from Crown Lands was subject to the approval of the NSW Aboriginal Land Council (NSWALC) to either withdraw the easement corridor from the land claim area or to approve the acquisition.

The NSWALC gave an initial approval to the acquisition of the easement, but then advised Council that it should seek the approval from the Tweed Byron Local Aboriginal Land Council (TBLAL Council). Notwithstanding concerted efforts to contact them, over a period of 7 months, no response was ever received from the TBLAL Council.

When the land claim was granted to the TBLAL Council on 15 December 2015, this grant acted to preclude the proposed acquisition of the easement because land (or an interest in land) vested in a local Aboriginal Land Council cannot be compulsorily acquired, pursuant to section 42B of the *Aboriginal Land Rights Act 1983*, except by an Act of Parliament.

Council will contact the Tweed Byron Local Aboriginal Land Council to formalise the easement by private treaty when it has been notified that the land has been transferred to them, a separate report will be forthcoming in the future relating to this matter.

Current Status

Due to the timing of the land grant just prior to Christmas, the application for the approval from the Minister for Local Government/Governor was deferred until the new year.

When compiling the documentation required to accompany the application, the error in the resolution was discovered. This report is to correct that error and it is recommended that Council resolves to acquire the easement under the correct deposited plan number to enable the acquisition application to proceed.

OPTIONS:

1. That Council approves the making of a resolution to acquire the Easement to Drain Sewage under the correct deposited plan number (DP 1198430) to enable the acquisition application to proceed.

2. That Council does not resolve to acquire the easement under the correct deposited plan number.

CONCLUSION:

This report is not seeking to change the nature of the approval to acquire the Easement to Drain Sewage created in DP 1198430, it is to correct the deposited plan number to ensure that the details of the application is correct.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

No financial implications arise from this report.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

The acquisition will be published when it has been approved by the Office of Local Government as a statutory requirement.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Council resolution and report dated 20 November 2014 (ECM 3942050).

16 [E-CM] Licence for Temporary Access to Council Land - Tweed Heads West Wastewater Treatment Plant

SUBMITTED BY: Water and Wastewater

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.3 Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability
-

SUMMARY OF REPORT:

At its meeting held on 21 August 2012, Council resolved to approve the granting of a temporary access over Council land to a developer, operating under Feitelson Holdings Ltd and Garbind Pty Ltd, to allow them to haul fill to their adjacent land. The approval was subject to the developer obtaining a s96 approval, which was issued on 30 November 2012, a construction certificate was not issued until 11 February 2015.

A licence agreement between Council and Feitelson and Garbind commenced 29 July 2014, for a term of two years.

Council received a request from the developer seeking an extension of that licence, his letter states because "*it has been difficult obtaining the required type and quantity of fill to complete the project at an economic rate. We did not want to commence the placement and compaction until such time as we could be guaranteed sufficient fill to complete the project. We did not want to be in a position that we commenced the process and found that we had insufficient fill to complete the filling and hence running over the license (sic) period.*"

It is recommended that Council approve entering into a further two year licence with the same terms and conditions as the current licence.

RECOMMENDATION:

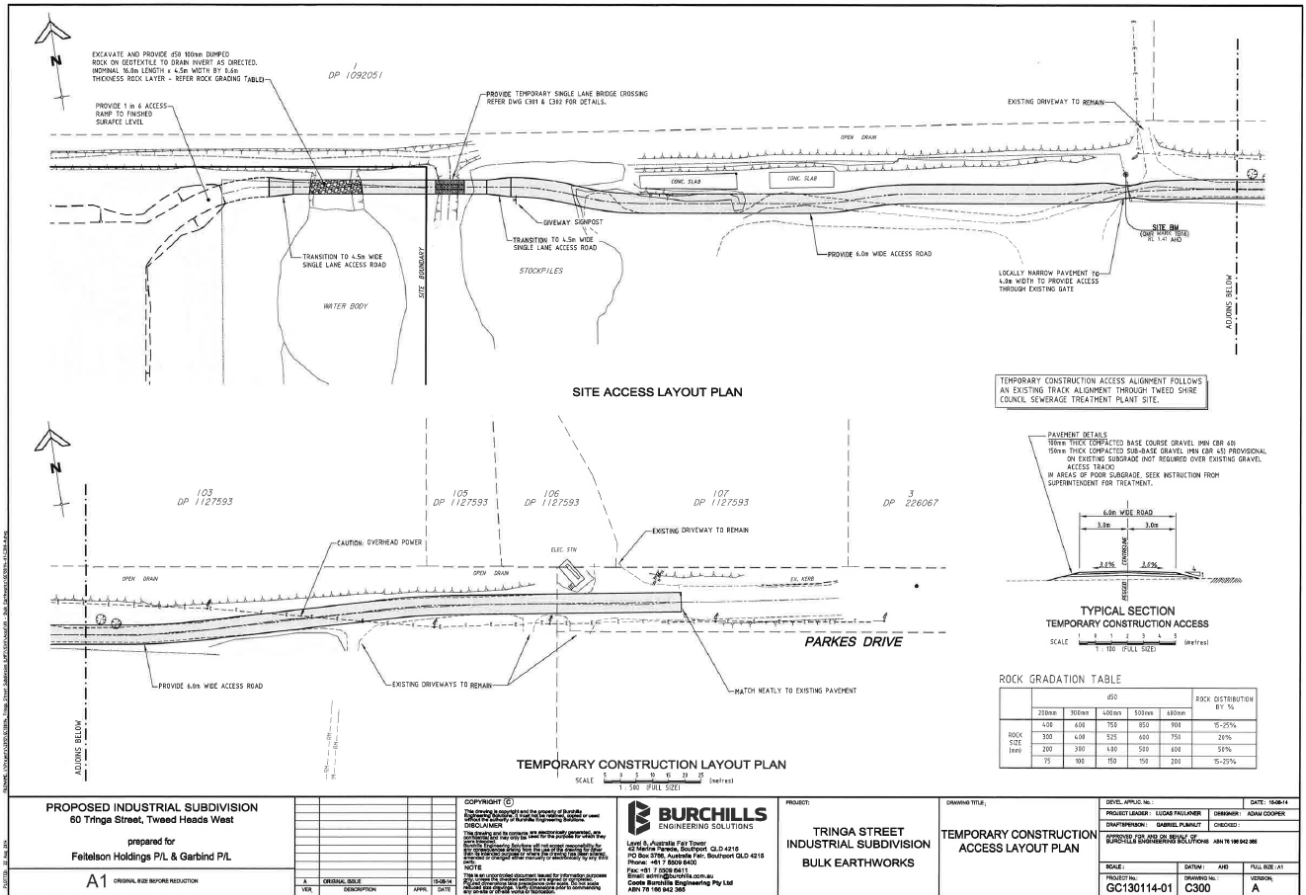
That:

- 1. Council approves entering into a licence agreement with Feitelson Holdings Ltd and Garbind Pty Ltd over Lot 1 DP 1011625 for a term of two years, at a peppercorn rental commencing on 29 July 2016; and**
 - 2. All documentation be executed under the Common Seal of Council.**
-

REPORT:

At its meeting held on 21 August 2012, Council resolved to approve the granting of a temporary access over Council land (containing the Tweed Heads West Wastewater Plant) to a developer, operating under Feitelson Holdings Ltd and Garbind Pty Ltd, to allow them to haul fill to their adjacent land. The approval was subject to the developer obtaining a s96 approval, which was issued on 30 November 2012, a construction certificate was not issued until 11 February 2015.

The plan below shows the access corridor along the northern boundary of Council's land:



The temporary access granted to the developer was to operate under a licence agreement which conditioned the use of Council land for the purposes of hauling fill.

The licence agreement, with a term of two years, between Council and Feitelson commenced on 29 July 2014.

Council received a request from the developer on 22 January 2016, seeking an extension of that licence, his letter states because "it has been difficult obtaining the required type and quantity of fill to complete the project at an economic rate. We did not want to commence the placement and compaction until such time as we could be guaranteed sufficient fill to complete the project. We did not want to be in a position that we commenced the process and found that we had insufficient fill to complete the filling and hence running over the license (sic) period."

A copy of the previous report to Council is attached to this report, as it provides a detailed description of the purpose and shows the access corridor.

The reason given for the request for the extension is considered reasonable and there is no record of issues arising from the use of the licensed area by the developer. The asset manager has provided conditions for the access.

OPTIONS:

1. To approve the granting of an extension of the licence to Feitelson for a temporary licence for a further two years.
2. To not approve granting an extension.

CONCLUSION:

As there are no recorded issues arising from the current licence, and the reason for the extension is reasonable and acceptable, it is recommended that Council approve granting a further two year licence to Feitelson on the same terms as previously issued.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

A peppercorn rental is proposed, as per the previous agreement, on the basis that the licensee had purchased from Council a permanent access to the site for the sum of \$120,000.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

Due to the relatively short period and low impact of the licence, it is not intended, nor is it considered necessary, to advertise the intention to grant the further two year licence to Feitelson.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1 Council Action Item and Report dated 21 August 2012
(ECM 2858111).

17 [E-CM] Bus Shelter Lighting

SUBMITTED BY: Roads and Stormwater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

SUMMARY OF REPORT:

Council requested a review on the adequacy of bus shelter lighting and a report to be brought back with respect to retrofitting shelters with improved lighting.

The review concluded that of the 185 shelters in the Shire, 99 could benefit with some level of lighting upgrade, 86 were considered either adequately lit or were not used at night and therefore lighting would be of little benefit.

Council currently does not have a budgetary allocation for bus shelter lighting. A list of the prioritised shelters is provided to be retrofitted through future budget allocation, if approved by Council, or through external funding opportunities.

RECOMMENDATION:

That Council:

- 1. Officers continue to source external funding opportunities to retrofit lighting for bus shelters.**
- 2. Considers the allocation in future budgets of an amount of \$20,000 each year commencing 2016/2017 until the bus shelter lighting program is completed.**

REPORT:

Council resolved at its 20 November 2014 that:

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

A review has been conducted of the Shire’s 185 bus shelters and an assessment conducted in relation to prioritisation of lighting.

Initial criteria considered included proximity of existing streetlights and expected night time use. Based on these criteria a weighting was allocated to each shelter with a score of 1 the highest priority to a score of 5 where it was deemed that no further lighting upgrades were required. Of the 185 shelters, 86 were considered to be adequately lit or unlikely to be used in darkness hours so were not further assessed for lighting upgrades. 99 were considered to require lighting upgrades.

These 99 shelters were further assessed based on the criteria number of commercial services, proximity of alcohol retailers and availability of passive surveillance from adjacent motorists, businesses and residents. Stakeholder (police and bus operators) input was also considered. Weighting was determined with level 1 being the highest need and level four the lowest priority. 19 were allocated level one, 13 were allocated level two, 42 were allocated level three and 25 were allocated level four.

Lighting for individual shelters can include internal hard wired connection to external sources, internal solar lighting with panels on the roof structure, external streetlights connected to the streetlighting network, or external freestanding streetlighting with a solar panel. Quotes have been received to provide indicative costs of installing roof mounted solar lights. Should a budget allocation or external funding be provided, this option is considered the most effective way of improving internal bus shelter lighting.

There is no current budget allocation to the retrofitting of bus shelters for lighting. Funding has been previously provided from the Federal Government under its Safer Suburbs Program to install solar streetlights in close proximity to bus shelters. Recently, officers have submitted an application under NSW Community Safety Fund for bus shelter lighting and advice on the application’s success is expected in March 2016. Should Council wish to provide a budget allocation to the project, specific quotes would be sought for individual sites with the first preference being internal solar lighting on Level1 shelters.

OPTIONS:

That Council:

1. Allocates in future budgets an annual amount of \$20,000 to fund bus shelter lighting upgrades.
2. Considers the allocation in future budgets of an amount of \$20,000 each year commencing 2016/2017 until the bus shelter lighting program is completed.
3. Receives and notes this report.

CONCLUSION:

A number of bus shelters throughout the Shire would benefit from a lighting retrofit.

Whilst there is limited data to conclude that the lack of lighting results in criminal activities, the 'users and stakeholders' perceptions are that improved lighting would result in a safer public transport network and community. This may result in increased public transport usage. Solar roof mounted lighting should be sourced in the first instance depending on the shelter's suitability in relation to orientation and structure.

Funding for the retrofitting of bus shelter lighting should be considered in future budget allocations and through suitable external grants.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

No current budget allocation exists. Estimates for the lighting of bus shelters range from \$2,500 for solar to \$4,000 for grid connected.

Additional consideration by Council for allocation in future budgets of an amount of \$20,000 each year commencing 2016/2017 until the bus shelter lighting program is completed.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

When funding opportunities become available, the community will be given the opportunity to provide feedback on the shelter selections for lighting upgrades.

In addition, feedback will be sought from the Tweed Public and Active Transport Group on these priorities.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Tweed Bus Shelter Lighting Priorities spreadsheet (ECM 3938087).

18 [E-CM] Street Naming - Rivendell Drive, Tweed Heads South

SUBMITTED BY: Design

FILE REFERENCE: GS5/1

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:

Council was contacted by an owner of a property located within the street named "Rivendell" at Tweed Heads South requesting that the suffix of "Drive" be added to the street name to allow for ease of locating not only the properties but the street itself.

There appears to be no history on why the road was not given a suffix when it was originally named however without one it does not comply with Councils current policy on Naming of Streets and Roads.

The owners of each property located within Rivendell have been contacted and Council has received back eleven (11) responses from the seventeen (17) owners, all consenting to the addition of the suffix "Drive".

RECOMMENDATION:

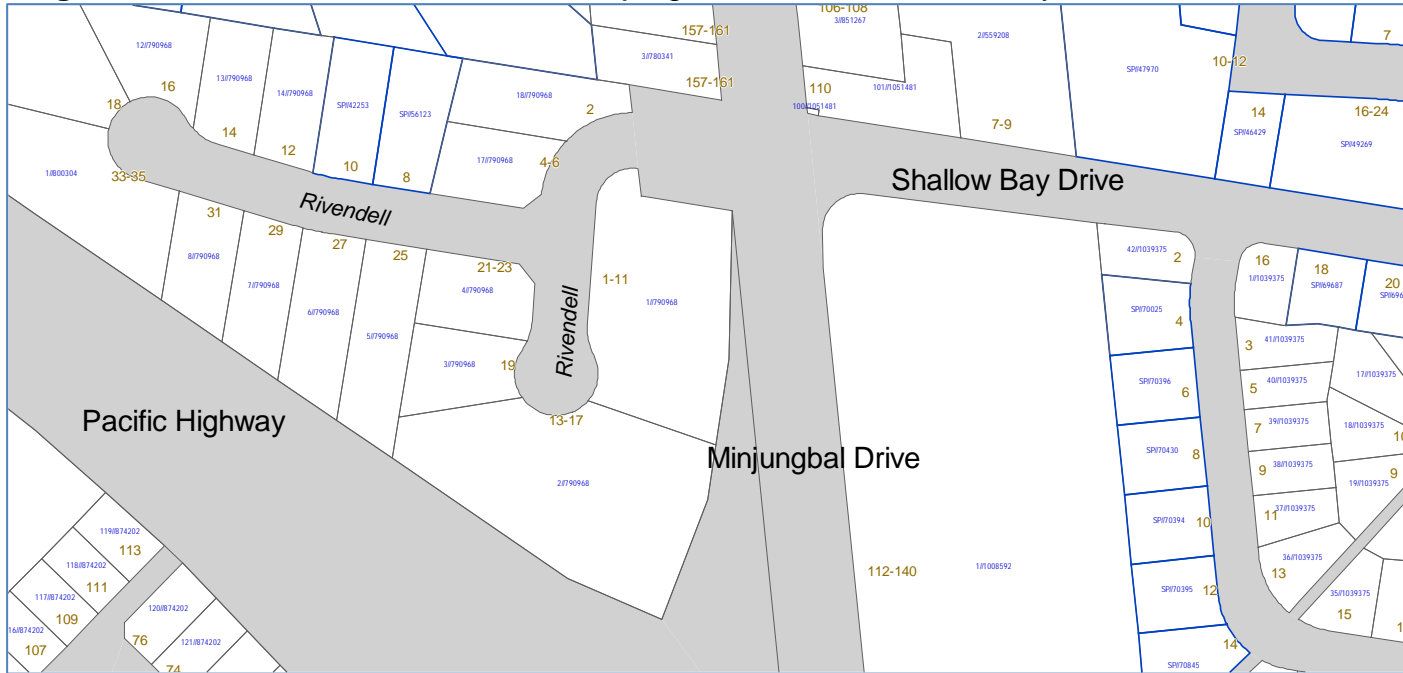
That Council:

1. Publicises its intention to formally name the street known as "*Rivendell*" as "*Rivendell Drive*" allowing one month for submissions and objections to the name; and
2. Notifies the relevant authorities under the provisions of the Roads (General) Regulation 2008.

REPORT:

Council was contacted by an owner of a property located within the street named “Rivendell” at Tweed Heads South requesting that the suffix of “Drive” be added to the street name to allow for ease of locating not only the properties but the street itself. Diagram 1 shows the location of the street.

Diagram 1 – Rivendell – Intersection of Minjungbal Drive and Shallow Bay Drive



There appears to be no history on why the road was not given a suffix when it was originally named however without one it does not comply with Councils current policy on Naming of Streets and Roads. Diagram 2 shows the current signage in place

Diagram 2 – Street sign currently in place “Rivendell”



The owners of each property located within Rivendell have been contacted and Council has received back eleven (11) responses from the seventeen (17) owners, all consenting to the addition of the suffix "Drive"

OPTIONS:

1. Council advertises its intention to amend the road name of Rivendell to Rivendell Drive, Tweed Heads South.
2. Council does not amend the road name and retains the current name of Rivendell without a suffix.

CONCLUSION:

As the current road name does not comply with Council's Policy on Naming of Streets and Roads and as the majority of land owners in the street have provided a positive response to the amendment it is recommended that Council advertises its intention to amend the road name to include the suffix of Drive.

COUNCIL IMPLICATIONS:

a. Policy:

Naming of Streets and Roads v1.2.

b. Budget/Long Term Financial Plan:

No future budget implications.

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.

All property owners within Rivendell, Tweed Heads South were contacted by letter dated 16 November 2015 and eleven (11) of the seventeen (17) have responded.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

19 [E-CM] Rail Trails for NSW Re-launch - 22 March 2016

SUBMITTED BY: Director

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Rail Trails for NSW is having a relaunch at Parliament House on 22 March 2016 and this is an excellent opportunity to raise the profile of rail trails as we head towards the next state budget.

Rail Trails for NSW has requested that 4 representatives from each rail trail attend the relaunch and has asked for names of persons able to attend.

It is recommended that both Cr Barry Longland and Director Engineering, as Council's representative on the Northern Rivers Rail Trail Board attend the relaunch event.

RECOMMENDATION:

That Cr Barry Longland and Mr David Oxenham, Director Engineering, attend the Rail Trails for NSW relaunch at Parliament House on 22 March 2016.

REPORT:

Rail Trails for NSW is having a relaunch at Parliament House on 22 March 2016 and this is an excellent opportunity to raise the profile of rail trails as we head towards the next state budget.

Rail Trails for NSW has requested that 4 representatives from each rail trail attend the relaunch and has asked for names of persons able to attend.

OPTIONS:

1. That Cr Barry Longland and Mr David Oxenham, Director Engineering, attend the Rail Trails for NSW relaunch at Parliament House on 22 March 2016.
2. That Cr Barry Longland and Mr David Oxenham, Director Engineering, do not attend the Rail Trails for NSW relaunch at Parliament House on 22 March 2016.

COUNCIL IMPLICATIONS:

a. Policy:

Nil.

b. Budget/Long Term Financial Plan:

Funding for travel and accommodation if required would be from existing operational budgets.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Email from Rail Trail for NSW (ECM 3936992).

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

20 [CS-CM] Tweed Shire Events Strategy 2016-2020

SUBMITTED BY: Acting Events and Festivals Officer

Valid



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

The Draft Tweed Shire Events Strategy 2016-2020 was prepared by Luminair Consulting (Luminair) in collaboration with Council Officers and in accordance with Direction 37 of the Tweed Shire Economic Development Strategy:

“Undertake a review of the existing events strategy in order to make recommendations relating to existing operations, further opportunities and resources required to deliver events.”

The Strategy, once endorsed by Council, will provide a four year framework to support, develop and attract events that are fitting to the character and aspirations of The Tweed region. It also seeks to increase the benefits of events on the quadruple bottom line with impacts cutting across economic, social, cultural and environmental markers.

At Council’s meeting on 10 December 2015 it was determined to place the Draft Tweed Shire Council Events Strategy 2016-2020 on public exhibition. This report provides detail on the community consultation carried out before and during the public exhibition period, as well as a summary of submissions received and presents a final version of the Strategy for endorsement.

RECOMMENDATION:

That the:

1. Council adopts the Tweed Shire Events Strategy 2016-2020;

2. **Actions within the adopted Strategy be referred to the relevant areas of responsibility within Council to be programed for implementation; and**
3. **Director Corporate Services provides an annual update on the implementation of the adopted Strategy.**

REPORT:

Background

At Council's meeting on 10 December 2015 it was determined to place the Draft Tweed Shire Council Events Strategy 2016-2020 on public exhibition for 28 days, commencing 15 December 2015, with receipt of submissions accepted for 42 days from the commencement date of exhibition.

To assist in the formulation of a new four-year Tweed Shire Council Events Strategy taking into consideration Council's strategic position on events, an intensive engagement process was undertaken with internal and external stakeholders, as detailed below:

Kingscliff Matters Forum

On Thursday 12 March 2015, Tweed Shire Council in collaboration with Kingscliff and District Chamber of Commerce and Kingscliff Ratepayers and Progress Association, hosted a breakfast forum at the Kingscliff Beach Bowls Club titled: "Kingscliff Matters".

An interactive forum session was held to engage with a range of local stakeholders, regarding the rise in requests to Council for festivals and events to be held at Kingscliff. Council was keen to seek feedback from community and business representatives. The forum was attended by approximately 60 participants representing a range of local stakeholders including business, community, schools/educational institutions, churches, sporting organisations, event managers, tourism bodies, service clubs and aged care facilities. The Kingscliff Matters Forum Feedback notes can be found at <http://www.tweed.nsw.gov.au/KingscliffMatters>.

A follow up Kingscliff Matters Forum session was held on Thursday 28 May 2015. Luminair Consulting facilitated a session on Festivals and Events at this Forum.

Council's Event Workshop

On Thursday 28 May 2015, Council held its quarterly Events Workshop which was co-facilitated by the Consultant engaged to conduct the Events Strategy Review - Luminair Consulting. There were nine attendees: one from the Murwillumbah and District Business Chamber, five event managers representing a number of local community events/initiatives, one community association member and two representatives from sporting bodies.

An outline was provided of the review process on the potential for events in the Tweed, best-practice examples, events lifecycle: positioning and creation of sustainable events, resources for growth, and council processes.

Internal Review

Since March 2015, Luminair Consulting, has been engaging with staff one-on-one across 13 different areas of council and then as a collective group to review the internal events process.

An internal events review document followed, identifying key process opportunities pertaining to Council's internal interaction for the processing of events. The opportunities for change and the proposed solutions form part of the Draft Events Strategy.

External Partner Information Gathering

In addition to the internal review, engagement with identified stakeholders has been undertaken with the following:

- Destination Tweed
- Destination NSW
- Kingscliff TAFE
- Gold Coast City Council
- Byron Shire Council

Councillor Workshops

Three Councillor Workshops have been held regarding the Events Strategy review:

- Thursday 28 May – broader considerations as a result of the Internal Events Review, and covered land use, council's desired level of event involvement, fees and charges overview and markets.
- 15 October – seeking direction with framework for the Draft Events Strategy
- 26 November – Draft Tweed Shire Council Events Strategy 2016-2020 framework

Community Consultation

In accordance with Council's resolution, the Strategy was publicly exhibited from 15 December 2015 to 26 January 2016. The exhibition material was available at Council offices at Murwillumbah and Tweed Heads, Council's libraries at Murwillumbah, Tweed Heads and Kingscliff, on Council's website and information sessions were held on Tuesday 19 January 2016 as follows:

- 9.30-11.00am, Canvas and Kettle Meeting Room, Murwillumbah (public)
- 2.00-3.30pm, South Sea Islander Meeting Room, Tweed Heads (invitation only)
- 5.00-6.30pm, Canvas and Kettle Meeting Room, Murwillumbah (public)

The invitation only session was for a representative group from the local events sector and associated organisations.

Attendance at Information Sessions

9.30-11.00am <i>Public</i> <i>7 attendees</i>	Kerry Turner, Tweed Foodie Fest Toni Zuschke, Murwillumbah District Business Chamber Natascha Wernick, Murwillumbah District Business Chamber Jodie Tatchell, AWOL Adventures Anne Duke, Tweed Fusion Stephanie Holland Shannon Rees, Community & Cultural Services, Tweed Shire Council
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2.00-3.30pm
Invitation Only
 11 attendees

Mike Crawley, QSM Sports
 Peita Gardiman, Curl Creative Events
 Jayne Henry, Aria Events
 Sean McKeown, Island Style Promotions
 Bill Tatchell, Destination Tweed
 Terry Watson, North Coast Institute of TAFE
 Gillian Bruce, Kingscliff TAFE
 Phil Villiers, Cooly Rocks On
 Dot and Kim Holdom, Kingscliff Residents and Ratepayers
 Maggie-anne Leybourne, Tweed Chamber of Commerce & Industry Inc. /
 BAM Promotions

5.00-6.30pm
Public
 5 attendees

Colin Elliott, Murwillumbah Theatre Company
 Douglas Jardine, Murwillumbah Theatre Company
 Robyn Crossingham, Murwillumbah Theatre Company
 Michael McNamara
 Richard Elliott

A copy of the draft Strategy was also sent via email to Destination NSW, Byron Shire Council and Gold Coast City Council.

Summary of Submissions

In response to the public exhibition seven (7) submissions were received, which includes one (1) late submission. The majority of submissions express support of the Strategy – refer below:

No	Submission Summary	TSC Comment	Recommendation
1	<ul style="list-style-type: none"> ▪ Council's commitment to streamline process for event applications / processing commended. ▪ Unclear whether further external (targeted) consultations are intended to Action Plan implementation. ▪ Critical that officer at point of contact is also delegated to make decisions and set guidelines. ▪ Strategy's clear and concise framework to support event growth and Visitor Economy commended. ▪ Critical need for definitions for differentiation in the region (i.e. Community vs tourism events) which flows onto the Destination Tweed's involvement is suggested. ▪ Clear guidelines for evaluation as to how these relate to the destination's target market and experience themes sorely needed. ▪ Need to define Destination Tweed's role more clearly (Example: 'Support Destination Tweed in' and 'In collaboration with Destination Tweed'. 	<p>Comments noted.</p> <p>External partner consultations will form part of the Action Plan implementation strategy. It is here that partner involvement / responsibilities will be discussed / assigned on an annual basis (i.e. The strategy extends to 2020, whereas the Destination Tweed's contract expires in 2018). Agree that this is to be undertaken with total collaboration however.</p> <p>Definitions are intended as an Appendices inclusion (as indicated in 'Item 13: Event Glossary and Terminology').</p> <p>Support for tourism based events will be assessed against target market alignment (and formulated with the finalisation of the assessment metrics / criteria not provided in the strategy document).</p>	<p>No changes to the strategy.</p> <p>Comments noted with an undertaking from Council of collaborative intentions.</p>

<p>2</p>	<ul style="list-style-type: none"> ▪ Support Key Event Identities / Themes for events that promote the sustainability and protection of the environment; and this should be a key condition for all events. ▪ Events listed as 'Neighbouring and National Success Stories' lists Byron Bay Bluesfest, Falls Festival and Splendour in the Grass with flow-on benefits to Tweed Shire. A report from Dr Stephen Phillips surveyed 16-20 koalas living in close proximity to the site. He stated noise from the festival, stressed the animals and forced them to move, ultimately resulting in the main cause of their deaths. ▪ NCEC strongly urges the final strategy does not consider the above events to be a success (they have failed one of Australia's most iconic native species with reportedly destroying the koala population). ▪ NCEC strongly urges that the Tweed Shire Events Strategy includes safeguards for preventing failures of our events and community consultation for proposed events. ▪ This is a good opportunity for the Tweed Shire Council to adopt an events strategy that puts the health of our native flora and fauna as the upmost consideration for any events, putting protection of threatened species above profit. ▪ If we look at the science of the current worldwide extinction we are witnessing with Australia leading, we can no longer consider economics above protection of threatened species for any reason as acceptable. 	<p>Noted.</p> <p>The introduction of 'Designated Event Areas' as outlined in the strategy reflects the intent to avoid placement of events in environmentally sensitive areas / or detrimental times (such as breeding seasons etc).</p> <p>Applications for events to be placed in non-preapproved areas will be referred to the Natural Resources Management Unit and the Cultural Heritage Advisor within Council in the first instance.</p> <p>The author of this submission also included comments that could be considered defamatory therefore they have been removed.</p>	<p>'Neighbouring and National Success Stories' altered to acknowledge that there is some debate over the environmental successes of some of the listed events.</p>
<p>3</p>	<p>Supports:</p> <ul style="list-style-type: none"> ▪ Events being based on specific criteria, value-adding with defined outcomes and KPIs; and filling event calendar gaps. ▪ Opportunities to attract investment, diversify employment base and value the creative industries. ▪ One-stop shop for events (with one form and one calendar of events). ▪ The need for streamlining of the process, a revamp of fees and charges (and clear direction, structure and determination of the process). ▪ Opportunities for local event managers and youth to secure and develop local events and future employment / volunteering opportunities for youth. ▪ The development of 'event areas' (but hopes this will also not be too restrictive). ▪ Skills-based learning and upskilling along with increased employment 		<p>Minor change to the strategy – Community Events</p> <p>Comments noted and for consideration going forward.</p>

<p>opportunities for local event managers, with links identified and developed.</p> <p>Suggests:</p> <ul style="list-style-type: none"> ▪ Staff to make themselves available on ANY given day- which has not been experienced to date. ▪ Opportunity for local event development and support should continue to be improved / developed. ▪ Council's Events Workshops in dire need of a revamp (to help grow skills and knowledge with practical elements). ▪ Collaboration within council departments is paramount to success; and that Council staff recognise the value of each event. ▪ Experience of presenting an event to secure 'seed funding' has been very negative (no council initiated follow-up by council staff). A clear timeframe for follow up and/or feedback should be considered essential to the process. ▪ Draft document heavily weighted to the largest events (i.e. do not necessarily maintain the fabric of villages). <p>Requests:</p> <ul style="list-style-type: none"> ▪ Performing Arts centre has yet to see any real commitment from Council or other regulatory bodies. Therefore, wishes that Performing Arts Centre be included in future planning models for event infrastructure needs; and that seed funding be identified and secured now (along with a suitable location for future development once funding has been secured through the relevant authorities). ▪ Youth currently need to travel long distances to compete, perform, explore and enjoy most creative or artistic pursuits (Bundall, Brisbane or Lismore). ▪ Currently no large performance based venues offering reasonable rent to community / not-for-profits ▪ To develop boutique events requires serious commitment by Council, industry professionals and community as the civic centres in Tweed and Murwillumbah are outdated (at the end of their useful lives). ▪ Transport is critical to the development of Arts based opportunities within the villages, towns and growth corridors north and south of Tweed Shire. Lack of train service or cross-shire night transport impacts on the ability for youth to access any learning situations or take part in any creative effect or benefit (with families in rural areas unable to access affordable community based 	<p>The Events and Festivals Officer's role has recently increased to a five-day role (previously three days a week).</p> <p>Council Event Workshops are currently under consideration for a total restructure (frequency, content and format).</p> <p>Seed funding will fall under the 'Support' aspect of the strategy and is now to be delivered /structured as a program via the Action Plan.</p> <p>Community events will continue to be supported and are considered important to community vibrancy and cohesion. An additional paragraph has been added to the strategy to reflect this.</p>	
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	<p>events).</p> <ul style="list-style-type: none"> ▪ Seeks clarification of 'engage event ambassadors/advocates'. These should provide local opportunities for employment, upskilling, on-the-job experience for local operators willing to undertake these projects. They should then be able to value-add for the benefit of the community once the engagement has ceased with the opportunities for further engagements offered. 	<p>Clarification of 'engage event ambassadors/advocates'. This is broadly a marketing program to engage local advocates and leverage their media connections for the broader interest of the region.</p>	
<p>4</p>	<ul style="list-style-type: none"> ▪ Example: Smaller events that reflect the values, priorities and environmental sensitivity of region. Happy someone was listening. ▪ Important that an appropriate pro-active strategy has Council's commitment. ▪ Primarily agree with the main contents of the draft strategy. ▪ Strongly supports the strategy's focus on developing, supporting and promoting events that reflect the nature and values of the community. <p>Suggests:</p> <ul style="list-style-type: none"> ▪ Destination Tweed's role in recruiting appropriate events to the Shire and promoting home-grown ones needs to be clarified and quantified. ▪ Destination Tweed needs to be set and held accountable to measurable outcomes, including visitor and financial targets. ▪ The "quadruple bottom line" approach to planning and developing events needs to be applied at the evaluation stage as well. Measuring the impacts of events needs to be multi-dimensional and allow for non-financial outcomes such as building community cohesion. ▪ Training for event organisers needs to be solidly grounded in the national VET qualifications framework and lead to accredited certification (so that the potential employment base is enhanced across the shire). If this training and ongoing support is over a three year period as envisioned then this would be achievable. ▪ It would be advantageous for future planning if it were possible to map all existing events and facilities. This could be published on Council's website allowing organisers of potential new events to see at a glance what is already happening and what facilities exist to support them. ▪ Distinction needs to be explicitly made between events that are developed as "for profit" events and those that have more of a community-building or cultural focus. Organisers of these more 	<p>Noted.</p> <p>The quadruple bottom-line approach is intended to be reflected also in the evaluation process and has been added to the 'Refine' section (Priority 4) for clarification.</p> <p>Council is currently investigating the mapping of event facilities (Via 'Designated Event Areas'), which will add value to the proposed calendar of events.</p> <p>Definitions and fee differentiation is a consideration in the Appendices and will coincide with a fee review as of July 2016.</p>	<p>No changes to the strategy.</p> <p>Comments noted and for consideration going forward</p>

	<p>community-focused events should have access to the training and support mentioned in the strategy.</p> <ul style="list-style-type: none"> ▪ Events Strategy needs to dovetail seamlessly and supportively with the Council's Sponsorship policy and practices. ▪ Needs to be a structured and time-framed reporting mechanism (by Council and Destination Tweed) built into the strategy to ensure that Council is held to the strategy. ▪ Action Plan should identify timeframes and who is responsible for specific actions. This should include Destination Tweed where appropriate. ▪ Strategy needs to allow for local events having a life-cycle. It should allow for events to rise and to dissipate. Supports the focus on supporting event organisers to look at the viability of the event before it peaks and then begins the decline. This would allow events to be reinvigorated through a change of focus or activities. ▪ Council should examine any contractual and/or funding arrangements it has with Destination Tweed to ensure that the requirements on Destination Tweed are consistent with and support the Events Strategy. 	<p>Council's Events Strategy and Sponsorship Policy are being created in collaboration.</p> <p>Timeframes for reporting are specified in the Priority 4 Action Plan (annually review and update the Events Strategy).</p> <p>The author of this submission also included comments that could be considered defamatory therefore they have been removed.</p>	
5	<p>Suggests:</p> <ul style="list-style-type: none"> ▪ Found the strategy difficult to read, suggests plainer language. ▪ An assessment of the existing and potential event infrastructure to accommodate events in the Tweed is essential, in particular to identify any weaknesses that must be addressed if events are to be attracted. ▪ Coordinating a number of individual events into a comprehensive 'whole' is to be encouraged. <p>Comments:</p> <ul style="list-style-type: none"> ▪ Emphasis on international / national context gives impression the Strategy is only about attracting visitors to the Tweed. ▪ Investigation of the Tweed is limited with no analysis of the implications of this analysis for event development. ▪ Vision clearly confirms this emphasis (event development). No doubt this Vision (together with the accompanying 'overarching desires') could be interpreted to include support of Events to meet local aspirations and community needs. An unambiguous and on-going statement to that effect would be 	<p>Noted.</p> <p>No similar comments received about document.</p> <p>Analysis of current / previous Tweed events was considered in the development of this strategy. They also formed the basis of a Councillor workshop and informed the key priorities and themes of the Strategy.</p>	<p>Minor change to the Strategy – Community Events</p> <p>Comments noted and for consideration going forward.</p>

	<p>appropriate.</p> <ul style="list-style-type: none"> ▪ No identification and assessment of past and current Events in the Shire. The success of these events has generally been due to the endeavours of the respective organising committees (such as: Speed on Tweed (and its associate The World Rally), Festival of the Performing Arts, River Swim, Rotary Art Show etc). Such an assessment could provide the basis of a more focussed package of assistance. ▪ The draft Strategy provides a summary of neighbouring success stories (albeit limited) but what about the Tweed? Suggests these are not necessarily useful to the Tweed (emphasis is on major national and international events). ▪ Whilst the underlying desire of the Strategy may be to attract such an event to put the Tweed on the world stage, the reality is such events are few and far between, certainly in the short to medium term. Therefore it would be more appropriate to provide a Strategy based on a realistic and targeted range of Events that Council and the Tweed community wish to attract. The 'key observations of success' on page 22 are particularly informative and should be used to assist in the identification of that 'target'. ▪ The Action Plan presents an ambitious programme of actions. With no indication of the availability of resources can this be achieved in the nominated time-frame? Will the outcome of these actions be the subject of community comment? Whilst some of these actions are internal management matters, some will have community interest – eg event prioritisation evaluation procedures. ▪ Strategy presents a superficial and broad-brush approach (with no clear indication of preferred outcomes which Council will support and develop). 	<p>Community events will continue to be supported and are considered important to community vibrancy and cohesion. An additional paragraph has been added to the strategy to reflect this.</p> <p>'Neighbouring and National Success Stories' presents a snapshot of other event destination's portfolios. The 'Neighbouring' aspect looks at the region's immediate neighbours (being Gold Coast and Byron Bay), whereas 'National Success Stories' focuses on destinations that have had national success.</p> <p>Combining the above (and within the same table) 'Key Observations for Success' are provided (i.e. Learnings that may be beneficial to the region, such as placement and diversity of events within their calendars). There is no intention / inference that there is a desire to attract significantly-sized events that put Tweed on the world stage (rather it conveys Tweed's desire to support / develop boutique events fitting with the characteristics of the region as reflected in the Key Themes / Identities).</p> <p>Action Plans set an undertaking from Council to follow with a program of activity fitting with the delivery timelines. These have been workshopped and informed by Senior Management comment.</p> <p>Event prioritisation and evaluation procedures will link to feedback from various engagement processes, including 'Tweed The Future is Ours'.</p> <p>The strategy sets the overarching framework for the types of events Council is looking to support; and provides the supporting (i.e. Strategy Priorities and resulting Action Plans, which then inform future program creation / delivery).</p> <p>Guidelines for sponsorship are conveyed within the Draft "Community Sponsorship Policy" (mentioned as a 'supporting / linked' document within the strategy and also outlined at the public information sessions).</p>	
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6	<ul style="list-style-type: none"> ▪ Overall the policy is strong and supportive of growing events in the Tweed ▪ Policy also recognises limitations and opportunities ▪ Needs to outline how it will ensure the environmentally sustainable growth of events (particularly with regard to waste) will be achieved. ▪ Areas that could be strengthened: <ul style="list-style-type: none"> ○ <i>Opportunities for Improvement</i> (Page 24): Suggest 'improve sustainability at events in waste, water and energy consumption' ○ <i>Priority 1: Purpose</i> (Page 28): Suggest an outline of clear sustainability principals that are required by event managers in planning and implementing an event in the areas of waste, water and energy consumption. ○ <i>Priority4: Refine</i> (Page 29): 'For events over 1000 attendees Council would require event organisers to develop, submit, implement and evaluate a Waste Wise Event Management Plan (WWEMP). Council's waste management section should be involved in this process. Where most Councils fall down in this area not checking that events are adhering to their waste management plans. 	<p>Noted.</p> <p>The outline of sustainability principals will be included in Council's new Event Information Pack which is to be provided to all event organisers / applicants applying for use of Council land.</p> <p>The introduction of Designated Event Areas specify waste requirements / additional plans for each event pending the selected location, the capabilities of this location and the number of event attendees.</p> <p>Event organiser's adherence to the implementation (and location) of the event as agreed / contracted will be spot-checked via an onsite inspection (covered by a proposed newly introduced inspection fee).</p>	<p>Strategy amended - <i>Opportunities for Improvement</i> (Page 24) updated to include 'Improve sustainability at events in waste, water and energy consumption'</p>
7	<ul style="list-style-type: none"> ▪ Fully support the inclusion of the Key Tweed Event Identities Themes relating to biodiversity and sustainability. ▪ World Environment Day excellent opportunity to provide information to the community on a range of environmental causes. ▪ Important that environmental events are a priority within the Policy and all event categories should also consider the sustainability and environment (so that there is no negative environmental impact). ▪ CEC are willing to be involved in future input in the Tweed Shire Council review process relating to environmental considerations. 	<p>Comments noted.</p> <p>Proposed quadruple bottom-line assessment criteria and reporting means environmental impacts will be considered.</p>	<p>No changes to the strategy.</p> <p>Comments noted and for consideration going forward.</p>

Implementation of the Strategy

Implementation of the Strategy will be based on the Action Plan contained within the document.

The Strategy will be reviewed by Council on an annual basis.

Appendices

There are 13 Appendices to the Strategy which are considered 'operational' and a current status is provided for Councillors information:

1. Informing Strategies (Internal)
Status: *Updated within the Strategy document to reflect adopted documents since public exhibition*
2. Assessment Criteria and Event Priorities
Status: *In progress – identified as Priority 1 in the Action Plan.*
3. Event Application Process
Status: *In progress – identified as Priority 1 in the Action Plan.*
4. Potential Sources of Funding and Event Support
Status: *In progress – refer currently exhibited Draft Community Sponsorship Policy.*
5. Internal Process and Structure
Status: *In progress – identified as Priority 1 in the Action Plan.*
6. Event Facilities Audit (Sporting)
Status: *In progress – with reference to the Tweed Shire Regional Sports and Facilities Plan and Open Space Strategy (yet to be implemented)*
7. Potential Event Opportunities (incl. GC2018 leverage)
Status: *In progress – relationship being established with Gold Coast City Council*
8. Current Events Portfolio (Council Supported Events)
Status: *In accordance with Council's Festivals and Events Funding.*
9. Event Application Form
Status: *In progress – identified as Priority 1 in the Action Plan*
10. Markets Policy
Status: *Public Exhibition period closed 26 January 2016. Refer report tabled at Council's meeting of 18 February 2016.*
11. Event Maximisation Checklist
Status: *To be considered in Priority 1 of the Action Plan.*
12. Event Related Fees and Charges
Status: *In progress – related fees and charges to be incorporated into the Draft Fees and Charges 2016/2017 document for public exhibition.*
13. Event Glossary and Terminology
Status: *In progress.*

OPTIONS:

That:

1. Tweed Shire Events Strategy 2016-2020 be adopted as recommended.
2. Council does not adopt the Tweed Shire Events Strategy 2016-2020.

CONCLUSION:

The Strategy has been prepared to meet Direction 37 of the Tweed Shire Council Economic Development Strategy and provide a four year framework to support, develop and attract events that are fitting to the character and aspirations of The Tweed region.

Actions within the Strategy will be progressed by Council staff in collaboration with identified internal and external stakeholders.

COUNCIL IMPLICATIONS:

a. Policy:

Festivals and Events v1.1

Markets v1.1

Draft Community Sponsorship v1.0

b. Budget/Long Term Financial Plan:

Budget line items relating to Events and Festivals are currently fragmented across a number of budget portfolios. As a part of this Strategy Review process these budget lines will be consolidated.

A non-refundable event application fee will be introduced and included in the Draft Fees and Charges 2016/2017 for consideration and adoption by Council.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Extensive engagement has been undertaken in the development of the Tweed Shire Events Strategy 2016-2020 and this has been detailed under the Background heading of this report. In addition to the developmental engagement and in accordance with Council's resolution, the Strategy was publicly exhibited from 15 December 2015 to 26 January 2016. The exhibition material was available at Council offices at Murwillumbah and Tweed Heads, Council's libraries at Murwillumbah, Tweed Heads and Kingscliff, and on Council's website. Information sessions were held on Tuesday 19 January 2016 as follows:

- 9.30-11.00am, Canvas and Kettle Meeting Room, Murwillumbah (public)
- 2.00-3.30pm, South Sea Islander Meeting Room, Tweed Heads (invitation only)
- 5.00-6.30pm, Canvas and Kettle Meeting Room, Murwillumbah (public)

The invitation only session was for a representative group from the local events sector and associated organisations.

A combined total of 23 participants attended the information sessions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Tweed Shire Events Strategy 2016-2020 (ECM 3948992)

21 [CS-CM] Markets Policy

SUBMITTED BY: Director

Valid



Civic Leadership



Supporting Community Life



Strengthening the Economy

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
- 2 Supporting Community Life
- 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
- 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
- 3 Strengthening the Economy
- 3.1 Expand employment, tourism and education opportunities
- 3.1.4 Market the Tweed as a destination for business and tourism

SUMMARY OF REPORT:

At Council's meeting on 10 December 2015, it was determined to place the Draft Markets Policy, Version 1.0 on public exhibition.

The purpose of this Policy is to establish Council's position in relation to markets that are held on Council land or facilities or public space of which Council is the responsible trustee. It outlines Council's expectations in relation to markets to ensure they are well managed, are complementary to offerings of local businesses, are supportive of the local community and are connected to the character and identity of the specific location.

This Policy does not include those markets that are held on private land by an individual, business or organisation, i.e. Murwillumbah Farmers / growers market. Whilst these types of markets are out of the scope of this policy they would require a development consent approval from Council's Development Assessment Unit.

This report provides detail on the community consultation undertaken in conjunction with the review of Council's Tweed Shire Events Strategy 2016-2020 and a summary of submissions received.

RECOMMENDATION:

That the:

- 1. Council adopts the Markets Policy, Version 1.1, with the changes identified in bold and italics within the document;**
- 2. Director Corporate Services provides an annual update to Council for its first two years of implementation and then a minimum of every two years thereafter, or as required and as detailed in the Policy.**

REPORT:

Background

Council calls for Expressions of Interest every three years in its appointment of the most suitable operator to conduct markets on Council land or facilities or public space where Council is the public trustee. At the expiration of each three year period expressions of interest are sought from the community to determine the most suitable operator for the following specified period.

It was determined at Council's meeting in November 2015:

"that subject to the endorsement by the Tweed Coast Reserves Trust, Council extends the current approvals to operate each of the markets located at Kingscliff (Jack Bayliss Park), Kingscliff (Lions Park), Tweed Heads (Recreation Ground), and Pottsville (Philip Street) from 31 December 2015 for a further period of six months until 30 June 2016."

An outcome of this extension to current market approvals has enabled Council to develop a Draft Markets Policy that outlines Council's position in relation to conducting markets within the Tweed Shire. The Policy incorporates feedback from previous community engagement activities including consultation with members of Kingscliff and District Chamber of Commerce requesting markets have a more coordinated and strategic approach around:

- Locations
- Frequency
- Community and business markets
- Farmers markets
- Conditions of stallholders
- Governance
- Fees
- Support

The Draft Markets Policy was tabled at Council's meeting on 10 December 2015 and it was determined to place the Policy on public exhibition for 28 days, commencing 15 December 2015, with receipt of submissions accepted for 42 days from the commencement date of exhibition.

Community Consultation

In accordance with Council's resolution, the Draft Policy was publicly exhibited from 15 December 2015 to 26 January 2016. The exhibition material was available at Council offices at Murwillumbah and Tweed Heads, Council's libraries at Murwillumbah, Tweed Heads and Kingscliff, on Council's website and copies of the draft policy were forwarded to all existing market operators. In addition to this, specific information sessions involving details of the market policy were held in conjunction with the Tweed Shire Events Strategy 2016-2020. These sessions were held on Tuesday 19 January 2016 at the following locations and times:

- 9.30-11.00am, Canvas and Kettle Meeting Room, Murwillumbah (public)
- 2.00-3.30pm, South Sea Islander Meeting Room, Tweed Heads (invitation only)
- 5.00-6.30pm, Canvas and Kettle Meeting Room, Murwillumbah (public)

A total number of 23 people attended these sessions.

Summary of Submissions

In response to the public exhibition period, three (3) written submission were received:

No	Submission Summary	TSC Comment	Recommendation
1	<ul style="list-style-type: none"> ▪ We find the information provided in the Draft Markets Policy is in keeping with the way in which PBNC engages, consults and collaborates with stakeholders in the operation of the highly popular and successful Pottsville Arts, Crafts and Produce Community Markets. ▪ PBNC supports the Draft Markets Policy in principle, but respectfully requests that Council keep the proposed fees and charges to a minimum to enable sustainability for the market operator and sustainability for value-added activities provided by the market operator. ▪ PBNC is willing to provide further input into Council's review process because of the long term commitment in providing quality, complementary community activities (including community markets) for the benefit of stakeholders. 	<p>Comments noted.</p> <p>Proposed fees and charges for markets will be included in the Draft 2016/2017 Budget. The community will then have the opportunity for further comment in these changes when the Draft Budget is placed on public exhibition.</p> <p>It is noted though that the NSW State Government has directed councils to make full use of Fees and Charges as part of the "Fit for the Future" Local Government Reforms Process.</p>	<p>No changes to the Draft Policy recommended.</p>
2	<ul style="list-style-type: none"> ▪ Request consideration be given to identifying a location in Cabarita Beach for a monthly market. Locations suggested: <ul style="list-style-type: none"> ○ Cudgen Lake Nature Reserve (Crown Land) ○ Les Burger Field ○ Barry Sheppard Field 	<p>There are no current development consents for the sites nominated. Each site would have to be assessed on its merits should Council have the appetite to progress, however it is to be noted:</p> <ul style="list-style-type: none"> • Cudgen Lake Nature Reserve – possible issues with current zoning, access to site and ownership (State). • Les Burger Field – markets are not supported on sports fields. • Barry Sheppard Field – markets are not supported on sports fields. <p>There are established market sites at Pottsville, Salt and Kingscliff and need to be mindful not to flood the community.</p>	<p>It is recommended that a possible site at Cabarita Beach be explored and addressed at the 12 month review.</p>

No	Submission Summary	TSC Comment	Recommendation
3	<p>Whilst this Policy is comprehensive suggests the following changes:</p> <ul style="list-style-type: none"> ▪ Murwillumbah Showground markets are not included. ▪ The frequency of various markets is given but not when operating day(s) or night(s). This should be addressed. ▪ When market operators are being selected there should be significant weightings/preference given to local not-for-profit operators. ▪ If the market operator is a local not-for-profit group and they can demonstrate how funds generated will benefit (or be reinvested) in the local community then they should pay a discounted operating fee in recognition of this contribution to the local community. ▪ Where the applicant/operator is a local not-for-profit group then Council should provide support and assistance in completing any necessary plans, paperwork or forms. This could link to or reflect the support envisaged in the Events Strategy for event organisers. ▪ In the Guiding Principles dot points change "equality" in the Fairness point to "equity". This is a better descriptor of what is expected and more accurately reflects anti-discrimination law. 	<p>Page 1 of the Policy states that it does not include those markets that are held on private land by an individual, business or organisation ie: Farmers Market / growers market and as such excludes the Murwillumbah Showground markets.</p> <p>Day markets are defined as operating between 8am-5pm and night markets are between 5pm - 9pm with an hour bump in bump out times either side.</p>	<p>The word "equality" under the Fairness heading changed to "equity" in the Policy.</p>

Proposed Fees and Charges

In keeping with the NSW State Government directive to councils to make full use of fees and charges as part of the "Fit for the Future" Local Government Reforms Process, consideration of resources required to facilitate an appropriate and fair inspection schedule, the following is proposed:

1. *Where a market event is held equal to or greater than 15 per annum then we will charge for 4 inspections half year for each of Ranger and EH matters.*
2. *Where a market event is held less than 15 per annum then we will charge for 2 inspection per year for each of Ranger and EH matters.*

OPTIONS:

That:

1. Markets Policy, Version 1.1 be adopted as recommended.
2. Council does not adopt the Markets Policy, Version 1.1.

CONCLUSION:

That the:

1. Council adopts Markets Policy, Version 1.1, with the changes identified in bold and italics within the document;
2. Director Corporate Services provides an annual update to Council for its first two years of implementation and then a minimum of every two years thereafter, or as required and as detailed in the Policy.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Market compliance inspection fees are to be introduced and will be included in the Draft Fees and Charges 2016/2017.

Proposed fees and charges for markets will be included in the Draft 2016/2017 Budget and will be available for community comment when the Draft Budget is placed on public exhibition.

Further, the NSW State Government has directed councils to make full use of Fees and Charges as part of the "Fit for the Future" Local Government Reforms Process.

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, the Strategy was publicly exhibited from 15 December 2015 to 26 January 2016. The exhibition material was available at Council offices at Murwillumbah and Tweed Heads, Council's libraries at Murwillumbah, Tweed Heads and Kingscliff, on Council's website and community consultation undertaken in conjunction with Council's Tweed Shire Events Strategy 2016-2020 information sessions held on Tuesday 19 January 2016.

All existing market operators were provided with a copy of the Draft Market Policy and development of the policy has also included engagement with members of the Kingscliff & District Chamber of Commerce.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Markets Policy, Version 1.1 (ECM 3947549)

22 [CS-CM] Legal Services Register for the Period 1 October to 31 December 2015

SUBMITTED BY: Corporate Governance

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Legal Services Register Report 1 October to 31 December 2015 provides the status of legal instructions for the current or recently completed matters which have been issued to legal panel providers. This Report includes payments to various legal providers, as well as payments for barristers and consultants where applicable.

The net amount for legal instructions for the period 1 October to 31 December 2015 is \$49,256.

The principal legal instructions that relate to this quarter include:

- 2773 - Prospero/Colin Street Murwillumbah \$3,155
- 2791 - DA14/0164 – 27-37 Bells Boulevard, Salt-defence \$3,479
- 2794 - DA15/0201 - 40 Creek Street, Hastings Point \$7,941
- 2795 - Soorley Street – Unauthorised Works \$3,649
- 2797 – DA15/0422 Sea Breeze Estate \$7,978
- Council Policy – Mayor and Councillors Expenses \$7,126
- Local Government Act – advice \$4,350
- Local Government Act – advice on Waste Services Contract \$1,578
- Industrial Instrument Issue Advice \$10,000

This brings the total legal expenditure for the period 1 July to 31 December 2015 to \$147,264.

RECOMMENDATION:

That Council receives and notes the Legal Services Register Report for the period 1 October to 31 December 2015.

REPORT:

Expenditure incurred on legal instructions for the period 1 October to 31 December 2015 follows:

Category 1 Planning and Environmental Law	Category 2 Local Government Law	Category 3 Commercial/Property Law	Category 4 District/Local Court
\$26,202	\$23,054	\$0	\$0

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 October to 31 December 2015
DLA Piper Australia	\$4,631	\$0
HWL Ebsworth Lawyers	\$8,531	\$3,479
Lindsay Taylor Lawyers	\$11,067	\$0
Maddocks Lawyers	\$11,627	\$11,627
Marsdens Law Group	\$26,629	\$7,941
Sparke Helmore Lawyers	\$17,693	\$3,155
Wilshire Webb Staunton Beattie Lawyers	\$0	\$0
Other		
Stacks/The Law Firm	\$1,135	\$0
Sub Total	\$81,313	\$26,202

Category 2 Local Government Law (litigation and advice)	Year to Date	Current Period 1 October to 31 December 2015
DLA Piper Australia	\$2,841	\$0
Lindsay Taylor Lawyers	\$3,098	\$1,578
Local Government Legal	\$0	\$0
Maddocks Lawyers	\$16,197	\$10,000
Marsdens Law Group	\$0	\$0
Prevention Partners NSW	\$17,975	\$7,126
Other		
Hall & Wilcox Lawyers	4,350	4,350
Sub Total	\$44,461	\$23,054

Category 3 Commercial/Property Law	Year to Date	Current Period 1 October to 31 December 2015
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 October to 31 December 2015
DLA Piper Australia	\$0	\$0
Stacks /The Law Firm	\$17,500	\$0
Other	0	0
Russell Baxter Solicitor	\$3,990	\$0
Sub Total	\$21,490	\$0
Total	\$147,264	\$49,256

LEGAL SERVICES REGISTER as at 31 December 2015

Category 1 - Planning and Environmental Law					
Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 1 February 2016
Stacks/The Law Firm (2763)	Hacienda Caravan Park.	Land and Environment Court - prosecution of van owner for ignoring Notice of Intention to issue Order. Subsequent Order.	<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 van owner have now commenced in the Land and Environment Court. Directions proceedings held on 24 April 2015.	In Progress. 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 (75% of \$29,122.73 amounts to \$21,842.05). Costs not paid. Action being taken to recover costs. Council officers currently reviewing advice received regarding payment of the costs.
Sparke Helmore Lawyers (2773)	Prospero/Colin Streets, Murwillumbah.	Class 4 Civil Enforcement action initiated against owners.	<i>Prev. Years</i> \$115,036 15/16 \$17,693 Total \$132,7294	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.	In Progress. Consent Orders for cost has been agreed by the two parties - \$20,000 and \$10,000 respectively – both paid. Fence Order matter discontinued. Road Reserve Order non- compliance being investigated. Solicitors waiting on further instructions from Council.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 1 February 2016
Sparke Helmore Lawyers (2783)	137 Adcocks 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	Evidence being gathered for Council's Solicitor to institute action- action completed and referred to Solicitor.	In Progress. Draft order prepared by Solicitor and provided to Council, currently being reviewed.
HWL Ebsworth (2791)	DA14/0164 27-37 Bells Boulevard, Dual use of existing tourist accommodation.	Defend Class 1 Appeal in Land & Environment Court.	<i>Prev. Years</i> \$10,853 15/16 \$8,531 Total \$19,384	9 April 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.	In Progress. Matter was listed for case management on 12 June 2015 and 31 August 2015 and 19 October 2015. The conciliation conference was held on Thursday 28 January 2016 and was adjourned with a further directions hearing scheduled for 25 February 2016. An amended proposal has been submitted by the owner's corporation and a further resolution of Council may be required.
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 if appropriate.	15/16 \$11.067	Section 34 conference conducted on 25 August 2015.	Completed. Parties agreed to amend conditions of consent at the conference.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 1 February 2016
Marsdens Law Group (2794)	DA15/0201 40 Creek Street, Hastings Point.	Defend Class 1 Appeal in Land & Environment Court.	15/16 \$26,629	Planning Committee at its meeting on 6 August 2015 resolved to defend this matter. Proceedings were listed for a directions hearing on 10 September and then 21 December 2015.	In Progress. On 21 December 2015, applicant was requested to provide further information and details. Parties also to provide detailed timetable for the provision of additional information, with Council to review same, Ecourt meeting held on Tuesday 19 January 2016.
Maddocks (2795)	Unauthorised works - Existing use rights - Soorley Street, Tweed Heads South.	Provide legal opinion on existing use rights.	15/16 \$3,649	Letter sent to solicitors for property owner seeking answer to existing use rights questions.	In Progress. Council Solicitors sent letter to owner's - solicitor - no response, follow up letter to be sent.
Maddocks (2797)	DA15/0422 65 lot subdivision – Sea Breeze 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 \$7,978	eCourt meeting held on 9 November 2015, Section 34 Conference scheduled for Friday 22 January 2016. The Applicant is to provide Council additional information by 12 February 2016.	In Progress Council to provide a response to the applicant regarding the additional information by 26 February 2016; and the matter is listed for mention on 29 February 2016.
DLA Piper (713127618)	Tanglewood Sewerage Treatment Plant Class 2 Appeal relating to Section 68 application.	Council at its meeting on 17 September 2015 resolved that it be represented at the Class 2 Appeal to meet its Statutory obligation.	15/16 \$4,631	Directions meeting held on 28 September 2015. Section 34 conference to be scheduled.	In Progress. Directions hearing held on Friday 22 January 2016. Matter stood over until 5 February 2016. A defence is being prepared.

Category 2 - Local Government Law

Provider (Reference)	Description of Matter	General Instructions	Costs to date	Comments	Current Status as at 1 February 2016.
Prevention Partners NSW	Local Government Act.	Provide appropriate advice on staffing matter.	15/16 \$10,849	Advice provided in dealing with the matter	Completed.
Prevention Partners NSW	Council Policy – Mayor and Councillors Expenses	Review policy and provide appropriate advice	15/16 7,126	Advice provided, together with a workshop with Councillors	Completed

Provider (Reference)	Description of Matter	General Instructions	Costs to date	Comments	Current Status as at 1 February 2016.
Hall & Wilcox	Local Government Act	Provide appropriate advice of Local Government Act clarification.	15/16 4,350	Advice provided	Completed
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 \$3,098 Total \$6,428	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 matter	15/16 10,000	Advice provided	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 1 February 2016

Category 4 - District/Local Court					
Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 1 February 2016.
Stacks/The Law Firm (2698) (130331)	Homestead Caravan Park compliance matters.	Council resolved on 24 January 2012 to seek legal advice on breach of legislation to operate the Homestead Caravan Parks.	<i>Prev. Years</i> \$48,318 15/16 \$17,500 Total \$65,818	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.	In Progress. One claim for costs has been lodged with Council - \$ 7,500 paid. The other claim has been received, however, a counter offer has been made and awaiting response.
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.

OPTIONS:

Not Applicable

CONCLUSION:

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

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Total legal services budget - \$415,631.

Total legal expenditure to 31 December 2015 - \$147,264.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

23 [CS-CM] Compliments and Complaints Analysis Report for the Period 1 October to 31 December 2015

SUBMITTED BY: Corporate Governance

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Compliments and Complaints Handling Policy contains a quarterly reporting requirement. The Policy is designed to:

- Ensure compliments and complaints received are appropriately recorded;
- Recognise and acknowledge compliments Council receives;
- Deal with complaints in a fair and equitable manner; and
- Increase the level of customer satisfaction with the way feedback is handled, and in the delivery of services and systems.

The compliments and complaints analysis report for the period 1 October to 31 December 2015 identifies compliments and complaints and is provided for the information of Council.

RECOMMENDATION:

That Council receives and notes the Compliments and Complaints Analysis Report for the period 1 October to 31 December 2015

REPORT:

The Compliments and Complaints Handling Policy contains a quarterly reporting requirement. The Policy is designed to:

- Ensure compliments and complaints received are appropriately recorded;
- Recognise and acknowledge compliments Council receives;
- Deal with complaints in a fair and equitable manner; and
- Increase the level of customer satisfaction with the way feedback is handled, and in the delivery of services and systems.

There are many instances where Council is complimented on the broad range of services it provides to the community, often in the form of a follow up phone call, written thank you or certificate of appreciation. These occasions highlight when Council has met or exceeded citizen expectations. Information about compliments Council receives often goes unrecognised because, unlike complaints, they require little action. However Council values its staff and compliments are an important feedback mechanism to organisational performance as well as a good sign of an engaged and active community.

A complaint is an expression of dissatisfaction, made in:

- a) respect to a Council Officers role in the provision of service delivery or lack of service delivery that has allegedly affected an individual, group or body of stakeholders whether justified or not; or
- b) the quality of service provided by council; or
- c) failing to act upon a request from the public and policies adopted by council.

A complaint can progress from Council's lack of action following the lodgement of a customer request for service or a request for information.

It is not a request for service (customer request management), or information, or an explanation of a policy or procedure, or objections to a development application before Council determination.

A complaint analysis report is presented to Council, detailed by type and outcomes/actions on a quarterly basis, without personal identifying particulars of complainants or associated persons or properties.

Complaints principally refer to the:

- Failure of Council Officers to comply with Council's Customer Service Charter in not responding to items within 14 days in accordance with the Correspondence - Response to Policy.
- Respondents being dissatisfied with the actions of Council Officers in handling their original request for service.
- Complainants being dissatisfied by decisions made by Council.

The complaint type has been categorised in accordance with the Council's organisational structure. This methodology assists in monitoring the effectiveness of Council's handling of complaints and improving service delivery.

Council received 80 compliments for the period 1 October to 31 December 2015, as follows:

Compliment Type	Ref	Details of Compliment	Comments
Office of General Manager	1.1	General feedback – 11 compliments Commenting on a number of Council initiatives including website, Christmas tree, sustainability championing arts and Brick by Brick launch.	.Referred to appropriate Council Officers.
Corporate Services	2.1	Customer Service – 5 compliments appreciation for excellent service.	Referred to appropriate Council Officers.
Planning and Regulation	3.1	Compliance Matters – 3 compliments thank you for attending to dog barking problem and illegal parking.	Referred to Team Leader Compliance.
	3.2	Development Assessment – thank you for meeting to discuss development.	Referred to appropriate Council Officer.
	3.3	Development Application – 3 compliments thank you to Building Unit Officers for assistance in processing applications.	Referred to appropriate Council Officers.
Engineering	4.1	Piggabeen Road and Green Valley Way- appreciation for excellent work carried out on road repair.	Referred to Works Supervisor.
	4.2	Main Street Murwillumbah drainage 4 compliments – great job.	.Referred to Construction Engineer and Communication Officer.
	4.3	Tweed Heads Road Safety – 2 compliments appreciate assistance with speedy signage installation and compliance patrols.	Referred to Road Safety Officer.
	4.4	Water and Sewerage – 2 compliments - Appreciation for excellent service.	Referred to appropriate Council Officers.
	4.5	Roads Maintenance – 5 compliments Appreciation for prompt maintenance attention.	Referred to Works Supervisors.
	4.6	Anthony's Bridge- Complimenting Council on the construction of the bridge.	Referred to appropriate Council Officers.
	4.7	Footpath Maintenance – Appreciation for prompt maintenance attention.	Referred to Works Supervisor.
Community and Natural Resources	5.1	Parks Maintenance 7 Compliments– commend staff for efforts in maintaining parks.	Referred to Parks Supervisors.
	5.2	Cemetery Operations – 5 compliments for professional service and the efforts by Work for the Dole Persons and excellent maintenance of the Tweed Heads Lawn cemetery.	Referred to Cemetery Supervisor.
	5.3	Tree Maintenance – 8 complements – commend staff for excellent tree pruning work.	Referred to Tree Supervisor.
	5.4	Knox Park Playground- 11 compliments Thank you to Council and Rotary for the project.	Referred to Landscape Architect.

Compliment Type	Ref	Details of Compliment	Comments
	5.5	Kingscliff Beach Maintenance – thank you for proving a grant which assists in maintaining a high level of beach safety.	.Referred to Manager Recreation Services.
	5.6	Kingscliff Aquatic Centre – Thank you to staff for organising another event.	Noted by Council Officers.
	5.7	Tweed Heads Civic Centre – thank you to Manager for assistance with recent event.	Referred to Centre Manager.
	5.8	Centenary of Anzac Activities – appreciation to Council for its support.	Referred to Manager Recreation Services.
	5.9	Stotts Creek Recycling Facility – complimenting Council on excellent facility.	Referred to Waste Services Coordinator.
	5.10	Natural Resources Projects – thank you to Council Officer in attending a recent meeting and providing an update of the progress of two projects.	Referred to appropriate Council Officer.
	5.11	Mosquito Spraying – 2 compliments – Appreciation for treating the mosquito problem around Banora Point.	Referred to appropriate Council Officer.
	5.12	Mooball Creek Pottsville – thank you for carrying out temporary repairs whilst permanent solution is investigated.	Referred to appropriate Council Officer.

During this quarter 13 complaints have been recorded as follows:

Complaint Type	Ref	Details of Complaint	Comments
Office of General Manager	1.1	2 Complaints – have received no response to previous email dated 10 August 2015.	Email sent attaching a copy of an email previously sent on 4 August 2015, which clarified the same issues.
	1.2	Requesting a full investigation into the dealings with Council's Planning and Regulation Division regarding the use of a building.	General Manager has engaged an external consultant to conduct the investigation which is currently in progress. A report with findings and recommendations expected February 2016.
Corporate Services	2.1	Complaint about intimidating customer service.	Complaint investigated, issues discussed with complainant, unable to accurately verify Council Customer Service Officer- now settled.
Planning and Regulation	3.1	Disappointed with procedure and staff attitude – been trying patiently to explain reasons for container on property.	Reply sent advising that Council Officers had been patient- no action required enforcement activity – latest advice owner is undertaking action to remove container.
	3.2	Illegal holiday letting – believe Council will continue to turn a blind eye to illegal activity within coastal areas.	Complaint treated as a submission to the Short Term Holiday Rental Planning Proposal PP15/0005, which is on exhibition from 2 December 2015 to 5 February 2016.

Complaint Type	Ref	Details of Complaint	Comments
	3.3	2 complaints advising still feeling intimidated bullied and harassed by Council.	Complaints being investigated, with a response to be prepared.
Engineering	4.1	Complaint regarding interaction with Council Employee.	Complaint discussed with both parties, apology given to complainant.
	4.2	Reserve Creek Road - Extremely disappointed at the road repair job completed by Council.	Reply sent advising that the repair job was affected by rain, rectification works planned for Monday 2 November 2015.
Community and Natural Resources	5.1	Oxley Cove - Complaint about Council Staff removing palms, garden beds, hedges and a lilli pilli.	Concerns discussed with the complainant in person, followed up with a detailed letter of explanation.
	5.2	Amaroo Park Lake – called numerous times - concerned and frustrated, boat scooping and introduction of "weables" has failed to treat weed infestation – height of grass is a fire hazard.	Matter discussed in person with complainant, referred to Far North Coast Weeds for investigation and advice on treatment of lake – Mowing of grass completed.

OPTIONS:

Mandatory report in accordance with Council's Compliments and Complaints Handling v1.4.

CONCLUSION:

The Compliments and Complaints Analysis Report for the period 1 October to 31 December 2015 be received and noted.

COUNCIL IMPLICATIONS:

a. Policy:

Compliments and Complaints Handling v1.4

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

24 [CS-CM] Quarterly Budget Review - December 2015

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.2 Improve decision making by engaging stakeholders and taking into account community input
- 1.2.3 Financial requirements and the community's capacity to pay will be taken into account when meeting the community's desired levels of service

SUMMARY OF REPORT:

This is the second quarter statutory budget review for this financial year and summarises the estimated expenditure and income changes to the 2015/2016 Budget.

This statutory report is prepared in accordance with the Local Government (General) Regulations 2005, sections 202 and 203. Council will have a balanced budget as at 30 June 2016 in all Funds.

RECOMMENDATION:

That the:

1. Quarterly Budget Review Statement as at 31 December 2015 be adopted.
2. Expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2016.

Description	Change to Vote	
	Deficit	Surplus
General Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	706,723	0
Interest	0	0
Other Operating costs	0	137,918
Capital	3,094,841	0
Loan Repayments	0	0
Transfers to Reserves	202,495	0
	4,004,059	137,918

Income

Rates and Annual Charges	0	0
Interest revenue	0	0
Operating Grants & Conts	0	229,601
Capital Grants & Conts	0	2,425,000
User Charges & Fees	0	75,000
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	0	522,740
Transfers from Reserves	0	613,800
Asset Sales	0	0
	<u>0</u>	<u>3,866,141</u>

Net Surplus/(Deficit) 0

	Deficit	Surplus
Sewer Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	75,000	0
Interest	0	0
Other Operating costs	0	0
Capital	0	1,590,932
Loan Repayments	0	0
Transfers to Reserves	309,388	0
	<u>384,388</u>	<u>1,590,932</u>
<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	0	86,388
Operating Grants & Conts	0	0
Capital Grants & Conts	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	761,015	0
Transfers from Reserves	531,917	0
Asset Sales	0	0
	<u>1,292,932</u>	<u>86,388</u>

Net Surplus/(Deficit) 0

Water Fund

Expenses

Employee costs	0	0
Materials & Contracts	0	545,772
Interest	0	0
Other Operating costs	0	0
Capital	2,957,700	0
Loan Repayments	0	0
Transfers to Reserves	402,755	0
	<u>3,360,455</u>	<u>545,772</u>

Income

Rates and Annual Charges	0	0
Interest revenue	90,517	0
Operating Grants & Conts	0	0

Capital Grants & Conts	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	0	3,416,015
Transfers from Reserves	510,815	0
Asset Sales	0	0
	<hr/>	<hr/>
	601,332	3,416,015
Net Surplus/(Deficit)		<hr/>
		0

REPORT:

Budget Review 31 December 2015 (Quarterly Budget Review)

In accordance with section 203(1) of the Local Government (General) Regulation 2005, a Budget Review Statement and revision of the estimates of income and expenditure must be submitted to council within two months of the close of each quarter.

The Regulation requires that the quarterly financial review must include the following:

- A revised estimate for income and expenditure for the year.
- A report as to whether or not such statements indicate that the financial position of the Council is satisfactory and if the position is unsatisfactory, make recommendations for remedial action.

Report by Responsible Accounting Officer – Quarterly Budget Review Statements

The Quarterly Budget Review Reports are prepared to provide Council and the community with information in relation to Council's financial performance and proposed amendments to its budget and forward estimates. The reports are prepared under accrual accounting principles in accordance with the requirements of the Local Government Act 1993.

New South Wales councils are required to prepare a Quarterly Budget Review Statement, which includes the following information:

- The original budget
- Approved changes to the original budget
- Recommendations by Council officers regarding changes to the revised budget
- A projected year end result
- Actual year to date figures
- Key Performance Indicators
- New contracts entered into during the quarter
- Consultancy and legal expenses

This information is presented in the following reports:

- List of changes which will impact on revenue, i.e. will affect the Operational Plan (budget) or Long Term Financial Plan
- Detailed list of recommended changes, including those recommended by officers and those adopted by Council
- Income and Expenses Statement, consolidated and by fund
- Funding Statement, consolidated and by fund, which gives the total budget result
- Capital Budget Review Statement
- Cash & Investments Budget Review Statement
- Budget Review Key Performance Indicators Statement
- Budget Review Contracts (part A) and Other Expenses (part B)

Impacts on the Operational Plan and/or Long Term Financial Plan

Some recommended changes will have no net effect on the Operational Plan (1 year budget). Others will have long term effects and will need to be reflected in the next revision of the Long Term Financial Plan. Also listed is what effect the variations will have, if any, on the various Fit for the Future ratios. The changes which will have such an effect are listed below:

Description	\$	\$	
	Net Effect on 2015/2016 Budget	Net Effect on LTFP	Fit for the Future Impact
General Fund			
Koala monitoring drone	17,000		Negative
Property Reclassifications	10,000		Negative
Town entry/gasfield free signage	30,000		Negative
White Ribbon accreditation	7,000		Negative
Whale exhumation	10,000		Negative
Commonwealth Financial Assistance Grant	-229,601		Positive
Valuation Fees	8,024		Negative
Finance Unit Software	13,000		Negative
Section 603 Certificates	-30,000		Positive
Emergency Services contributions	-37,918		Positive
	(202,495)	0	

Detailed list of changes

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
1. Proposed Variations						
General						
Ex	1	Ex-Op	Drone	0	17,000	Koala monitoring
Ex	2	Ex-Op	Property Reclassifications	0	10,000	Legal costs
Ex	3	Ex-Op	Rural Land Strategy	35,690	45,000	Additional funding to complete project
In	3	In-Operating	Planning Projects Income		-45,000	funding for the above
Ex	4	Ex-Capital	Koala Beach Sportsfield lighting		20,000	New lighting
Ex	4	Ex-Op	Active recreation asset maintenance	460,113	-20,000	Funding for above
In	5	In-OG&C	Commonwealth Financial Assistance Grant - General	-6,619,350	-229,601	Align budget to actual
Ex	6	Ex-Op	Valuation Fees	305,549	8,024	Align budget to actual
In	7	Ex-Op	Finance Unit Software	0	13,000	New Fees & Charges software + annual subs
In	8	In-Operating	Section 603 Certificates	-170,000	-30,000	Align budget to actual
Ex	9	Ex-Capital	Murwillumbah Civic Centre Landscape Upgrade		150,000	Library pond
Ex	9	Ex-Op	Passive recreation asset maintenance	641,058	-50,000	Funding for above
Ex	9	Ex-OpOther	Murwillumbah Civic Centre electricity	337,650	-100,000	Funding for above
Ex	10	Ex-OpOther	Fire & Rescue NSW contribution	383,458	-9,216	Advice received
Ex	11	Ex-OpOther	Rural Fire Service contribution	231,691	-42,625	Advice received

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
Ex	12	Ex-OpOther	SES contribution	139,567	13,923	Advice received
Ex	13	Ex-Op	Tygalgah - Tweed River Estuary Riparian Restoration Project	41,000	30,000	Adjust Waterways budgets
Ex	13	Ex-Op	Oxley River Bank Stabilisation Project	0	250,000	Adjust Waterways budgets
Ex	13	Ex-Op	Lower Tweed Management Plan - Waterways Project Officer	25,000	50,000	Adjust Waterways budgets
Ex	13	Ex-Op	Lower Tweed Management Plan - Wetland enhancement	10,000	40,000	Adjust Waterways budgets
Ex	13	Ex-Op	Catchment Water Quality	211,543	125,000	Adjust Waterways budgets
In	13	In-TFR	Catchment Water Quality reserve		-495,000	Funding for above
Ex	14	Ex-Capital	Regional roads rehabilitation unallocated	502,000	-502,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Kyogle Road Repair Program 2015/16 - Segment 280 (Uki)		72,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Kyogle Road Repair Program 2015/16 - Segment 170 (Kunghur)		785,000	Adjust Construction budget (roads)
Ex	14	In-CG&C	Regional Roads Repair Program Funding	-350,000	-78,500	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Unallocated Rehabilitation	8,382,798	-5,074,553	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Banks Ave		80,850	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Baromi Rd Kynnumboon		42,735	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Brett St Tweed Heads		183,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Brooks Rd Kynnumboon		42,315	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Cooloon Cr Tweed Heads South		40,425	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Darlington Drive East of Leisure Dr		203,280	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Byangum Rd		151,632	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Duranbah Road		158,200	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Fraser Drive Rehab Amaroo to Botanical		235,140	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Hastings Rd		169,680	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Holden Street		126,360	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Overall Drive		273,360	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Plantation Road		110,670	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Pumpenbil Road		103,740	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Endeavour Pde		138,545	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Riverside Drive, Tumbulgum		72,128	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Quarry Road		67,968	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Cudgen Road		71,050	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Wardrop Valley Rd - near house no 438		320,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Piggabeen Road		363,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Tumbulgum Road Murwillumbah		47,040	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Tyalgum Rd Rehab Eungella		489,790	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Tyalgum Road		53,900	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Airfield Ave		90,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Altair Street Rehabilitation 2015-2016		133,245	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Kennedy Drive - Limosa Avenue to Cobaki Creek Bridge 2016		300,000	Adjust Construction budget (roads)
In	14	In-CG&C	Road Construction Funding (Kennedy Dr)		-300,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Blackspot Program - Tweed Coast Rd North of Crescent St		390,000	Adjust Construction budget (roads)
In	14	In-CG&C	Blackspot Grant Regional Roads		-360,000	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Blackspot Program - Fraser Drive/Terranora Road Intersection		722,000	Adjust Construction budget (roads)

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
Ex	14	Ex-Capital	Blackspot Program - Clothiers Creek Road/Condor Place		242,500	Adjust Construction budget (roads)
Ex	14	Ex-Capital	Blackspot Program - Gollan Drive/Lakes Drive Roundabout		224,000	Adjust Construction budget (roads)
In	14	In-CG&C	Australian Black Spot Programme 2015-16		-736,500	Adjust Construction budget (roads)
In	14	In-Recoup	Contribution Plan 4 Roads		-452,000	Adjust Construction budget (roads)
In	14	In-CG&C	Roads to Recovery program	-3,574,471	1,000,000	Adjust Construction budget (roads)
In	15	In-CG&C	Roads to Recovery program - bridges		-1,000,000	Adjust Construction budget (bridges)
Ex	15	Ex-Capital	Anthonys bridge	3,053,114	-1,400,000	Adjust Construction budget (bridges)
Ex	15	Ex-Capital	Cudgen Creek Bridge		3,350,000	Adjust Construction budget (bridges)
In	15	In-CG&C	Commonwealth Timber Bridge Program Income		-950,000	Adjust Construction budget (bridges)
Ex	16	Ex-Capital	Brisbane Street	479,210	-170,000	Adjust Construction budget (drainage)
Ex	16	Ex-Capital	Murwillumbah Street Murwillumbah	766,863	1,170,000	Adjust Construction budget (drainage)
Ex	16	Ex-Capital	Drainage construction unallocated	1,567,112	-1,000,000	Adjust Construction budget (drainage)
Ex	17	Ex-Capital	Tweed Heads library capital works	300,000	70,740	Library & precinct upgrade project
In	17	In-Recoup	Contribution Plan 11 Libraries		-70,740	Funding for above
Ex	18	Ex-Op	Access and Inclusion Plan - General	56,347	18,800	Access audits
In	18	In-TFR	Access Reserve	-47,223	-18,800	Funding for above
Ex	19	Ex-Op	Access and Inclusion Plan – Public Toilet Upgrade	0	100,000	Accessible public toilets program
Ex	19	In-TFR	Toilets Funding - Access Reserve	0	-100,000	Funding for above
Ex	20	Ex-Op	Aboriginal Network Conference	0	30,000	New budget
Ex	20	Ex-Op	Aboriginal Community Development	118,764	-30,000	Funding for above
Ex	21	Ex-Op	Homelessness Policy	0	10,000	New budget
Ex	21	Ex-Op	Community Safety	66,559	-10,000	Funding for above
Ex	22	Ex-Op	Dune stabilisation	78,197	10,000	Exhumation of whale carcass
Ex	23	Ex-Capital	Murwillumbah Civic Centre landscape upgrade		3,500	Library after hours return chute
Ex	24	Ex-Op	Tweed Heads library expenses	31,030	-3,500	Funding for above
Ex	25	Ex-TTR	Transfers to budget reserve		202,495	Transfer surplus to budget reserve to cover expected deficit in 2016/17
Ex	26	Ex-Capital	Chinderah pontoon	34,431	-26,399	Project completed
Ex	26	Ex-Op	Waterways asset replacement	29,293	26,399	Reallocation of above funds
					-37,000	
			Sewer Fund			
Ex	27	Ex-Op	Operations		75,000	Strategy/Business management
Ex	27	Ex-Capital	Various Capital Works		-1,590,932	Project deferrals
In	27	In-Interest	Interest		-86,388	Funding adjustment
Ex	27	Ex-TTR	Transfers to Asset Replacement Res.		309,388	Funding adjustment
In	27	In-Recoup	Transfers from Capital Contributions Res.		761,015	Funding adjustment
In	27	In-TFR	Transfers from Asset Replacement Res.		531,917	Funding adjustment
					0	
			Water Fund			
Ex	28	Ex-Op	Operations		-545,772	Demand management
Ex	28	Ex-Capital	Various Capital Works		2,957,700	Land acquisition
In	28	In-Interest	Interest		90,517	Funding adjustment
Ex	28	Ex-TTR	Transfers to Asset Replacement Res.		402,755	Funding adjustment

In/E x	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
In	28	In-Recoup	Transfers from Capital Contributions Res.		-3,416,015	Funding adjustment
In	28	In-TFR	Transfers from Asset Replacement Res.		510,815	Funding adjustment
					0	
2. Variations Arising from Council Resolutions						
Ex	29	Ex-Op	Town Entry Signs	20,000	30,000	October 2015 Council resolution
Ex	29	Ex-Op	Gasfield Free signage		5,000	October 2015 Council resolution
Ex	29	Ex-Op	Traffic Facilities - Classified Roads	263,208	-2,500	Partial funding for above
Ex	29	Ex-Op	Minor traffic facilities	68,062	-2,500	Partial funding for above
Ex	30	Ex-Op	White Ribbon accreditation		7,000	NOM Cr Byrne
					37,000	
Summary of Votes by Type						
			2015/16 Variations		-37,000	
			Council Resolutions		37,000	
					0	
Key to Category codes						
Ex-OpEmp			Employee costs			
Ex-Op			Materials & contracts			
Ex-Interest			Interest on loans			
Ex-OpOther			Other operating expenses			
Ex-Capital			Capital works			
Ex-Loan						
Reps			Repayment on principal on loans			
Ex-TTR			Transfers to reserves			
In-Rates			Rates & annual charges			
In-Interest			Interest income			
In-OG&C			Operating grants & contributions			
In-CG&C			Capital grants & contributions			
In-Operating			User charges & fees			
In-OpOther			Other operating income			
In-Loan			Loan funds			
In-Recoup			Recoupment from s64 & s94 funds			
In-TFR			Transfers from reserves			
In-Sales			Proceeds from sale of assets			
Expenses						
			Employee costs		0	
			Materials & Contracts		235,951	
			Interest		0	
			Other Operating costs		-137,918	
			Capital		4,461,609	
			Loan Repayments		0	
			Transfers to Reserves		914,638	
					5,474,280	
Income						
			Rates and Annual Charges		0	
			Interest revenue		4,129	
			Operating Grants & Conts		-229,601	
			Capital Grants & Conts		-2,425,000	
			User Charges & Fees		-75,000	
			Other Operating Revenue		0	
			Loan Funds		0	
			Recoupments		-3,177,740	
			Transfers from Reserves		428,932	

In/E x	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
			Asset Sales		<u>0</u>	
					-5,474,280	
			Net		<u>0</u>	
			Summary of Votes - by Division			
			Corporate Services		-29,082	
			Planning & Regulation		-37,918	
			Community & Natural Resources		97,740	
			Engineering		-30,740	
			General Manager		<u>0</u>	
					0	

RESULTS BY FUND:

General Fund

The General Fund is expected to remain as a “balanced budget”.

Water Fund

The Water Fund is expected to remain as a “balanced budget”.

Sewer Fund

The Sewer Fund is expected to remain as a “balanced budget”.

Quarterly Budget Review Statements

Income and Expense - Consolidated Budget Review Statement for the quarter ended 31 December 2015

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's) *	Dec Review (000's)	Revised Budget (000's)			

Income

Rates and Annual Charges	98,087	-	-	98,087	-	98,087	50,589
User Charges and Fees	41,375	-	-	41,375	75	41,450	21,528
Interest and Investment Revenue	7,752	640	-	8,392	(5)	8,387	4,676
Other Revenues	1,875	128	-	2,003	-	2,003	1,122
Grants & Contributions - Operating	16,273	52	-	16,325	230	16,555	11,983
Grants and Contributions - Capital	3,006	1,152	-	4,158	2,425	6,583	2,006
- Contributions (S94)	6,744	-	-	6,744	-	6,744	4,431
Net gain from the disposal of assets	-	-	-	-	-	-	-
Total Income	175,112	1,972	-	177,084	2,725	179,809	96,335

Expense

Employee costs	51,595	535	-	52,130	-	52,130	25,391
Borrowing Costs	12,976	(71)	-	12,905	-	12,905	6,504
Materials & Contracts	47,452	21,598	-	69,050	236	69,286	19,465
Depreciation	42,058	-	-	42,058	-	42,058	21,030
Legal Costs	447	-	-	447	-	447	143
Consultants	385	-	-	385	-	385	230
Other Expenses	15,293	79	-	15,372	(138)	15,234	6,883
Net Loss from Disposal of Assets	-	-	-	-	-	-	-
Total Expenses	170,206	22,141	-	192,347	98	192,445	79,646

Net Operating Result

	4,906	(20,169)	-	(15,263)	2,627	(12,636)	16,689
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Net Operating Result before capital items

	(4,844)	(21,321)	-	(26,165)	202	(25,963)	10,252
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Funding Statement - Consolidated - Source & Application of Funds

Operating Result (Income Statement)	4,906	(20,169)	-	(15,263)	2,627	(12,636)
Add Back non-funded items:						

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's) *	Dec Review (000's)				
Depreciation	42,058	-	-	42,058	-	42,058	
		-	-	-	-	-	
Add non-operating funding sources		-	-	-	-	-	
Transfers from Externally Restricted Cash	9,912	1,177	-	11,089	3,178	14,267	
Transfers from Internally Restricted Cash	10,382	29,604	-	39,986	(429)	39,557	
Proceeds from sale of assets	3,559	-	-	3,559	-	3,559	
Loan Funds Utilised	1,976	9,102	-	11,078	-	11,078	
Repayments from Deferred Debtors	-	-	-	-	-	-	
Funds Available	72,793	19,714	-	92,507	5,376	97,883	
Funds were applied to:							
Purchase and construction of assets	31,145	20,491	-	51,636	4,462	56,098	
Repayment of principal on loans	7,731	(4)	-	7,727	-	7,727	
Transfers to Externally Restricted Cash	7,490	-	-	7,490	-	7,490	
Transfers to Internally Restricted Cash	26,427	(773)	-	25,654	914	26,568	
Funds Used	72,793	19,714	-	92,507	5,376	97,883	
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-	

* Includes Carried Forward Works revotes

Income and Expense- General Fund Budget Review Statement for the quarter ended 31 December 2015

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's) *	Dec Review (000's)	Revised Budget (000's)			

Income

Rates and Annual Charges	67,629			67,629		67,629	34,757
User Charges and Fees	19,270			19,270	75	19,345	10,399
Interest and Investment Revenue	3,837			3,837	-	3,837	2,599
Other Revenues	1,594	128		1,722	-	1,722	878
Grants & Contributions - Operating	15,417	52		15,469	230	15,699	11,152
Grants and Contributions - Capital	3,006	1,152		4,158	2,425	6,583	2,006
- Contributions (S64/S94)	1,722			1,722		1,722	2,446
Net gain from the disposal of assets				-		-	
Total Income	112,475	1,332	-	113,807	2,730	116,537	64,237

Expense

Employee costs	40,643	535		41,178	-	41,178	20,020
Borrowing Costs	6,149	(71)		6,078	-	6,078	3,064
Materials & Contracts	29,017	21,057		50,074	708	50,782	15,294
Depreciation	25,959			25,959		25,959	12,980
Legal Costs	447			447		447	143
Consultants	94			94		94	174
Other Expenses	11,473	79		11,552	(138)	11,414	5,792
Net Loss from Disposal of Assets				-		-	
Total Expenses	113,782	21,600	-	135,382	570	135,952	57,467

Net Operating Result

	(1,307)	(20,268)	-	(21,575)	2,160	(19,415)	6,770
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Net Operating Result before capital items

	(6,035)	(21,420)	-	(27,455)	(265)	(27,720)	2,318
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Funding Statement - General Fund - Source & Application of Funds

Operating Result (Income Statement)	(1,307)	(20,268)	-	(21,575)	2,160	(19,415)
Add Back non-funded items:						
Depreciation	25,959			25,959	-	25,959

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's) *	Dec Review (000's)				
Add non-operating funding sources							
Transfers from Externally Restricted Cash	1,374	751		2,125	523	2,648	
Transfers from Internally Restricted Cash	1,317	27,140		28,457	614	29,071	
Proceeds from sale of assets	3,559			3,559	-	3,559	
Loan Funds Utilised	1,976	9,102		11,078	-	11,078	
Internal charges				-		-	
Repayments from Deferred Debtors				-		-	
Funds Available	32,878	16,725	-	49,603	3,297	52,900	
Funds were applied to:							
Purchase and construction of assets	21,916	16,656		38,572	3,095	41,667	
Repayment of principal on loans	3,867	(4)		3,863	-	3,863	
Transfers to Externally Restricted Cash	2,468			2,468		2,468	
Transfers to Internally Restricted Cash	4,627	73		4,700	202	4,902	
Funds Used	32,878	16,725	-	49,603	3,297	52,900	
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-	

* Includes Carried Forward Works revotes

Income and Expense- Sewer Fund Budget Review Statement for the quarter ended 31 December 2015

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's)	Dec Review (000's)				
Income							
Rates and Annual Charges	25,366			25,366		25,366	13,279
User Charges and Fees	1,343			1,343		1,343	1,456
Interest and Investment Revenue	2,500	260		2,760	86	2,846	1,237
Other Revenues	16			16		16	7
Grants & Contributions - Operating	470			470	-	470	451
Grants and Contributions - Capital				-		-	
- Contributions (S64/S94)	1,458			1,458	-	1,458	778
Net gain from the disposal of assets				-		-	
Total Income	31,153	260	-	31,413	86	31,499	17,208

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's)	Dec Review (000's)	Revised Budget (000's)			

Expense

Employee costs	6,563			6,563		6,563	3,170
Borrowing Costs	2,291			2,291		2,291	1,155
Materials & Contracts	8,674	44		8,718	75	8,793	1,858
Depreciation	9,266			9,266		9,266	4,633
Legal Costs				-		-	
Consultants	145			145		145	24
Other Expenses	2,503			2,503	-	2,503	625
Net Loss from Disposal of Assets				-		-	
Total Expenses	29,442	44	-	29,486	75	29,561	11,465

Net Operating Result

	1,711	216	-	1,927	11	1,938	5,743
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Net Operating Result before capital items

	253	216	-	469	11	480	4,965
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Funding Statement - Sewer Fund - Source & Application of Funds

Operating Result (Income Statement)	1,711	216	-	1,927	11	1,938
Add Back non-funded items:						
Depreciation	9,266	-	-	9,266	-	9,266
Add non-operating funding sources						
Transfers from Externally Restricted Cash	3,899	445		4,344	(761)	3,583
Transfers from Internally Restricted Cash	6,150	1,032		7,182	(532)	6,650
Proceeds from sale of assets				-		-
Loan Funds Utilised				-	-	-
Repayments from Deferred Debtors				-		-
Funds Available	21,026	1,693	-	22,719	(1,282)	21,437
Funds were applied to:						
Purchase and construction of assets	6,765	2,483		9,248	(1,591)	7,657
Repayment of principal on loans	2,606			2,606		2,606
Transfers to Externally Restricted Cash	1,458			1,458		1,458
Transfers to Internally Restricted Cash	10,197	(790)		9,407	309	9,716
Internal charges				-		-

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's)	Dec Review (000's)				
Funds Used	21,026	1,693	-	22,719	(1,282)	21,437	
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-	

Income and Expense- Water Fund Budget Review Statement for the quarter ended 31 December 2015

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's)	Dec Review (000's)	Revised Budget (000's)			

Income

Rates and Annual Charges	5,092		5,092		5,092	2,553
User Charges and Fees	20,762		20,762	-	20,762	9,673
Interest and Investment Revenue	1,415	380	1,795	(91)	1,704	840
Other Revenues	265		265		265	237
Grants & Contributions - Operating	386		386	-	386	380
Grants and Contributions - Capital			-		-	
- Contributions (S64/S94)	3,564		3,564	-	3,564	1,207
Net gain from the disposal of assets			-		-	
Total Income	31,484	380	31,864	(91)	31,773	14,890

Expense

Employee costs	4,389		4,389		4,389	2,201
Borrowing Costs	4,536		4,536		4,536	2,285
Materials & Contracts	9,761	497	10,258	(547)	9,711	2,313
Depreciation	6,833		6,833		6,833	3,417
Legal Costs			-		-	
Consultants	146		146		146	32
Other Expenses	1,317		1,317		1,317	466
Net Loss from Disposal of Assets			-		-	
Total Expenses	26,982	497	27,479	(547)	26,932	10,714

Net Operating Result

4,502	(117)	-	4,385	456	4,841	4,176
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Net Operating Result before capital items

938	(117)	-	821	456	1,277	2,969
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Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's)	Dec Review (000's)	Revised Budget (000's)			

Funding Statement - Water Fund - Source & Application of Funds

Operating Result (Income Statement)	4,502	(117)	-	4,385	456	4,841
Add Back non-funded items:						
Depreciation	6,833	-	-	6,833	-	6,833
Add non-operating funding sources						
Transfers from Externally Restricted Cash	4,639	(19)		4,620	3,416	8,036
Transfers from Internally Restricted Cash	2,915	1,432		4,347	(511)	3,836
Proceeds from sale of assets				-		-
Loan Funds Utilised				-	-	-
Repayments from Deferred Debtors				-		-
Funds Available	18,889	1,296	-	20,185	3,361	23,546
Funds were applied to:						
Purchase and construction of assets	2,464	1,352		3,816	2,958	6,774
Repayment of principal on loans	1,258			1,258		1,258
Transfers to Externally Restricted Cash	3,564			3,564		3,564
Transfers to Internally Restricted Cash	11,603	(56)		11,547	403	11,950
Internal charges				-		-
Funds Used	18,889	1,296	-	20,185	3,361	23,546
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2015 and should be read in conjunction with other documents in the QBRS.

Capital Budget Review Statement - Consolidated - for the quarter ended 31 December 2015

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's) *	Dec Review (000's)	Revised Budget (000's)			

Capital Funding **

Rates and other untied funding	11,296	152		11,448	(98)	11,350	4,193
Capital Grants & Contributions	3,004	6,177		9,181	2,425	11,606	4,287
Internal Restrictions (Reserves)	10,109	8,261		18,370	(1,043)	17,327	6,401
External Restrictions							
- s64 & s94 funds	8,851	754		9,605	3,178	12,783	4,722
Other Capital Funding Sources							
- loans	1,976	5,140		7,116		7,116	2,629
Income from sale of assets							
- plant and equipment	3,559			3,559		3,559	1,315
- Land, Buildings, Furniture, Fittings							
Total Capital Funding	38,795	20,484		59,279	4,462	63,741	23,547

Capital Expenditure

New Assets

- Plant and Equipment		2,067		2,067		2,067	57
- Land, Buildings, Furniture, Fittings		1,197		1,197		1,197	860
- Roads, Bridges, Footpaths	148	520		668	3,350	4,018	970
- Drainage							
- Water & Sewer Infrastructure	2,061			2,061	2,561	4,622	398
- Other	300	1,948		2,248		2,248	1,320
<u>Renewals (Replacement)</u>							
- Plant and Equipment	8,416			8,416		8,416	2,678
- Land, Buildings, Furniture, Fittings	100	643		743		743	1,178
- Roads, Bridges, Footpaths	8,841	4,053		12,894	(473)	12,421	3,635
- Drainage		1,567		1,567		1,567	106
- Water & Sewer Infrastructure	3,339	3,835		7,174	(10)	7,164	1,666
- Other	4	100		104	(26)	78	89
<u>Upgrades</u>							
- Plant and Equipment							
- Land, Buildings, Furniture, Fittings							
- Roads, Bridges, Footpaths	3,006	2,788		5,794		5,794	2,163
- Drainage	1,100	1,765		2,865		2,865	2,452
- Water & Sewer Infrastructure	3,749			3,749	(1,184)	2,565	1,307
- Other		5		5	244	249	22
Loan Repayments (principal)	7,731	(4)		7,727		7,727	4,646
Total Capital Expenditure	38,795	20,484		59,279	4,462	63,741	23,547

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2015 and should be read in conjunction with other documents in the QBRs.

* Note: includes carried forward works revotes

* *Note: figures in the Actual YTD column of capital funding are estimates only. Detailed calculations of funding results are performed annually.

Cash and Investments Budget Review Statement for the quarter ended 31 December 2015

	Original Budget			Recommended changes for Council Resolution	Projected year end result	Actual * YTD
	(000's)	Sep Review (000's)	Dec Review (000's)			
Unrestricted	5,185			5,185	5,185	2,946
Externally restricted						
RTA Contributions	0			0	0	130
Developer contributions	27,869	(150)		27,719 (522)	27,197	29,299
Domestic waste management	15,280			15,280	15,280	15,280
Special Rates	202			202	202	260
Special purpose grants	0			0	0	2,000
Water Supplies	43,208			43,208	43,208	39,257
Sewerage Services	63,105			63,105	63,105	67,504
Other	23,405			23,405	23,405	21,961
Total Externally restricted	173,069	(150)	0	172,919 (522)	172,397	175,691
Internally restricted						
Employee Leave entitlements	11,581			11,581	11,581	11,581
Unexpended loans	0			0	0	6,000
Unexpended grants	0			0	0	2,500
7 Year Plan	0			0	0	3,000
Works Carried Forward	0			0	0	9,000
Replacement of Plant and Vehicles	3,111			3,111	3,111	3,000
Tip improvements	9,093			9,093	9,093	9,159
Asset renewals	8,716			8,716	8,716	8,000
Other	6,687	15		6,702 (614)	6,088	6,000
Total Internally restricted	39,188	15	0	39,203 (614)	38,589	58,240
Total Restricted	212,257	(135)	0	212,122 (1,136)	210,986	233,931
Total cash and investments	217,442	(135)	0	217,307 (1,136)	216,171	236,877
Available cash	5,185	0	0	5,185 0	5,185	2,946

* Note: Figures in the Actual YTD are estimates only. Detailed calculations of funding results and cash restrictions are performed annually.

The available cash position excludes restricted funds. External restrictions are funds that must be spent for a specific purpose and cannot be used by council for general operations. Internal restrictions are funds that council has determined will be used for a specific purpose.

Statement of compliance with investment policy:

Council's investments have been made in accordance with Council's investment policies.

Reconciliation of restricted funds with current investment report:

	(000's)
Total restricted funds	233,931
Total invested funds as per September Investment Report	236,172

Note, some restricted funds are held as cash as they will be utilised in the current period.

Statement of bank reconciliation:

Cash is reconciled with the bank statement every Friday.

Reconciliation of cash and investments:

Cash and investments as per above	(000's) 236,877
Cash on hand and at bank	705
Investments	<u>236,172</u>
	236,877

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2015 and should be read in conjunction with other documents in the QBRs.

Key Performance Indicators Budget Review Statement for the quarter ended 31 December 2015

Note that KPIs will be distorted by the short reporting period (3 months), and by the fact that detailed calculations are only prepared on an annual basis.

These ratios should therefore be viewed with caution.

	Amounts	Indicator
1. Unrestricted Current Ratio		
	(000's)	
Current assets less all external restrictions	96,284	3.8:1
Current liabilities	25,583	
Target:		2:1

Purpose:

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

Comment:

Higher than it would be for the annual calculation, as expenditure throughout the year will run down cash and receivables.

	Amounts	Indicator
2. Debt Service Ratio		
	(000's)	
Debt Service Cost	11,150	12.98%
Selected operating income	85,905	
Target:		15%

Purpose:

To assess the impact of loan principal and interest repayments on the discretionary revenue of Council.

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2015 and should be read in conjunction with other documents in the QBRs.

Budget Review Contracts and Other Expenses for the quarter ended 31 December 2015

PART A-Contracts

Listing Contractor	Contract detail & purpose	Contract value \$	Commencement date	Duration of contract	Budgeted (Y/N)
Jamie Russell Godfrey	Provision of Mowing and Ground Maintenance Services to Sewage Pumping Stations and Water Storage Reservoirs	\$156,000.00	23/10/2015	2 years	Y
Hitachi Construction Machinery Australia	Supply of Two (2) Motor Graders CCF Class 15	\$718,300.00	23/10/2015	N/A	Y
Engineering Applications Pty Ltd	Banora Point Reservoir Rehabilitation	\$862,275.99	14/12/2015	N/A	Y
JHA Recruitment & Staff @ Work Pty Ltd	Provision of Manual Traffic Control Teams for Council Works	\$1,100,000.00	11/12/2015	2 years	Y
Boral Resources (QLD) Pty Ltd	Supply and Delivery of Road Pavement Material for Kyogle Road Tweed Shire between Jack Hall Bridge and Kunghur	\$192,192.00	10/12/2015	N/A	Y

PART B - Consultancy and Legal expenses

Expense	Expenditure YTD \$	Budgeted (Y/N)
Consultancies	167,601	Y
Legal expenses	49,243	Y

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2015 and should be read in conjunction with other documents in the QBRs.

**Statutory Statement – Local Government (General) Regulations 2005
(Sections 202 & 203) by “Responsible Accounting Officer”**

202 Responsible accounting officer to maintain system for budgetary control

The responsible accounting officer of a council must:

- (a) *establish and maintain a system of budgetary control that will enable the council's actual income and expenditure to be monitored each month and to be compared with the estimate of the council's income and expenditure, and*
- (b) *if any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of the council.*

203 Budget review statements and revision of estimates

- (1) *Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the Statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.*
- (2) *A budget review statement must include or be accompanied by:*
 - (a) *a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and*
 - (b) *if that position is unsatisfactory, recommendations for remedial action.*
- (3) *A budget review statement must also include any information required by the Code to be included in such a statement.*

Statutory Statement

It is my opinion that the Quarterly Budget Review Statement for Tweed Shire Council for the quarter ended 30/12/2015 indicates that Council's projected financial position at 30/6/2016 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



M A Chorlton 28/1/2016
“Responsible Accounting Officer”
Manager Financial Services
Tweed Shire Council

OPTIONS:

Not Applicable

CONCLUSION:

Refer to Statutory Statement above.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable

b. Budget/Long Term Financial Plan:

As detailed in the report.

c. Legal:

No-Legal advice has not been received
Attachment of Legal Advice-Not Applicable

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

25 [CS-CM] In Kind and Real Donations - October to December 2015

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Details of in kind and real donations for the period October to December 2015 are reproduced in this report for Council's information.

RECOMMENDATION:

That Council notes the total donations of \$38,854.24 for the period October to December 2015.

REPORT:

Council maintains a register of in kind and real donations. Details of these donations for the period October to December 2015 are reproduced as follows:

Financial Assistance			
Amount	Recipient	Donated Item	Date
\$ 2,000.00	Fred's Place	First Round Donation-2015/2016	14/10/2015
\$ 2,000.00	Friends of the Hound Inc	First Round Donation-2015/2016	14/10/2015
\$ 2,000.00	Murwillumbah Community Centre Inc	First Round Donation-2015/2016	14/10/2015
\$ 2,000.00	Thrive 2484 (auspiced by The Family Centre)	First Round Donation-2015/2016	14/10/2015
\$ 2,000.00	Tweed Heads Community Men's Shed Inc	First Round Donation-2015/2016	14/10/2015
\$ 1,000.00	Tweed Theatre Compnay Inc	First Round Donation-2015/2016	14/10/2015
\$ 515.00	Uki and South Arm Historical Society Inc	First Round Donation-2015/2016	14/10/2015
\$ 2,000.00	Uki Out of School Hours Centre	First Round Donation-2015/2016	14/10/2015
\$ 5,000.00	Tweed Valley Wildlife Carers Inc	Donation	20/10/2015
\$ 2,000.00	Twin Towns Friends Association Inc	Budget Allocation	18/11/2015
\$ 2,000.00	Northern Region SLSA Helicopter Rescue Service Pty Ltd	Budget Allocation	18/11/2015
\$ 30.00	Tweed River High School	Donation - Annual Awards Presentations	25/11/2015
\$ 2,400.00	Tweed Shire Seniors Committee	Budget Allocation	2/12/2015
\$ 138.00	Teasarem Pty Ltd - Flamingos Café	Donation - Footpath Alterations	3/12/2015
\$ 1,000.00	Margaret Walker	Budget Allocation - Local Heritage Assistance F	23/12/2015
\$ 3,000.00	John & Gwennyth Giles	Budget Allocation - Local Heritage Assistance F	23/12/2015
\$ 29,083.00			
Goods and/or Materials			
\$ 93.00	Cudgen State School	20 Shrubs & Trees	28/10/2015
\$ 48.00	Tweed Land Care Committee	Printing	11/11/2015
\$ 37.00	Stokers Siding Craft Market	Printing	Oct/Nov/Dec
\$ 10.00	Murwillumbah Community Centre	Printing	Oct/Nov/Dec
\$ 229.00	Tweed Seniors Committee	Printing	Oct/Nov/Dec
\$ 417.00			
Provision of Labour and/or Plant & Equipment			
Amount	Recipient	Donated Item	
\$ 227.99	Life Education Van Relocation	Provision of Labour & Council Plant	Oct/Nov/Dec
\$ 286.03	Murwillumbah Country Roots Fest 2015	Provision of Labour & Council Plant	02/10/2015
\$ 225.61	Tweed Agricultural Society (Tweed Show)	Provision of Labour & Council Plant	07/11/2015
\$ 910.66	Tweed Coast Holiday Parks Kingscliff Triathlon	Provision of Labour & Council Plant	Nov
\$ 1,672.10	Chamber of Commerce (Street Decorations)	Provision of Labour & Council Plant	08/12/2015
\$ 3,322.39			
Rates			
Amount	Recipient	Donated Item	
\$ 342.90	Twin Towns Police & Community Youth Club	Water Usage	14/10/2015
\$ 129.75	Twin Towns Police & Community Youth Club	Sewer Usage	14/10/2015
\$ 472.65			
Tweed Link Advertising			
Amount	Recipient	Donated Item	
\$ 28.80	Community Notices - Banora Point and District Residents Assoc	Advertising	Oct/Nov/Dec
\$ 24.64	Community Notices - Burringbar Community Association	Advertising	Oct/Nov/Dec
\$ 59.58	Community Notices - Cabarita Beach/Bogangar Residents Associatic	Advertising	Oct/Nov/Dec
\$ 30.78	Community Notices- Casuarina and South Kingscliff Residents Asso	Advertising	Oct/Nov/Dec
\$ 24.64	Community Notices - Chinderah District Residents Assoc	Advertising	Oct/Nov/Dec
\$ 59.58	Community Notices- Fingal Head Community Assoc	Advertising	Oct/Nov/Dec
\$ 24.64	Community Notices - Hastings Point Progress Assoc	Advertising	Oct/Nov/Dec
\$ 24.64	Community Notices - Kingscliff Ratepayers and Progress Assoc	Advertising	Oct/Nov/Dec
\$ 45.90	Community Notices- Mooball & Dist Moovers Inc	Advertising	Oct/Nov/Dec
\$ 55.41	Community Notices - Stokers Siding and District Community Assc	Advertising	Oct/Nov/Dec
\$ 24.64	Community Notices - Tumbulgum Community Assoc Inc	Advertising	Oct/Nov/Dec
\$ 59.40	Community Notices - Tweed Byron and Ballina Community Transport	Advertising	Oct/Nov/Dec
\$ 67.50	Community Notices - Tweed Unlimited Arts	Advertising	Oct/Nov/Dec
\$ 30.78	Community Notices - Tweed Valley Mountain Bike Riders	Advertising	Oct/Nov/Dec
\$ 24.64	Community Notices - Tyalgum Community Hall Assoc	Advertising	Oct/Nov/Dec
\$ 24.63	Community Notices - Uki Residents Assoc	Advertising	Oct/Nov/Dec
\$ 610.20			
Room Hire			
Amount	Recipient	Donated Item	
\$ 230.00	Red Cross Training	Room Hire - South Tweed HACC	Oct/Nov/Dec
\$ 72.00	Tweed Community Care Forum	Room Hire - South Tweed HACC	Oct/Nov/Dec
\$ 162.00	Twin Towns Friends Association	Room Hire - South Tweed HACC	Oct/Nov/Dec
\$ 216.00	Banora Point & District Residents Association	Room Hire - Banora Point Com Centre	Oct/Nov/Dec
\$ 261.00	South Sea Islanders Community	Room Hire - South Sea Islander Room	Oct/Nov/Dec
\$ 1,008.00	Tweed Hospital Auxiliary	Hall Hire - Tweed Heads Civic Centre Auditorium	Oct/Nov/Dec
\$ 1,949.00			
\$ 35,854.24	Total Donations 2nd Quarter (October,November,December 2015)		

OPTIONS:

Not Applicable.

CONCLUSION:

For Councillor's Information and inclusion in Annual Report.

COUNCIL IMPLICATIONS:

a. Policy:

Donations and Subsidies Version 1.2.

b. Budget/Long Term Financial Plan:

As per Budget estimates.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

26 [CS-CM] Six Monthly Progress and Exceptions Report as at 31 December 2015

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.2 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 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.

Previously, this was done via two separate reports:

1. Quarterly Corporate Performance Report; and
2. Six Monthly Progress and Exception Report.

These two reports have now been combined into a single report for this period (Attachment 1) which details Council's progress as at 31 December 2015 in carrying out/completing activities identified in the Operational Plan 2015/2016 as 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 31 December, 2015, which also includes the Corporate Quarterly Report for the period 1 October to 31 December 2015.

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 was to be due for presentation in August 2016. With the announcement that Council elections may now be deferred, the due date for the End of Term Report may also be deferred.

OPTIONS:

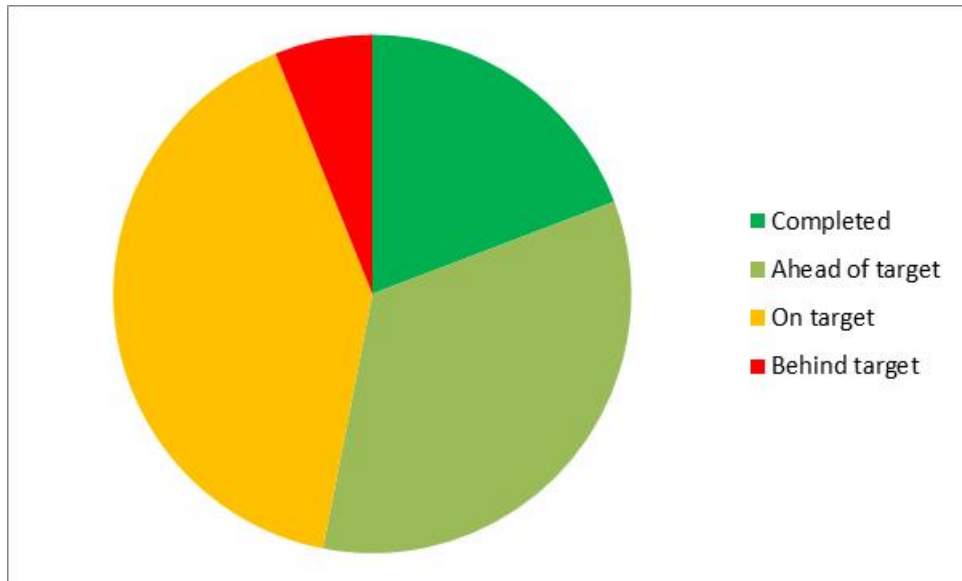
Not Applicable.

CONCLUSION:

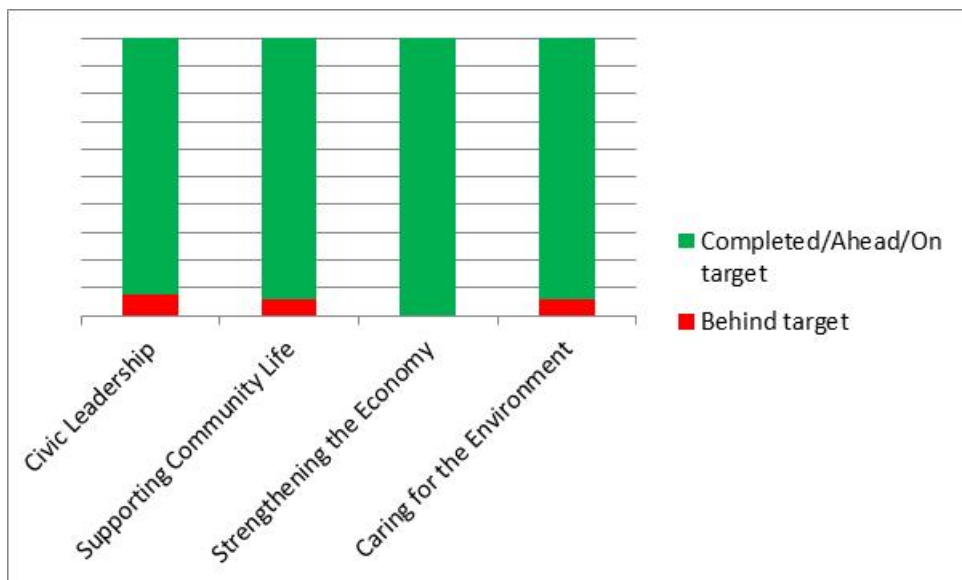
Overall Progress

Overall, 94% of the deliverables in the Operational Plan are completed, or on track to meet or exceed the target result. Only 6% of the deliverables are behind their original target.

More detail on these items is contained within Attachment 1 of this report.



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



COUNCIL IMPLICATIONS:

a. Policy:

Community Strategic Plan 2013/2013.
Operational Plan 2015/2016.

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 and Exceptions Report as at
31 December 2015 (ECM 3947922)

27 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 31 January 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 **\$234,751,563** invested as at **31 January 2016** and the accrued net return on these funds was **\$653,353** or **3.34%** annualised for the month.

RECOMMENDATION:

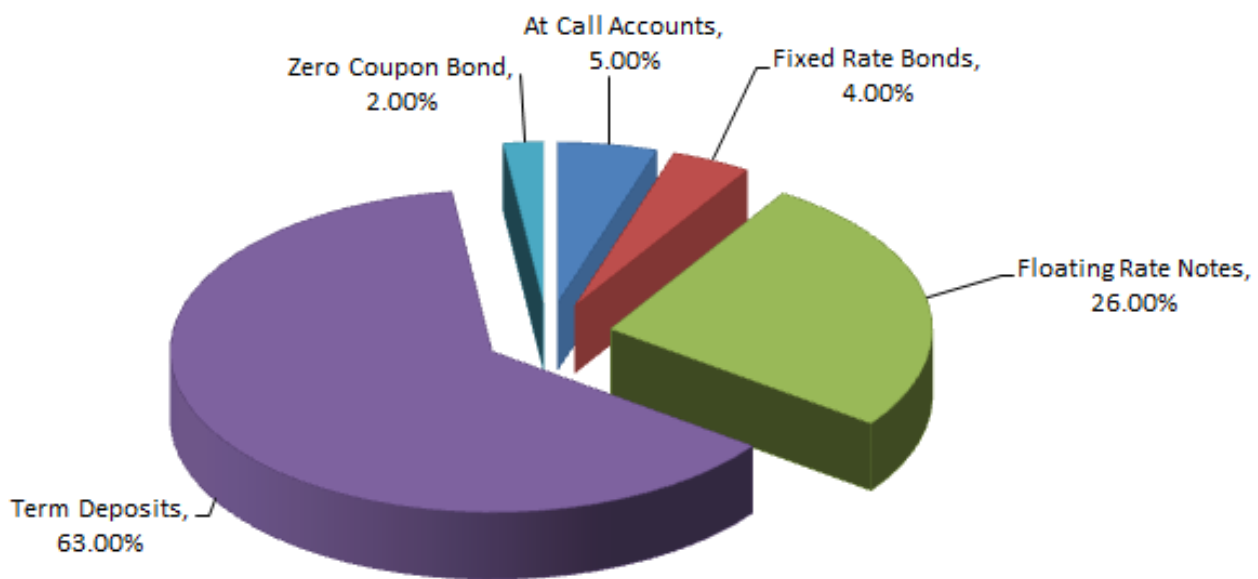
That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 January 2016 totalling \$234,751,563 be received and noted.

REPORT:

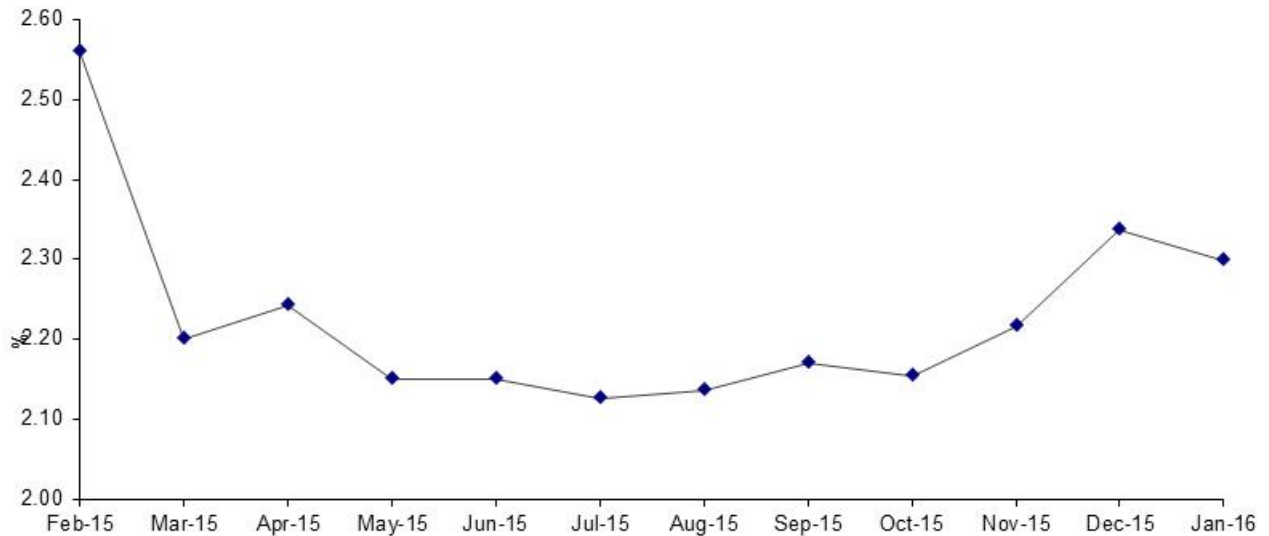
1. Restricted Funds as at 1 September 2015

Description	(\$'000)			Total
	General Fund	Water Fund	Sewer Fund	
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

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
	NAB (06/16)	2,000,000.00	2,015,500.00	3.53	FRN	21-Jun-16
	CBA (08/16)	1,000,000.00	1,012,420.00	3.45	FRN	02-Aug-16
	ING Bond(RBS) (08/16)	1,000,000.00	1,025,890.00	4.25	Fixed Rate Bond	23-Aug-16
*	ME Bank (CBA) (11/16)	1,000,000.00	1,009,640.00	3.52	FRN	28-Nov-16
*	ME Bank (Morgans) (11/16)	1,000,000.00	1,009,640.00	3.52	FRN	28-Nov-16
*	Suncorp Covered (RIMSEC) (12/16)	2,000,000.00	2,049,460.00	4.75	Fixed Rate Bond	06-Dec-16
*	Westpac (RBS) (02/17)	1,000,000.00	1,020,520.00	3.90	FRN	20-Feb-17
*	CUA (03/17)	1,000,000.00	1,005,540.00	3.66	FRN	20-Mar-17
*	CUA (03/17) (CBA)	1,000,000.00	1,005,540.00	3.66	FRN	20-Mar-17
*	Bendigo (RBS) (05/17)	3,000,000.00	3,036,240.00	3.34	FRN	17-May-17
	AMP (RIMSEC) (05/17)	2,500,000.00	2,529,650.00	3.37	FRN	29-May-17
	Heritage (RBS/RIMSEC) (06/17)	2,500,000.00	2,615,000.00	7.25	Fixed Rate Bond	20-Jun-17

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	ME Bank (ANZ) (11/17)	1,000,000.00	1,004,630.00	3.14	FRN	17-Nov-17
*	CUA (12/17) ANZ	1,000,000.00	1,003,190.00	3.56	FRN	22-Dec-17
	CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,690,356.80	7.17	Fixed Rate Bond	22-Jan-18
*	NPBS (Morgans) (02/18)	1,000,000.00	1,002,340.00	3.23	FRN	27-Feb-18
*	ME Bank (04/18)	1,000,000.00	1,004,500.00	3.59	FRN	17-Apr-18
	Heritage (Morgans) (05/18)	2,000,000.00	2,010,040.00	3.35	FRN	07-May-18
	Heritage (Westpac) (05/18)	1,000,000.00	1,005,020.00	3.35	FRN	07-May-18
	AMP (Morgans) (6/18)	1,000,000.00	1,005,210.00	3.18	FRN	06-Jun-18
*	BOQ (06/18)	1,000,000.00	1,004,860.00	3.35	FRN	12-Jun-18
*	BOQ (06/18)	1,000,000.00	1,027,170.00	4.00	Fixed Rate Bond	12-Jun-18
	Rabo (RBS) (09/18)	1,000,000.00	1,006,670.00	3.50	FRN	25-Sep-18
	CBA (CBA) (10/18)	2,000,000.00	2,000,500.00	3.07	FRN	19-Oct-18
	Macquarie (ANZ) (10/18)	1,000,000.00	998,520.00	3.33	FRN	26-Oct-18
	ANZ (11/18)	1,000,000.00	1,009,130.00	3.03	FRN	06-Nov-18
*	Bendigo (RBS) (11/18)	1,000,000.00	1,014,530.00	3.49	FRN	14-Nov-18
*	Westpac (JP Morgans) (02/19)	2,000,000.00	2,016,100.00	3.20	FRN	25-Feb-19
*	Suncorp (04/19)	2,000,000.00	2,009,620.00	3.37	FRN	23-Apr-19
	CBA (04/19)	1,000,000.00	1,001,090.00	3.15	FRN	24-Apr-19
	CBA Bond (04/19)	1,000,000.00	1,050,670.00	4.25	Fixed Rate Bond	24-Apr-19
*	Suncorp (CBA) (08/19)	1,000,000.00	1,002,700.00	3.19	FRN	20-Aug-19
	CBA (10/19)	2,000,000.00	1,996,020.00	3.14	FRN	18-Oct-19
*	Suncorp (11/19)	1,000,000.00	1,000,900.00	2.90	FRN	05-Nov-19
*	BOQ (11/19)	2,000,000.00	2,006,260.00	3.26	FRN	06-Nov-19
	Rabo (Morgans) (02/20)	2,000,000.00	2,003,320.00	3.26	FRN	11-Feb-20
	Macquarie (RIMSEC) (03/20)	2,000,000.00	2,000,740.00	3.40	FRN	03-Mar-20
	ANZ (04/20)	1,600,000.00	1,588,656.00	3.11	FRN	17-Apr-20
*	ANZ Green Bond (06/20)	2,000,000.00	2,018,180.00	3.25	Fixed Rate Bond	03-Jun-20
	CBA (07/20)	2,000,000.00	1,989,120.00	3.19	FRN	17-Jul-20

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	Westpac (07/20)	2,000,000.00	1,985,560.00	3.18	FRN	28-Jul-20
*	Bendigo (Westpac) (Aug 2020)	1,000,000.00	1,000,570.00	3.34	FRN	18-Aug-20
*	Bendigo (Westpac) (Aug 2020)	3,000,000.00	3,001,710.00	3.34	FRN	18-Aug-20
*	Bendigo (Westpac) (Aug 2020)	2,000,000.00	2,001,140.00	3.34	FRN	18-Aug-20
*	Suncorp (NAB) (08/20)	3,000,000.00	2,999,310.00	3.53	FRN	20-Oct-20
*	Westpac (WBC)	1,000,000.00	999,390.00	3.36	FRN	28-Oct-20
	CBA (01/21)	1,000,000.00	1,000,800.00	3.44	FRN	18-Jan-21
		73,600,000.00	73,793,562.80	3.59		
LEGEND						
Investment Type			ABS = Asset Backed Security			
			Bond = Fixed Rate Bond			
			FRN = Floating Rate Note			
Counterparty			Bendigo = Bendigo & Adelaide Bank		NPBS - Newcastle Permanent Building Society	
AMP = AMP Bank			Heritage = Heritage Bank		ME = Members Equity Bank	
ANZ = ANZ Bank			ING = ING Bank		RaboDirect = Rabo Bank	
BOQ = Bank of Queensland			Investec = Investec Bank		Rural = Rural Bank (previously Elders Bank)	
CBA = Commonwealth Bank			Macquarie = Macquarie Bank		Suncorp = Suncorp Metway Bank	
CUA = Credit Union Australia			NAB = National Australia Bank		WBC = WBC Banking Corporation	

5. Term Deposits

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	Rabo Bank (Mar 2017) (RIMSEC)	04-Mar-14	07-Mar-17	07/03/2017	2,000,000.00	4.15
	P&N Bank (RIMSEC) (Sept 2017)	22-Sep-14	21-Sep-17	21/09/2017	1,000,000.00	4.00
	RaboDirect (Curve) (Jan 2015)	13-Jan-15	15-Jan-19	15/01/2019	1,000,000.00	4.00
*	Auswide Bank (Curve) (Feb 2017)	03-Feb-15	07-Feb-17	07/02/2017	1,000,000.00	3.50
	RaboDirect (Curve) (Feb 2017) annual interest	10-Feb-15	10-Feb-16	14/02/2017	1,000,000.00	3.40
	NAB (Feb 2016)	17-Feb-15	16-Feb-16	16/02/2016	2,000,000.00	3.17
	BCU (Feb 2017)	19-Feb-15	18-Feb-16	21/02/2017	1,000,000.00	3.20
*	BOQ (Feb 2016)	23-Feb-15	23-Feb-16	23/02/2016	3,000,000.00	4.05

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	MEB (Curve) (Mar 2016)	25-Feb-15	25-Feb-16	01/03/2016	2,000,000.00	4.07
*	Bankwest (Mar 2016)	17-Mar-15	15-Mar-16	15/03/2016	1,000,000.00	3.00
	RaboDirect (RIMSEC) (Mar 2016) annual interest	22-Mar-15	22-Mar-16	22/03/2016	1,000,000.00	7.15
*	Auswide Bank (RIMSEC) (Mar 2016)	25-Mar-15	22-Mar-16	22/03/2016	1,000,000.00	3.06
	Macquarie Bank (RIMSEC) (Feb 2016)	13-May-15	08-Feb-16	08/02/2016	1,000,000.00	3.00
	CBA May (2020)	19-May-15	19-May-16	19/05/2020	2,000,000.00	3.41
	NAB (May 2016)	20-May-15	20-May-16	24/05/2016	3,000,000.00	4.00
	Rural Bank (Curve) (Jul 2016)	01-Jul-15	05-Jul-16	05/07/2016	1,000,000.00	3.00
	RaboDirect (Curve) (Jul 2016)	28-Jul-15	26-Jul-16	26/07/2016	1,000,000.00	5.40
*	MEB (Jul 2016)	29-Jul-15	29-Jul-16	26/07/2016	2,000,000.00	3.71
*	BOQ (Aug 2017)	05-Aug-15	08-Aug-16	08/08/2017	2,000,000.00	3.00
	RaboDirect (Curve) (Aug 2019)	07-Aug-15	07-Aug-16	13/08/2019	2,000,000.00	4.30
	AMP (RIMSEC) (May 2016)	11-Aug-15	10-May-16	10/05/2016	3,000,000.00	2.90
*	Bendigo (Curve) (Feb 2017)	11-Aug-15	09-Feb-16	14/02/2017	2,000,000.00	2.95
*	BOQ (Aug 2015)	11-Aug-15	06-Aug-16	08/08/2017	3,000,000.00	3.00
*	BOQ (Aug 2016)	11-Aug-15	06-Aug-16	08/08/2017	1,000,000.00	3.00
	NAB (Aug 2015)	11-Aug-15	16-Feb-16	16/02/2016	4,000,000.00	2.95
	NAB (Aug 2015)	18-Aug-15	16-Feb-16	16/02/2016	1,000,000.00	2.95
	Rabo (RIMSEC) (Feb 2018)	19-Aug-15	18-Aug-16	20/02/2018	3,000,000.00	3.00
	Rabo Bank (Curve) (Aug 2018)	21-Aug-15	21-Aug-16	21/08/2018	2,000,000.00	4.10
*	Suncorp (Aug 2015)	25-Aug-15	23-Feb-20	23/02/2020	2,000,000.00	2.85

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Suncorp (Aug 2015)	25-Aug-15	23-Feb-20	23/02/2020	2,000,000.00	2.85
*	Westpac (Aug 2020)	25-Aug-15	24-Aug-16	25/08/2020	2,000,000.00	3.00
	Rabo (Curve) (Aug 2018)	26-Aug-15	26-Aug-16	28/08/2018	3,000,000.00	3.00
*	Bendigo Bank (Sept 2019)	01-Sep-15	03-Sep-16	03/09/2019	1,000,000.00	4.15
	Maitland MBS (Mar 2016)	01-Sep-15	01-Mar-16	01/03/2016	2,000,000.00	3.00
	Rabo Bank (Curve) (Sept 2019)	01-Sep-15	01-Sep-16	03/09/2019	1,000,000.00	4.05
	Rural Bank (Curve) (Mar 2016)	01-Sep-15	01-Mar-16	01/03/2016	3,000,000.00	2.90
*	BOQ (Mar 2016)	02-Sep-15	01-Mar-16	01/03/2016	1,000,000.00	2.85
	QLD PCU (RIMSEC) (Mar 2016)	03-Sep-15	05-Sep-16	04/09/2018	1,000,000.00	3.05
	Rural Bank (Curve) (Mar 2016)	03-Sep-15	08-Mar-16	08/03/2016	1,000,000.00	2.85
	NAB (Sept 2016)	04-Sep-15	04-Sep-16	06/09/2016	4,000,000.00	4.25
*	Bendigo Bank (March 2017)	08-Sep-15	14-Mar-17	14/03/2017	1,000,000.00	2.80
	Gateway CU (RIMSEC) (June 2016)	08-Sep-15	07-Jun-16	07/06/2016	2,000,000.00	2.86
	NAB (Mar 2016)	15-Sep-15	22-Mar-16	08/03/2016	4,000,000.00	3.15
*	Suncorp (Mar 2016)	15-Sep-15	22-Mar-16	22/03/2016	4,000,000.00	2.92
*	BOQ (Sept 2015) annual interest	21-Sep-15	22-Mar-16	22/03/2016	2,000,000.00	2.95
	NAB (Mar 2016)	24-Sep-15	22-Mar-16	22/03/2016	2,000,000.00	3.00
*	Bendigo Bank (Curve) (April 2017)	13-Oct-15	13-Oct-16	18/04/2017	2,000,000.00	3.00
*	Bankwest (Oct 2015)	27-Oct-15	23-Feb-16	23/02/2016	1,000,000.00	2.85
	Defence Bank (Curve) (Oct 2017)	27-Oct-15	26-Oct-16	24/10/2017	1,000,000.00	3.00
*	IMB (Nov 2017)	05-Nov-15	05-Feb-16	06/11/2017	1,000,000.00	3.05
*	Bankwest (Nov 2015)	10-Nov-15	09-Feb-16	09/02/2016	2,000,000.00	2.90
	ING (RIMSEC) (Feb 2020)	11-Nov-15	11-Feb-16	11/02/2020	1,000,000.00	3.34

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
RaboDirect (Curve) (Nov 2016) annual interest	11-Nov-15	22-Nov-16	22/11/2016	1,000,000.00	6.30
NAB (May 2020) annual interest	12-Nov-15	12-Feb-16	12/02/2020	2,000,000.00	3.40
CBA (Feb 2020)	13-Nov-15	13-Feb-16	13/02/2020	1,000,000.00	3.14
* Westpac (Feb 2016)	18-Nov-15	18-Feb-16	18/02/2016	2,000,000.00	3.45
CBA May (2020)	19-Nov-15	19-Feb-16	19/05/2020	1,000,000.00	3.11
* BOQ (Feb 2016)	23-Nov-15	23-Feb-16	23/02/2016	1,000,000.00	3.85
Rabo (Curve) (Jul 2018)	26-Nov-15	26-Nov-16	03/07/2018	3,000,000.00	3.10
* Suncorp (Sept 2015)	01-Dec-15	31-May-16	31/05/2016	3,000,000.00	3.05
* Auswide Bank Bank (Dec 2016)	08-Dec-15	13-Dec-16	13/12/2016	3,000,000.00	3.76
* Investec (RIMSEC) (Jun 2016)	10-Dec-15	10-Mar-16	14/06/2016	1,000,000.00	3.45
* Bendigo Bank (Dec 2015)	15-Dec-15	18-Dec-17	18/12/2017	2,000,000.00	3.15
* BOQ (Sept 2016) quarterly interest	21-Dec-15	21-Mar-16	20/09/2016	2,000,000.00	3.66
NAB (Dec 2019)	21-Dec-15	21-Mar-16	17/12/2019	2,000,000.00	3.41
* Suncorp (Apr 2016)	24-Dec-15	19-Apr-16	19/04/2016	5,000,000.00	3.05
* IMB (Jan 2020)	06-Jan-16	06-Apr-16	06/01/2020	1,000,000.00	3.33
* Westpac (Apr 2016) quarterly interest	07-Jan-16	07-Apr-16	07/04/2016	2,000,000.00	3.62
* Westpac (Jan 2016)	11-Jan-16	11-Apr-16	12/01/2021	6,000,000.00	3.43
* BOQ (Jan 2016)	12-Jan-16	12-Jul-16	12/07/2016	2,000,000.00	3.10
NAB (Jan 2020)	18-Jan-16	18-Apr-16	21/01/2020	2,000,000.00	3.75
Big Sky BS	19-Jan-16	17-Jan-17	17/01/2017	2,000,000.00	3.10
* BOQ (Jan 2016)	19-Jan-16	19-Jul-16	19/07/2016	2,000,000.00	3.10
NAB (Oct 2016)	21-Jan-16	22-Feb-16	18/10/2016	2,000,000.00	2.97
* Investec (July 2016)	25-Jan-16	26-Apr-16	26/07/2016	2,000,000.00	3.37

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
ING (RIMSEC) (Jan 2019)	29-Jan-16	29-Apr-16	29/01/2019	2,000,000.00	3.14
NAB (Feb 2020)	03-Feb-16	03-May-16	03/02/2020	1,000,000.00	3.70
Total				149,000,000.00	3.41
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

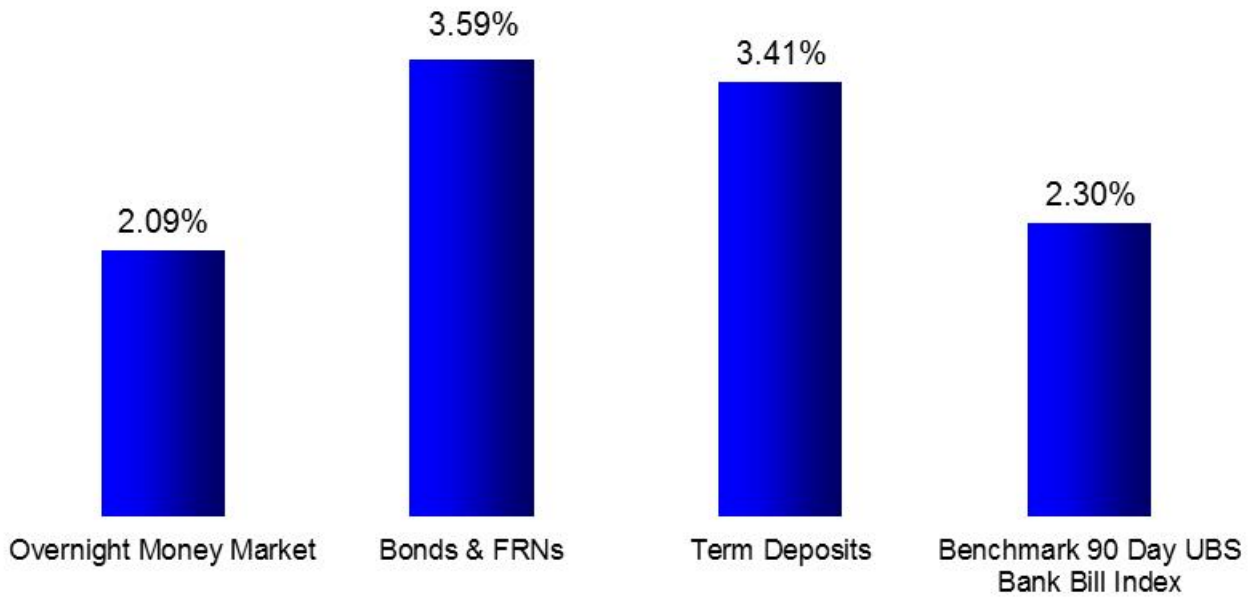
* Ethical Financial Institutions highlighted **\$112,752,571** which represents **48.03%** of the total portfolio.

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

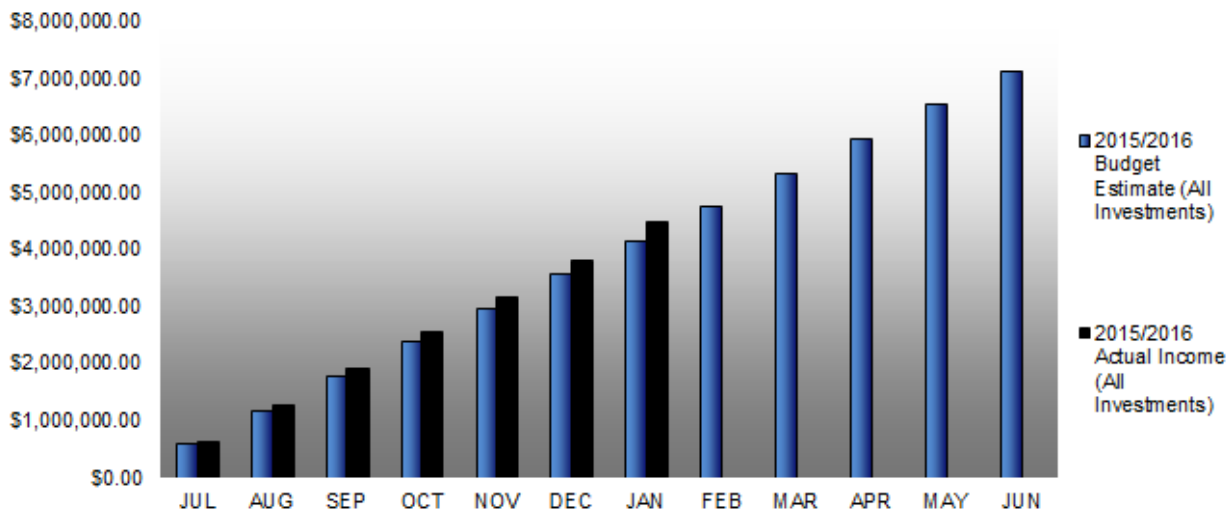
7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return	Above or (Below) 90 day BBSW Benchmark
Overnight Money Market	11,958,000.00	11,958,000.00	2.09%	-0.21%
Bonds & FRNs	73,600,000.00	73,793,562.80	3.59%	1.29%
Term Deposits	149,000,000.00	149,000,000.00	3.41%	1.11%
Benchmark 90 Day UBS Bank Bill Index 2.30%	234,558,000.00	234,751,562.80	2.30%	0.73%

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%	0.87%	A-1+	100%	16.17%
AA Category	100%	23.17%	A-1	100%	9.37%
A Category	60%	16.05%	A-2	60%	17.90%
BBB Category	20%	5.13%	A-3	0%	0.00%
Unrated	10%	2.39%	Unrated	10%	8.95%

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	45.19%	Minimum 40%
More than 365 days and less than 3 years	28.11%	Maximum 60%
3 years and less than 5 years	26.70%	Maximum 35%
Total	100.00%	

Market Value by Term Remaining

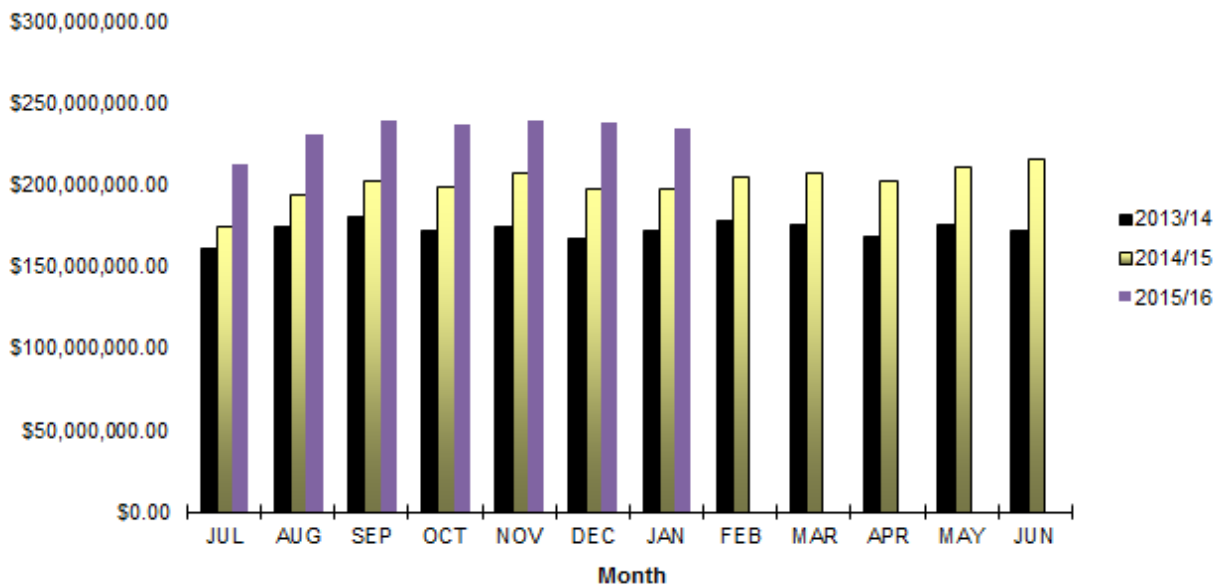


11. Investment Alternatives Explained

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

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
Floating Rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses if sold ahead of maturity and market interest rates have risen
			Coupon interest rate resets quarterly based on 90 day bank bill swap rate	Credit exposure to company issuing the paper
			Relatively liquid	May not be bank guaranteed
			Less administration than bank bills	Underperforms other asset classes in the long term
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	4,300,467	
2	Western Drainage	611,962	
3	DCP3 Community Facilities	1,656	
4	TRCP Road Contributions	12,411,123	27,100
5	Open Space	383,750	7,104
6	Street Trees	192,845	
7	West Kingscliff	463,942	993
10	Cobaki Lakes	-1,370	
11	Libraries	2,073,678	6,028
12	Bus Shelters	89,708	468
13	Cemeteries	66,262	878
14	Mebbin Springs	91,560	
15	Community Facilities	1,081,845	9,995
16	Surf Lifesaving	399,698	
18	Council Administration/Technical Support	1,194,333	13,379
19	Kings Beach	743,521	
20	Seabreeze Estate	764	
21	Terranora Village	33,049	
22	Cycleways Shirewide	261,820	3,400
23	Carparking Shirewide	1,428,773	
25	SALT	1,138,034	
26	Open Space Shire wide	1,037,301	35,406
27	Tweed Heads Masterplan	178,360	
28	Seaside City	343,119	
91	DCP14	109,574	
92	Public Reserve Contributions	137,363	
95	Bilambil Heights	535,822	
	Total	29,308,959	104,751

14. Economic Commentary

Australian and World Economy and Cash Rate

The Reserve Bank of Australia (RBA) met on 2 February and decided to leave the cash rate unchanged at 2 per cent.

Recent information suggests the global economy is continuing to grow, though at a slightly lower pace than earlier expected. While several advanced economies have recorded

improved growth over the past year, conditions have become more difficult for a number of emerging market economies. China's growth rate has continued to moderate.

Commodity prices have declined further, especially oil prices. This partly reflects slower growth in demand but also very substantial increases in supply over recent years. The decline in Australia's terms of trade, which began more than four years ago, has therefore continued.

Financial markets have once again exhibited heightened volatility recently, as participants grapple with uncertainty about the global economic outlook and diverging policy settings among the major jurisdictions. Appetite for risk has diminished somewhat and funding conditions for emerging market sovereigns and lesser-rated corporates have tightened. But funding costs for high-quality borrowers remain very low and, globally, monetary policy remains remarkably accommodative.

In Australia, the available information suggests that the expansion in the non-mining parts of the economy strengthened during 2015 even as the contraction in spending in mining investment continued. Surveys of business conditions moved to above average levels, employment growth picked up and the unemployment rate declined in the second half of the year, even though measured GDP growth was below average. The pace of lending to businesses also picked up.

Inflation continues to be quite low, with the CPI rising by 1.7 per cent over 2015. This was partly caused by declining prices for oil and some utilities, but underlying measures of inflation are also low at about 2 per cent. With growth in labour costs continuing to be quite subdued as well, and inflation restrained elsewhere in the world, consumer price inflation is likely to remain low over the next year or two.

Given these conditions, it is appropriate for monetary policy to be accommodative. Low interest rates are supporting demand, while regulatory measures are working to emphasise prudent lending standards and so to contain risks in the housing market. Credit growth to households continues at a moderate pace, albeit with a changed composition between investors and owner-occupiers. The pace of growth in dwelling prices has moderated in Melbourne and Sydney over recent months and has remained mostly subdued in other cities. The exchange rate has continued its adjustment to the evolving economic outlook.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with 68% of the portfolio held in cash and term deposits. Term deposits and bonds particularly are paying just above average margins over the 90 day bank bill rate.

Bank demand for term deposit funds has diminished since the start of the 2015/16 financial year in conjunction with the low cash rate and new banking capital requirements. This lack of demand for funds is highlighted by the lowering of many "at call" rates to less than the RBA cash rate and compressed margins above the 90 day bank bill benchmark for term deposits. These compressed margins are not expected to continue further into 2016 as banks requirement for depositors funds begin to increase.

Lack of bank demand for term deposits and the historic low cash rate is translating to lower total investment yields. This continues to present difficulties obtaining reasonable investment income without risking capital.

All investment categories, except 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 an average 0.73% 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	13,476,726.80	
	FLOATING RATE NOTES	60,316,836.00	
	ASSET BACKED SECURITIES	0.00	
	FUND MANAGERS	0.00	
	TERM DEPOSITS	43,000,000.00	
	CALL ACCOUNT	11,958,000.00	128,751,562.80
WATER FUND	TERM DEPOSITS	41,000,000.00	
	FUND MANAGERS	0.00	41,000,000.00
SEWERAGE FUND	TERM DEPOSITS	65,000,000.00	
	FUND MANAGERS	0.00	65,000,000.00
TOTAL INVESTMENTS			234,751,562.80

It should be noted that the General Fund investments of \$129 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
-

28 [NOM] Tweed Valley Women's Services

NOTICE OF MOTION:

Councillor K Milne moves that:

- 1. Council notes:**
 - a) The Tweed Valley Women's Service has provided counselling, education, mentoring, crisis accommodation, transitional housing support and cultural safety for women and children experiencing domestic violence in the Tweed Shire for 30 years; and**
 - b) The Tweed Valley Women's Service was advised on 17 December 2015 that their contract was suddenly cancelled by their lead agency On Track Community Programs meaning \$580,000 in NSW State Government funding along with 13 jobs have been cut.**
- 2. Council recognises that:**
 - a) As a result of this funding cut the Tweed Valley Women's Service was forced to close the doors during the high risk Christmas period after 30 years of providing safety, refuge and support to the women and children of the region; and**
 - b) The forced closure of this vital service leaves a devastating gap in services for victims of domestic violence in the Tweed Shire.**
- 3. The Mayor writes to the NSW Liberal and National State Government to immediately restore State Government funding to the Tweed Valley Women's Service to enable them to reopen and operate these vital services to the same or greater capacity as previously provided, and to assist with negotiations to resolve any legitimate concerns about their contract.**

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Tweed Shire Council Officers have been working with the Domestic and Family Violence service sector through attending the Tweed Domestic Violence Integrated Response Committee (DVIRC), and also through providing Secretariat support to the Tweed Shire Housing and Homelessness Network (TSHHN). On occasion Community Options receive referrals for clients who are victims of domestic violence or homelessness and work with appropriate local service providers with specific expertise. Rarely are Community Options the first point-of-contact given it is not a crisis service, referrals are forwarded from a local service provider.

NSW Government Family and Community Services provide Specialist Homelessness Services (SHS) funding to On Track Community Programs Ltd (OTCP) commenced October 2013, as a Lead provider to deliver services in the Tweed Local Government Area. SHS funding can be extended in 3-year blocks dependent upon service providers meeting contract requirements and government funding availability. OTCP current funding extends to 30 June 2017.

OTCP has SHS funding for the following three service packages:

- Northern NSW Homelessness Support Services for Aboriginal Women Experiencing Domestic and Family Violence
- Northern NSW Homelessness Support Service for Women Experiencing and Family Violence
- Northern NSW Aboriginal Homelessness and Prevention Service

Under these funding guidelines, the Lead providers are expected to work in partnership with first-to-know agencies to support people at risk of homelessness or those experiencing homelessness.

A letter emailed from OTCP Chief Executive Officer Elaine De Vos (22 December 2015) to Sylvia Roynance (Tweed Shire Council – Community Development Officer – Families and Youth) in her role as Secretariat for the TSHHN, informed the network that OTCP had terminated their subcontracting arrangements with Tweed Valley Women's Service (TVWS) in relation to delivery of Women's Domestic and Family Violence Services and Aboriginal Domestic and Family Violence Services. On Thursday 17/12/15, correspondence was issued notifying TVWS that the contractual relationships between OTCP and TVWS to deliver the relevant two SHS programs would be terminated effective immediately. As noted in the letter, OTCP assured Council and the broader sector that services for women and children experiencing domestic and family violence were not being ceased or reduced. OTCP informed that they would ensure services continue by providing them directly in the

short term, and that they would work with others to plan for appropriate medium and long term service delivery to ensure that service delivery is maintained.

Tweed Shire Council Officers have continued to seek information regarding the provision of the Specialist Homeless Service packages by OTCP to the Tweed Shire community and to date have been informed of the following service provision:

- The refuge for women and children escaping domestic and family violence reopened 18 January 2016. Refuge locations are confidential. Due to significant safety concerns, women and children are not housed in the area they have resided
- Telephone referral service provides access to crisis response support and accommodation. After-hour support is provided through 24/7 services such as DV Line (NSW); DV Connect (QLD); and Link2Home.
- Walk in service available at OTCP offices in Tweed Heads and Ballina.

OTCP is currently investigating suitable premise options.

Council Officers maintain stakeholder relationships in the community with regard to these issues, however do not have access to information regarding confidential contractual arrangements between Government funding bodies and Not-for-profit service providers.

Delivery Program:

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.1	Foster strong, cohesive, cooperative, healthy and safe communities
2.1.1	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

Budget/Long Term Financial Plan:

Not applicable.

Legal Implications:

Not applicable.

Policy Implications:

Homelessness Policy Version 1.0 adopted by Council on Thursday 22 October 2015

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. On Track Community Programs Ltd - Factsheet: "*Update on Domestic and Family Violence support from Tweed Heads to Ballina*" (February 2016) (ECM3947746)

29 [NOM] Transparency of Councillor Expenses

NOTICE OF MOTION:

Councillor K Milne moves that Councillors' monthly expenses claims be reported in the Council business papers to enhance transparency and accountability.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Council is currently meeting it's requirements under the Local Government Act and associated regulations in regard to meeting the transparency and accountability requirements relating to Councillor expenses.

The following extracts from the Local Government Act 1993 relate to Councillors expenses. Also, Clause 252 is included in both the current policy (Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Version 1.9) and the proposed version (Version 2.0) currently on exhibition.

252 Payment of expenses and provision of facilities

- (1) *Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) *The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) *A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) *A council may from time to time amend a policy under this section.*
- (5) *A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

The NSW Government Office of Local Government in October 2009 published a document titled "**Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW**" which included Annual Reporting requirements and clause 1.7.5 states

"In accordance with clause 217 of the Regulation and for the purposes of transparency and accountability, councils are required to include detailed information in their annual reports about the payment of expenses and facilities to councillors. This should not be

seen as a disincentive for the payment of appropriate expenses and the provision of appropriate facilities to councillors.”

In accordance with our requirements, each year as part of the content of Council's Annual Report, a table is included containing the payment of Councillor Fees and Expenses and Conferences and Seminars attended. In the 2014-2015 Annual Report this table was featured on Page 47.

Council is therefore meeting its requirements detailed in clause 217 of the regulation ensuring transparency in its public notification of these expenses and any requests in excess of what is required and already being undertaken will require the allocation of additional costs to Council's existing administration resources.

Delivery Program:

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Budget/Long Term Financial Plan:

See Management Comments.

Legal Implications:

See Management Comments.

Policy Implications:

See Management Comments.

30 [NOM] Benefits of Funding Alternative Options other than the Rail Trail

NOTICE OF MOTION:

Councillor K Milne moves that Council:

- 1. Notes the \$13,000,000 of public funds required to establish the Rail Trail from Murwillumbah to Crabbes Creek, and the \$275,000 allocated from ratepayer funds for the Rail Trail in the Council budget.**
- 2. Notes the Tweed Coast Cycle Way that already provides for tourist cycling attraction and also has the benefit of enhancing community transport connections.**
- 3. Notes the limited community transport connections provided by the Rail Trail to Crabbes Creek.**
- 4. Notes the tourist attractions already currently benefiting Murwillumbah among those being:**
 - The gateway to Wollumbin / Mt Warning and hinterland scenic landscapes attracting 100,000 visitors per annum,**
 - The Art Gallery and Margaret Olley Art Centre,**
 - The Murwillumbah Museum,**
 - The Treasures of the Tweed Mural Walk and Graffiti Wall,**
 - The Caldera Art Project at the Visitor Information Centre,**
 - The Knox Park upgrade adventure playground and skatepark, and**
 - The heritage values of the town's buildings.**
- 5. Brings forward a report on the benefits the \$275,000 of ratepayer funds allocated to the Rail Trail could bring to the town if these funds were redirected to investing in beautifying and showcasing the heritage values of the town to entice visitors to stop, admire and shop in the town, and the benefits enhancing the aesthetic heritage values of the town would provide for a sense of pride of place for the community.**

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Budget/Long Term Financial Plan:

Council first allocated \$275,000 in the 2014/15 Budget for the development of the Rail Trail. Various works has been completed on this project including extensive community consultation, conceptual and detailed design of the Murwillumbah to Art Gallery Section, and the submission of various applications for external funding. There is currently \$210,000 remaining in the 2015/16 budget from the initial allocation.

Council has previously resolved to submit applications to the NSW Government and Federal Government for the Tweed Stage of the Rail Trail project. These submissions have been drafted on the basis of a financial contribution from Council as above.

Legal Implications:

Not applicable.

Policy Implications:

Not applicable.

31 [NOM] Code of Conduct Version 2.0 Amendment

NOTICE OF MOTION:

Councillor C Byrne moves that

1. Council's Code of Conduct v2.0 be amended to include the following provisions in light of Council's obligations under the Workplace Surveillance Act 2005:

6.2 Councillors or administrators must not:

- e) *Take photographs, video record, or tape (recordings) interactions with Council officers or employees; when they are engaged in any duties at a Workplace (means premises, or any other place, where employees work, or any part of such premises or place (Section 3 of the Workplace Surveillance Act 2005)) unless permission has been granted by the officers or employees and the use expressly defined.*
- f) *Upload images, video or recordings of council officers or employees to social media sites without seeking written consent from the officer/s or employee/s.*

2. Council's Code of Conduct v2.0, 6.7 f) be amended as follows:

6.7 You must not engage in any of the following inappropriate interactions:

- f) *Councillors and administrators making personal attacks on council staff in a public forum, including social media.*

3. Mayor and Councillors Interactions with Staff and Access to Council Premises, Version 1.0 be amended in accordance with 1 and 2 above.

4. Code of Meeting Practice be amended as follows:

2.9 Recording of Meeting of Council or Committee Prohibited Without Permission - with the addition of:

Recording of meeting also extends to photographs.

5. A sign be placed at the entrance to the chamber clearly identifying the prohibitions in icon formatting with an inclusion to state unless the person has obtained prior permission from the General Manager.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Delivery Program:

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Budget/Long Term Financial Plan:

Nil.

Legal Implications:

For Council's information the following information is provided by Facebook Help Centre (extract below as follows):

"Protecting Other People's Rights

We respect other people's rights, and expect you to do the same.

- 7. If you collect information from users, you will: obtain their consent, make it clear you (and not Facebook) are the one collecting their information, and post a privacy policy explaining what information you collect and how you will use it."*

The proposed amendments reflect policy positions for other tiers of government including those recently introduced by the Queensland State Government in September 2015.

Policy Implications:

If adopted the policies identified would need to be amended and may possibly be exhibited for public comment and submissions.

QUESTIONS ON NOTICE

32 [QoN-Cr C Byrne] Draft Councillors-Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 2.0

QUESTION ON NOTICE:

Councillor C Byrne asked the Mayor, Councillor K Milne:

At last month's Ordinary Council Meeting with regard to *Item 17, Draft Councillors-Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 2.0*, you did state, that you had been "threatened". At the time you did not elaborate on this profound statement, even when asked to do so. Such a profound statement has the ability to bring this council into disrepute, and the implications that such an action emanated from a Councillor or Council staff member needs to be addressed.

For the benefit of the public record and for greater transparency, you are asked to advise who "threatened" you and how this 'threat' was generated?

33 [QoN-Cr K Milne] Rail Trail

QUESTION ON NOTICE:

Councillor K Milne asked:

Have safety concerns in regard to the isolated nature of the Rail Trail been taken into account and if so how will these be addressed?

34 [QoN-Cr K Milne] Funding for Tweed Heads and South Tweed Streetscapes

QUESTION ON NOTICE:

Councillor K Milne asked:

Is there an opportunity to apply to State or Federal Governments for funding for the greening and beautification of the streetscapes of Tweed Heads and South Tweed Heads to enhance economic development and community comfort, and if so, how could this be progressed?

35 [QoN-Cr K Milne] Environmental Enforcement Levy

QUESTION ON NOTICE:

Councillor K Milne asked:

Can Council provide advice on the Environmental Enforcement Levy for developments in regard the amounts collected and expended, whether the current rates are providing adequate resources to achieve comprehensive compliance, and whether there is a case for the rates in the levy to be reviewed?

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

36 [SUB-TAD] Minutes of the Tweed Shire Australia Day Committee Meeting held Monday 7 December 2015

SUBMITTED BY: Director Corporate Services



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Tweed Shire Australia Day Committee Meeting held Monday 7 December 2015 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Tweed Shire Australia Day Committee Meeting held Monday 7 December 2015 be received and noted.

REPORT:

The Minutes of the Tweed Shire Australia Day Committee Meeting held Monday 7 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Oxley Meeting Room

Time:

10.05am

Present:

Alan Downes (Chairperson), Lloyd Warren, Wendy Warren, Sue Breckenridge, Brian Breckenridge, Graham Jackson, Brian Goodall, John Murray, Cr Katie Milne, Kerrie McConnell (Acting Events and Festivals Officer)

Guest:

Liz Collyer, Director Corporate Services, Tweed Shire Council

Apologies:

Dot Holdom, Phil Kelly

Welcome:

Kerrie McConnell welcomed everyone and advised that she is the Acting Events and Festivals Officer until the position is permanently filled early next year. With regard to the membership of the Committee, Council called for Expressions of Interest for community membership on the Australia Day Committee in the Tweed Link on 27 October 2015. As a result, four new members were appointed to the Committee at Council's meeting of 19 November – John Murray, Dot Holdom, Philip Kelly and Brian Goodall.

Also, as Council has changed the reporting hierarchy for the position of Events and Festivals Officer to the Director Corporate Services, therefore Liz Collyer is attending the meeting as a guest.

Minutes of Previous Meeting:

Moved: Graham Jackson

Seconded: Lloyd Warren

RESOLVED that the Minutes of the Tweed Shire Australia Day Committee meeting held Wednesday 10 December 2014 be accepted as a true and accurate record of the proceedings of that meeting.

Election of Chairperson:

Nominations were called from the floor for the position of Chairperson.

Alan Downes moved that Cr Katie Milne be appointed as Chairperson, seconded by Graham Jackson. Cr Milne respectfully declined the nomination.

Lloyd Warren moved that Brian Breckenridge be appointed as Chairperson, seconded by Cr Katie Milne. Mr Breckenridge respectfully declined the nomination.

Cr Katie Milne moved that Alan Downes be appointed as Chairperson, seconded by Brian Breckenridge. Mr Downes accepted the nomination.

Moved: Cr Katie Milne

Seconded: Brian Breckenridge

RESOLVED that Alan Downes be appointed as Chairperson of the Tweed Shire Australia Day Committee for 2016.

Business Arising:

Nil.

Agenda Items:

1. Consideration of Nominations for Australia Day Awards

The Committee expressed their disappointment at the few nominations received for the 2016 Australia Day Awards. It was suggested that the deadline for nominations be extended to 4.30pm Friday 18 December 2015 and that the nomination form be updated to state that more than one category can be selected for nominees.

Committee members are to 'spread the word' that the deadline for nominations has been extended. Council's Communications and Customer Service Unit can assist by including an advert in next week's Tweed Link, as well as distributing a media release.

Cr Milne queried the inclusion of an additional category that promotes peace and unity. Cr Milne was advised that the 2016 debrief meeting would be the time to discuss the inclusion of an additional category.

2. Australia Day Ambassador

The Australia Day Ambassador for 2016 is Mr Tim Shaw. A copy of Mr Shaw's biography and photo has been provided to the Committee for their information. It is to be noted that this information is currently embargoed.

A discussion was held on how the Ambassador would be transported on the day and also which venues he would be attending. The following was suggested:

Tumbulgum	8am	Breakfast
Kingscliff	11am	Main event
Burringbar	2pm	Afternoon activities

A visit to Tyalgum was also mentioned however the Committee were mindful of timing and considered a visit unlikely as Tyalgum's events occurred around the same time as the main event at Kingscliff.

3. Main Event – Kingscliff High School

Kerrie McConnell circulated pictures of the Kingscliff High School site and hall and advised that the details of a meeting with Mr Barry Cowell from Kingscliff High School were confirmed in an email on 30 November 2015.

The Official Program was discussed and the following proposed:

10.30am	New Citizens to register at front desk outside of hall
11am	Welcome and Dedication by Mayor of Tweed, Cr Katie Milne
	Mayor Introduces Australia Day Ambassador, Mr Tim Shaw
	Address by Tweed Shire Australia Day Ambassador
	Message from Federal Member of Richmond, Justine Elliot
	Address by State Member for Tweed, Geoff Provest
	The Mayor and Ambassador present Tweed Shire Australia Day Awards
	Mayor of Tweed to conduct the Citizenship Ceremony
	Oath or Affirmation by new Citizens
	Presentation of the Citizenship Certificates
National Anthem (Kingscliff High Student – name to be provided)	
12.30pm	An opportunity for new Citizens and Australia Day Awardees to take photos with Mayor, Australia Day Ambassador and Parliamentary Members, family and friends.
12.45pm	Refreshments

It was noted that with 45 new Citizens, rather than 30 new Citizens being invited to the ceremony, that it would lengthen the Ceremony by at least 15 minutes.

Kerrie McConnell tabled an email from Tweed Girl Guides who had expressed an interest in participating in the Australia Day Citizenship Ceremony. The girls are aged between 7 and 14 years and are happy to participate in the ceremony in any way possible. It was suggested that the Girl Guides be ushers and escort the new Citizens to their seats following registration.

Action: That Kerrie McConnell email the Leader – Tweed Girl Guides and advises that the Committee would welcome their participation in the Australia Day Ceremony as ushers.

Liz Collyer left at 11.10am

A discussion was held on the time the Ambassador would need to leave the main event to travel to Burringbar. Cr Milne expressed a wish to be able to stay at the main event so she has an opportunity to meet with the new Citizens.

John Murray left at 11.15am

Alan Downes is to advise at the next meeting if he is able to assist the Mayor with the transport of the Ambassador on the day.

4. Shire Events

A discussion was held on what Australia Day events are being held throughout the Shire. Kerrie McConnell advised that she has not aware of or to date received registration for Australia Day events in Murwillumbah, Tweed Heads or Pottsville. A brief outline of the Committee's events was provided:

Kingscliff Lions	7am Breakfast in the Park 11am Main Event
Burringbar Sports Club	Noon Flag raising Activities for the whole family BBQ 2pm Awards presentation
Tumbulgum, Bawden St	8-9am Breakfast Flag raising Novelty events 10am Social cricket

General Business:

5. Merchandise Order

The Committee queried when orders had to be placed for Australia Day merchandise.

Action: That Kerrie McConnell sends an email to the Committee requesting their Australia Day merchandise order prior to Christmas.

Cr Milne left at 11.30am.

Next Meeting:

The next meeting of the Tweed Shire Australia Day Committee will be held Wednesday 6 January 2016 commencing at 10.00am (DST).

The meeting closed at 11.30am.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - revised by Council on 21 August 2012 (ECM 3283081)

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.

37 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 7 December 2015

SUBMITTED BY: Recreation Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.6 Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities
-

SUMMARY OF REPORT:

The Minutes of the Sports Advisory Committee Meeting held Monday 7 December 2015 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Sports Advisory Committee Meeting held Monday 7 December 2015 be received and noted.

REPORT:

The Minutes of the Sports Advisory Committee Meeting held Monday 7 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Banora Point Community Hall

Time:

5.00pm

Present:

Leigh Tynan, Linton Alford, Bruce Campbell, Helen Rigney, Barry Bennett, Cr Warren Polglase, Cr Phil Youngblutt, Stewart Brawley.

Apologies:

Gillian Austin, Rob Nienhuis.

Minutes of Previous Meeting:

Moved: Warren Polglase

Seconded: Linton Alford

RESOLVED that the Minutes of the Sports Advisory Committee meeting held Monday 10 August 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

1. Sportsfield Wet Weather Policy

Stewart advised the committee that the Sportsfield Wet Weather Policy had been adopted by Council.

Agenda Items:

1. Club Grants

Council received notification that it was unsuccessful in its application for funding through the club grants program to contribute to the initial stages of implementation of the Kingscliff Sportsfield Master Plan. Over 1,000 applications were received with only those "shovel ready" receiving funding.

2. Graffiti Management

Council has developed graffiti kits which can be provided to community groups to undertake graffiti removal in the community. The option of providing kits to various sports clubs and requesting the clubs to manage graffiti on their facilities was discussed.

Moved: Merve Edwards

Seconded: Helen Rigney

RESOLVED that Council supplies graffiti removal kits to clubs using Council managed facilities and request the clubs to manage graffiti at their sites.

3. Australian Sports Foundation

The committee was presented with information from the Australian Sports Foundation (ASF) regarding opportunities for sporting organisations to raise funds for their sporting activities. Clubs can register their organisation and project with the ASF and donations are made to the ASF allowing donors to use their tax deductible status to claim tax relief for donations of two dollars or more.

4. Aquatic Facilities Business Plan

Council is currently in negotiations with the aim of developing an Enterprise Agreement for the management of Councils aquatic facilities. A business plan will be developed in 2016 to provide future direction of the management of these facilities.

5. Black Rocks Sports Fields Upgrade Master Plan Implementation Update

The Committee discussed the ongoing issues at Black Rocks regarding access and use of the fields.

6. Kingscliff Sports Fields Upgrade

Council received notification that it was unsuccessful in its application for funding to contribute to the initial stages of implementation of the Kingscliff Sportsfield Master Plan. Council will continue to liaise with the clubs on detailed planning on associated approvals to support future funding applications.

7. Arkinstall Park Soccer Fields Upgrade

The committee were shown photographs of the works undertaken to upgrade Arkinstall Park main football field. Works included upgrade of the irrigation system and replacement of the playing surface.

General Business:

Nil.

Next Meeting:

The next meeting of the Sports Advisory Committee will be held Monday 8 February 2016.

The meeting closed at 5.30pm.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

Nil.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - adopted 21 August 2012 (ECM2846627).

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

38 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 December 2015

SUBMITTED BY: Community and Cultural Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 December 2015 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That:

- 1. The Minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 December 2015 be received and noted; and**
- 2. The Executive Management Team's recommendations be adopted as follows:**

OM6. Addressing Attacks on Guide Dogs by Other Dogs

That the Equal Access Advisory Committee invites a representative from Guide Dogs Australia to present on the extent of current risks and the strategies Guide Dogs Australia has implemented to manage such risks.

REPORT:

The Minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Coolamon Centre

Time:

10.00am

Present:

Milena Morrow (Chair); Una Cowdroy; Suzanne (Suzi) Hudson; Wendy Gilbert; Chris Vannucci, Bev Kelso (arrived at 10.18am), Lee Clark (Community Representatives); Cr Phil Youngblutt, Karen Collins; Alana Brookes, Gabby Arthur (Minutes) (Tweed Shire Council).

Apologies:

Faye Druett (Community Representative), Robert Noakes (Tweed Shire Council).

Minutes of Previous Meeting:

Moved: Milena Morrow

Seconded: Cr Phil Youngblutt

RESOLVED that the Minutes of the Equal Access Advisory Committee meeting held Wednesday 14 October 2015 be accepted as a true and accurate record of the proceedings of that meeting with the exception that it was noted that Faye Druett should have been recorded as an apology.

Business Arising:

Nil.

Outstanding Matters Report

OM1. Designated Accessible Parking Bays (DAPBs) at Tweed Centro Shopping Centre
Bev advised that she hasn't been able to progress this item however noted that the DAPBs flood during wet weather.

RESOLVED:

That Council writes a letter to Tweed Centro Shopping Centre Management regarding the non-compliance of the designated accessible parking bays and to request a meeting with Centre Management.

Action: *Letter to be sent to Tweed Centro Shopping Centre Management regarding non-compliance of DAPBs and requesting meeting. Responsibility: Karen Collins.*

OM2. Bus stop outside Kingscliff TAFE

Karen advised that there is no update on this item as she hasn't received an update from the bus company. Alana advised that she will follow up with the bus company.

Action: *Bus Company to be contacted by Council officer for update. Responsibility: Alana Brookes.*

OM3. Large print menus and supermarket signage

Karen noted that this item is linked to Agenda Item GB1. The Blind and Vision Support Group is working on a project to make Murwillumbah more accessible for people with low vision. This has become a broader project which includes development of strategies and solutions for businesses to include large print menus in cafes and signage in supermarkets. Suzi will be invited to attend the next meeting so that she can provide feedback.

*Action: Suzi to be invited to attend next meeting with Blind and Vision Support Group to provide feedback on large print menus in cafes and supermarket signage.
Responsibility: Karen Collins.*

OM4. Ramp at PCYC, Tweed Heads

Karen advised that this item hasn't progressed as she needs to meet with the new PCYC Manager and Lifebridge. Although Council is the owner of the building, the tenant is responsible for the maintenance and upgrades to the building. There are some safety issues associated with the request as the door to the woodworking room where the ramp is required is adjacent to the roadway.

Action: Meeting to be arranged with Manager PCYC and Lifebridge regarding ramp at PCYC. Responsibility: Karen Collins.

OM5. Cultural Plan consultation

This item has been deferred. As 90 minutes is required for the consultation, the preferred option is that a separate workshop be held in March 2016 at Banora Point Community Centre.

Action: Karen to liaise with Kate Gahan and email to EAAC some suggested dates for the workshop in March 2016. Responsibility: Karen Collins.

OM6. Addressing Attacks on Guide Dogs by Other Dogs

Karen advised that this item has not progressed.

Karen noted that one of the items listed for 2018 in the Access and Inclusion Action Plan is to engage a consultant to develop a strategy to protect guide dogs. This item could be brought forward to 2016. Funds are available in the Access Reserve which could be used to engage a consultant. The EAAC agreed that this item be brought forward to 2016.

Moved: Lee Clark

Seconded: Cr Phil Youngblutt

RECOMMENDATION: That Strategic Outcome 3, Action Item 3 in the Access and Inclusion Plan to engage a consultant to undertake a research project to develop a strategy that supports a dog culture to improve the health and safety of guide dogs and assistance animals and their owners be brought forward to 2016, and that funds in the Access Reserve be used to engage a consultant.

Agenda Items:

A1. Access and Inclusion Policy and Action Plan

Karen advised that she has submitted a progress report to Council on the Access and Inclusion Plan 2014-2015 including an update on achievements to date. Karen provided an update to the EAAC.

Milena advised that as the Chair of the EAAC she has been invited by the Northern Rivers Social Development Council to provide a presentation on Tweed Shire's Access and Inclusion Plan in February 2016 via video conferencing. The EAAC agreed that it supports Milena presenting it at the NRSDC meeting. The date of the meeting is yet to be confirmed however Milena will advise Lee of the date when it is provided.

Action: *Milena to advise Lee of the date of the NRSDC meeting when it is provided.
Responsibility: Milena Morrow.*

Action: *Copy of the Council report on the progress of the Access and Inclusion Plan 2014-2015 to be provided to EAAC. Responsibility: Karen Collins.*

A2. 2015 Access and Inclusion Awards

Karen noted the success of the 2015 Awards, and advised she has received some suggestions for next year's event. The first planning meeting for the 2016 Awards will be held in February/March 2016, and the EAAC were invited to attend the meeting.

The EAAC provided feedback in relation to the catering and requested that it be provided back to Lifebridge. Faye has advised that she will be providing suggestions for 2016 Awards event in writing including that more focus be placed on the awards and less on entertainment. Milena noted that Kristian Keogh, the Master of Ceremonies was exceptional and should be considered for the 2016 event.

Discussion occurred in relation to date for 2016 event as 3 December, the United Nations designated International Day of Persons with Disabilities will fall on a Saturday. The EAAC suggested that the awards be held on the following Monday.

A3. All Access Playground update

The Consultant has finalised the concept design for the All Access Playground. Council staff will be attending a meeting in January 2016 to view the final draft design and budget. A report to Council will be prepared seeking consent to proceed and to obtain all approvals including the Development Application for the amenities block so that the project is 'shovel ready'. This will assist with opportunities to apply for funding.

A4. Tweed Link monthly access news

No update on this item.

A5. Tweed Public and Active Transport Group

Karen advised that Council has recently reactivated the Public and Active Transport Working Group. Representation on the Working Group includes Council, Roads & Maritime Services (RMS) the bus companies, taxis and bicycle groups. RMS has provided funding through Northern Rivers Social Development Council for an officer to facilitate Transport Working Groups in each of the Northern Rivers Councils.

Both Karen and Alana are members of the Working Group. Any issues regarding transport can be raised at the EAAC meeting and then the item will be tabled at the Transport Working Group meeting.

One important issue currently on the Working Group Agenda is public transport use by people with vision impairment. Members discussed various technological applications that could be used to make catching public transport easier for people with vision impairment. These issues will be raised at the Transport Working Group.

A6. Access Standards and Guidelines Working Group

Karen provided information on the background to, and the progress of, this internal multi-disciplinary working group to the EAAC.

Cr Youngblutt noted the difficulties experienced by people with vision impairment when shops have displays on the footpath. Karen advised that Strategic Outcome 3, Action Item 4 in the Plan is to engage a consultant to provide a workshop for Councillors, Executive and business leaders on the benefits of accessible footpath trading and to advise on an appropriate process for implementation. This item is scheduled for 2016.

Karen provided an update on the foreshore and waterways audit being undertaken by Suzi, Una and herself. The areas covered so far include Fingal Head, Kingscliff and Cudgen. It will take at least another six months to complete the project. Then a report will be prepared for Council similar to the Access Audit of designated accessible public toilets.

A7. Access Funds

No update on this item. Karen advised that she will provide a full update to the February meeting after some major projects have been completed.

General Business:

GB1. Working with the Blind and Vision Support Group towards an accessible and inclusive Murwillumbah

Discussed at Item OM3 above. Karen will keep the EAAC updated.

GB2. Untold Stories, Living With Ability Project planning

Karen advised that a date needs to be set for the next oral history workshop. Suzi, Una, Milena, Faye, Bev, and Karen are all involved in the project which will result in an exhibition at the Tweed Regional Museum in 2017.

Action: *Proposed dates for next oral history workshop to be emailed to the group.*
Responsibility: *Karen Collins.*

GB3. Kingscliff foreshore redevelopment

Council has received funding for the redevelopment of the Kingscliff Foreshore. This will be a major foreshore redevelopment and will include Central Park, construction to prevent erosion and connectivity through to the commercial precinct. The importance of building in the best accessibility from the planning stage has been acknowledged by Council officers and Suzi, Una and Karen will be providing input into the redevelopment as a result of the Access to Foreshores review. Karen will keep the EAAC updated.

GB4. Tweed Shire Open Space Strategy

A survey in relation to the Open Space Strategy is available for completion on Council's website. The closing date for the survey has been extended to Friday 18 December 2015. Council's officer requires sufficient responses to allow full analysis of the data. Karen urged the Committee to complete the survey.

GB5. Festivals and Events Strategy

The draft Festivals and Events Strategy is now on exhibition on Council's website. Karen advised that she has emailed a copy of the draft Strategy to the EAAC. Karen will be making a submission in consultation with the EAAC as there is a need to include the importance of accessibility at festivals and events in the draft Strategy.

GB6. Tweed Centro - Access

Wendy advised that Ability Links has received an email from a carer raising access issues at Tweed Centro. The email includes photographs.

Action: *Wendy to forward to Karen a copy of the email received from a carer regarding access at Tweed Centro to Karen. Responsibility: Wendy Gilbertt.*

GB7. Community Bike Ride (March 2016) - Request for Funding

Karen advised she has received a request for assistance and funding from Ability Links to support a community bike ride to be held in March 2016 along the bike path between Kingscliff and Pottsville, concluding with a gathering at Pottsville during Youth Week. Karen provided the background information to EAAC and noted that the email doesn't include any details of the amount required or the exact use of the funds. Clarification to be sought in relation to the event as there appears to have been some further developments since the email. In principle, the EAAC supports the proposal subject to receiving more information about the event.

Action: *Clarification to be sought from Mina Hunt of Ability Links regarding the event and advice to be provided to EAAC. Responsibility: Karen Collins.*

GB8. Terms of Reference and future recruitment strategy for EAAC

Faye has advised that she is interested in developing a strategic approach for the EAAC to support among other matters recruitment of new members. Milena advised that she would be interested to work with Faye on this project.

Action: *Review TOR with a focus on recruitment processes for the EAAC. Responsibility: Karen Collins, Faye Druett and Milena Morrow.*

Next Meeting:

The next meeting of the Equal Access Advisory Committee will be held Wednesday 17 February 2016.

The meeting closed at 11.20am.

EXECUTIVE MANAGEMENT TEAM COMMENTS:

OM6. *Addressing Attacks on Guide Dogs by Other Dogs*

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

OM6. *Addressing Attacks on Guide Dogs by Other Dogs*

That the Equal Access Advisory Committee invites a representative from Guide Dogs Australia to present on the extent of current risks and the strategies Guide Dogs Australia has implemented to manage such risks.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - Adopted 19 September 2013 (ECM 3146605).

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

39 [SUB-TAD] Minutes of the Tweed Shire Australia Day Committee Meeting held Wednesday 6 January 2016

SUBMITTED BY: Director Corporate Services



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Tweed Shire Australia Day Committee Meeting held Wednesday 6 January 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Tweed Shire Australia Day Committee Meeting held Wednesday 6 January 2016 be received and noted.

REPORT:

The Minutes of the Tweed Shire Australia Day Committee Meeting held Wednesday 6 January 2016 are reproduced as follows for the information of Councillors.

Venue:

Mt Warning Meeting Room

Time:

10.00am

Present:

Committee: Alan Downes (Chair), Sue Breckenridge, Brian Breckenridge, Graham Jackson, Brian Goodall, Dot Holdom, Lloyd Warren, Wendy Warren
Ex-Officio: Kerrie McConnell
Guest: Jeff Smith, Kingscliff Lions Club

Apologies:

Committee: Cr Katie Milne, Phil Kelly

Not Present:

Committee: John Murray

Minutes of Previous Meeting:

Moved: Graham Jackson

Seconded: Sue Breckenridge

RESOLVED that the Minutes of the Tweed Shire Australia Day Committee meeting held Wednesday 7 December 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Item from Meeting held 7 December 2015

3. Main Event – Kingscliff High School

Action: That Kerrie McConnell email the Leader – Tweed Girl Guides and advises that the Committee would welcome their participation in the Australia Day Ceremony as ushers.

Status: Kerrie McConnell advised that she emailed the Leader on 16 December however no response was received so a follow up phone call was made on 5 January, and a message has been left.

It was suggested that:

- Each Girl Guide receive a 'Certificate of Participation' for their involvement on the day; and
- Kingscliff High School be presented with an 'Australia Day Award' Certificate as a thank you for providing the venue.

Alan Downes is to advise at the next meeting if he is able to assist the Mayor with the transport of the Ambassador on the day.

Status: Alan Downes advised that he is available to chaperone the Ambassador all day on 26 January if that suits the Mayor, Cr Katie Milne.

Dot Holdom queried the position of Mr Barry Cowell at Kingscliff High School as it was not recorded in the minutes. Alan Downes responded he is the Deputy Principal.

The official program was discussed, and it was determined that the Chair of the Tweed Shire Australia Day Committee, Alan Downes would conduct the Welcome and be Master of Ceremonies to ensure the smooth running of the program.

It was noted that the Federal Member for Richmond, Justine Elliot was an apology and Mr Reece Byrnes would be attending in her place.

Agenda Items:

Declaration of Interest

Dot Holdom declared a non-pecuniary non-significant interest in Item 1 – Consideration of Nominations for Australia Day Awards. Dot will manage the interest by not taking part in any debate or voting for Citizen of the Year and Volunteer of the Year.

Alan Downes, Graham Jackson and Jeff Smith declared a non-pecuniary significant interest in Item 1 – Consideration of Nominations for Australia Day Awards. Alan, Graham and Jeff will manage the interest by not taking part in any debate or voting for the Community Event of the Year.

1. Consideration of Nominations for Australia Day Awards

Alan Downes commented that he was pleased to see that extending the deadlines for nominations resulted in nine more submissions being received.

Voting will be by way of secret ballot on the voting papers provided for each category that has more than one nomination.

Dot Holdom left the meeting

Citizen of the Year
Fay Gleave

Dot Holdom returned to the meeting

Young Achiever in Community Service
Elizabeth Kirk

Arts and Cultural Achievement

Stokers Siding/Dunbible Memorial Hall

Sporting Achievement

Max Bryant

Alan Downes, Graham Jackson and Jeff Smith left the meeting

Community Event of the Year

Quota International of Tweed Heads/Coolangatta Inc.

Alan Downes, Graham Jackson and Jeff Smith returned to the meeting

Dot Holdom left the meeting

Volunteer of the Year

Kenneth Mark Eglington

Dot Holdom returned to the meeting

Kerrie McConnell advised that the process will be to contact the successful nominees and unsuccessful nominators. The successful nominees details will be embargoed until closer to Australia Day.

Wendy Warren asked that when in contact with the unsuccessful nominators that it be suggested they put forward their nominee for a local area Australia Day Award, eg. Kingscliff, Pottsville.

2. Australia Day Ambassador

It was noted that the Tweed Shire's Ambassador has changed from Mr Tim Shaw to Mr George Ellis. A media release was distributed yesterday on the Ambassador.

3. Main Event – Kingscliff High School

A discussion was held on whether to include another venue for the Ambassador to visit. The following was proposed:

7.30/8am	Breakfast, Lions Park, Kingscliff
9am	Presentation of Awards, Tumbulgum
11am	Main event, Kingscliff
2pm	Presentation of Awards, Burringbar

Kerrie McConnell to relay to the Australia Day Ambassador the proposed timing/schedule for Australia Day.

The Official Program for the main event was discussed and the following agreed:

10.30am	New Citizens to register at front desk outside of hall
11am	Welcome by Chair of Tweed Australia Day Committee, Mr Alan Downes
	Dedication by Mayor of Tweed, Cr Katie Milne
	Mayor Introduces Australia Day Ambassador
	Address by Tweed Shire Australia Day Ambassador, Mr George Ellis
	Address by Mr Reece Byrnes on behalf of Federal Member of Richmond, Justine Elliot
	Address by State Member for Tweed, Geoff Provest
	The Mayor and Ambassador present Tweed Shire Australia Day Awards
	Mayor of Tweed to conduct the Citizenship Ceremony
	Oath or Affirmation by new Citizens
	Presentation of the Citizenship Certificates
National Anthem (Kingscliff High Student – Ebony Walker)	
12.30pm	An opportunity for new Citizens and Australia Day Awardees to take photos with Mayor, Australia Day Ambassador and Parliamentary Members, family and friends.
12.45pm	BBQ/Refreshments

Moved: Dot Holdom

Seconded: Graham Jackson

RESOLVED that Kerrie McConnell writes to the nominators, expressing the Committee's appreciation for the time taken to submit a nomination in one or more of the categories for the Tweed Shire Australia Day Awards.

4. Shire Events

Kerrie McConnell tabled the list of events as registered by the public on Council's 'Calendar of Events', which include:

- Pottsville
 - Tyalgum
 - Tumbulgum
 - Kingscliff
 - Burringbar
 - Crabbes Creek
-

General Business:

5. Committee representation at Shire events

Dot Holdom queried if it is an expectation that Committee members attend a number of the Shire's Australia Day events. A comment was made that most of the Committee members run an event for an area which made it difficult to attend other venues on the day. It would be up to the individual Committee members as to the number of events they would be able to attend on the day.

6. Committee Membership

Graham Jackson expressed his disappointment that the current Committee membership was not as strong in numbers as in previous years, with some areas of the Shire not being represented.

It was suggested that Committee Membership be an agenda item at the February debrief meeting.

Next Meeting:

The next meeting of the Tweed Shire Australia Day Committee will be held Wednesday 3 February 2016 commencing at 10.00am.

The meeting closed at 11.00am.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - revised by Council on 21 August 2012 (ECM 3283081)

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.