



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 21 April 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 17 March 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 17 March 2016 are attached for information and adoption by Council.

RECOMMENDATION:

That:

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 17 March 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 17 March 2016 (ECM 3996075)

(Confidential) Attachment 2 Minutes of the Confidential Council Meeting held Thursday 17 March 2016 (ECM 3995828).

2 [CONMIN-CM] Confirmation of Minutes of Ordinary Council Meeting held Thursday 7 April 2016

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

The Minutes of the Ordinary Council Meeting held Thursday 7 April 2016 are attached for information and adoption by Council.

RECOMMENDATION:

That the minutes of the Ordinary Council Meeting held Thursday 7 April 2016 be adopted as a true and accurate record of proceedings of that meeting.

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

*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 7 April 2016 (ECM 4018412).

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.

A Council workshop is scheduled for 26 May 2016.

The RAP will be finalised through the Executive Management Team and reported to Council for information by the end June 2016

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.

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 a future Council meeting, following discussions with the Mayor regarding the intent of this Motion

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, but this project is currently unfunded and sits behind the renewed priority of Kingscliff Foreshore.

ORDERS OF THE DAY

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 following stakeholder discussions.

18 FEBRUARY 2016

ORDERS OF THE DAY

28 [NOM] Tweed Valley Women's Services

53

Cr B Longland
Cr C Byrne

RESOLVED that:

1. This matter be deferred to a Council workshop to evaluate submissions from the Tweed Valley Women's Service, On Track Community Programs and the NSW Department of Family and Community Services and develop a more considered position to put to the Council.
2. The Mayor immediately writes to the Minister for Family and Community Services seeking an explanation of the sudden removal of funding to the Tweed Valley Women's Services and also seeking assurance that funding for domestic and family violence services in the Tweed be maintained at the number and variety of services of that provided by the Tweed Valley Women's Services.

Current Status: Workshop scheduled for 31 March 2016, cancelled due to lack of quorum. Workshop rescheduled for 28 April 2016.

17 MARCH 2016

ORDERS OF THE DAY

31 [NOM] Western Drainage Scheme

143

**Cr K Milne
Cr G Bagnall**

RESOLVED that Council

1. Notes the difficulty in managing the water body within the Western Drainage Scheme particularly in regards to managing the various weed species.
2. Officers review the existing management plans for the Western Drainage Scheme and provide a brief report back to Council for consideration.

Current Status: Overview to be undertaken and report to be prepared for a future Council meeting.

32 [NOM] Naming Trees in Parks

144

**Cr K Milne
Cr C Byrne**

RESOLVED that Council brings back a report on the potential of displaying the names of local native trees in two of Council parks to encourage greater knowledge and appreciation of Tweed's local flora.

Current Status: Report to be prepared.

35 [NOM] Library Services

147

**Cr C Byrne
Cr W Polglase**

RESOLVED that Council calls for an urgent Workshop to consider Tweed Shire Council's options as part of the Richmond Tweed Regional Library group and any alternatives available in order to provide sustainable library services to our residents, ratepayers and visitors.

Current Status: Workshop scheduled for 12 May 2016 with representatives from the Richmond Tweed Regional Library group.

36 [NOM] Story Tiled Walls at our Libraries

148

Cr C Byrne
Cr W Polglase

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

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

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for March 2016

SUBMITTED BY: Cr K Milne, Mayor

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Councillors

COMMITTEE MEETINGS

Attended by the Mayor

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

INVITATIONS / MAYORAL REPRESENTATION:

Attended by the Mayor

- 3 March Fred's Place official re-opening ceremony – Fred's Place, 9 Boyd Street, Tweed Heads.
 - 3 March Tweed Domestic and Family Violence Forum – Banora Point Community Centre, Corner Leisure and Woodlands Drives, Banora Point. Crs Byrne and Longland also attended.
 - 8 March View Club International Women's Day Event – South Tweed Sports Club, 4 Minjungbal Drive, South Tweed Heads.
 - 8 March Fingal Women Warriors Event, Tweed Regional Museum – 2 Queensland Road, Murwillumbah.
 - 9 March International Women's Day Breakfast – Canvas and Kettle, Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah. Cr Byrne also attended.
-

- 10 March Breaking the Ice In Our Community forum – Tweed Civic Centre, Brett Street, Tweed Heads. Crs Bagnall, Byrne and Longland also attended.
- 19 March Pottsville Beach Cenotaph Re-dedication Ceremony – Anzac Park, Tweed Coast Road, Pottsville.
- 22 March Bilambil Public School Year 6 Civics and Citizenship Studies – Bilambil Public School, 418 Bilambil Road, Bilambil.
- 24 March Where to from Paris screening – Regent Cinema, 5 Brisbane Street, Murwillumbah.

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

- 3 March Re-opening celebration of Marine Rescue Point Danger Search and Rescue Communication Centre and Souvenir Shop – Marine Rescue, Point Danger Lighthouse. 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 March 2016.

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

- 14-15 March Regional and Public Galleries of NSW Conference – Tweed Regional Gallery, Mistral Road, Murwillumbah. Crs Longland and Polglase attended.

Information on Conferences to be held

- 21-22 May Mayors' Weekend – Sydney CBD
A Mayors' weekend for all NSW Mayors to discuss contemporary issues for the NSW Local Government sector, as well as the special roles and responsibilities that Mayors may undertake in order to provide local leadership.
Early bird registration \$1320, two flights, one to two night's accommodation
www.lgnsw.org.au/events-training/mayors-weekend
-

SIGNING OF DOCUMENTS BY THE MAYOR:

- 15 March Transfer document – Lundberg Drive South Murwillumbah.
 - 29 March Transfer document – Land Acquisition – Numinbah Road Kynnumboon
-

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 March 2016 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:

- **Petition from residents of Palm Avenue and Cypress Crescent, Cabarita containing seven signatories**

"We, the undersigned, formally request Tweed Shire Council to undertake a review of our rates because the operation of Halcyon House, under Tweed Council approval, has destroyed amenities in our neighbourhood, and devalued our properties. We seek this review on behalf of all the residents in Palm Avenue and Cypress Crescent, Cabarita NSW 2488

We particularly refer to ongoing excessive noise, obstructed access, lack of parking and rubbish complaints and problems which remain unaddressed by Tweed Shire Council since Halycon House opened in 2014.

We now seek a significant reduction in our rates."

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 ACTING GENERAL MANAGER

REPORTS FROM THE ACTING GENERAL MANAGER

6 [AGM-CM] Business Excellence Awards Tweed Shire (BEATS) - 2016 Sponsorship Proposal

SUBMITTED BY: Economic Development



Supporting Community Life



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.1	Foster strong, cohesive, cooperative, healthy and safe communities
2.1.3	Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
3	Strengthening the Economy
3.1	Expand employment, tourism and education opportunities
3.1.2	Attract major events to the Tweed

SUMMARY OF REPORT:

Council has been a sponsor of the Business Excellence Awards Tweed Shire (BEATS) since 2013. Last year Council was a Silver Sponsor (\$1,300). The Coordinator of The BEATS Awards has invited Council to commit to the same or higher level of sponsorship for this year's event. The event is endorsed by the NSW Business Chamber and is a Murwillumbah and District Business Chamber initiative.

RECOMMENDATION:

That Council determines the level of Sponsorship of the 2016 Business Excellence Awards Tweed Shire (BEATS).

REPORT:

Council has been a sponsor of the Business Excellence Awards Tweed Shire (BEATS) since 2013. Last year Council was a Silver Sponsor (\$1,300). The Coordinator of The BEATS Awards has invited Council to commit to the same or higher level of sponsorship for this year's event. The event is endorsed by the NSW Business Chamber and is a Murwillumbah and District Business Chamber initiative.

The Vision of the awards is:

“To showcase, promote and unite businesses within the Tweed Shire, by recognising excellence in innovation, productivity and customer service. Highlighting their ideals and aspirations while applauding their achievements and endeavour to succeed whether large, medium or small in any economic climate. Tweed Business is a diverse landscape that will strive, thrive and survive by recognition.”

The Mission identifies that the:

“Business Excellence Awards Tweed Shire (BEATS) will acknowledge businesses in the Tweed Shire that excel in their nominated industry and exceed customer expectations with a professional yearly awards programme.”

The Gala Night

The BEATS Gala Night will take place on 30 July 2016 at a dinner and theatre presentation at the Murwillumbah Auditorium. The theme this year is “Sequins and Stars”. Individual and corporate bookings will be available and up to 220 local business representatives are expected to attend.

The night will be professionally formatted with special ongoing recognition of all sponsors via speaker credits, ongoing audio/visual presentations and through printed credits in the official documentation.

2016 BEATS Categories

- 2016 Excellence in Visitor Experience
- 2016 Excellence in Retail
- 2016 Excellence in Professional service sponsored by Southern Cross University
- 2016 Excellence in Trade construction and Manufacturing sponsored by the Business Bloke
- 2016 Excellence in Aged care and Wellbeing
- 2016 Excellence in Personal Services (including hair & beauty)
- 2016 Excellence in Community and Social Services Award (Not For Profits Only)
- 2016 Excellence in Creative Industries
- 2016 Excellence in Dining
- 2016 Excellence in Sustainability
- 2016 Excellence in Small Business
- 2016 Excellence in Accessibility and inclusion

- 2016 Excellence in Work, Health and Safety sponsored by Work Cover
- 2016 People's Choice Award sponsored by Tweed Valley Weekly
- 2016 Employer of Choice
- 2016 Best Business in the Tweed sponsored by Southern Cross Austereo

Sponsorship Packages

- Platinum – over \$5,500
- Gold – from \$5,500
- Silver – from \$1,100
- Bronze – from \$150
- In-kind

OPTIONS:

That Council:

1. Supports the Business Excellence Awards Tweed Shire (BEATS) 2016 by becoming a Platinum, Gold, Silver, Bronze or in-kind Sponsor.
2. Does not support any sponsorship of the Business Excellence Awards Tweed Shire (BEATS) 2016.

CONCLUSION:

That Council determines the level of Sponsorship of the 2016 Business Excellence Awards Tweed Shire (BEATS) and the funds be provided from the Economic Development budget.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Sponsorship will be funded from the 2016/2017 Economic Development budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

7 [A/GM-CM] Entry statements at Murwillumbah and Kingscliff

SUBMITTED BY: 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 provides a framework for the proposed development of distinctive and attractive entry statements at Alma Street, Murwillumbah and Wommin Bay Road, Kingscliff.

The entry statements will be created via the commissioning and installation of suitable artworks for these locations that reflect the identity of each locality. The report outlines the proposed process for completion of the project and budgetary considerations.

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 for the creation of an entry statement at the roundabout at Alma Street, Murwillumbah in the form of commissioned artwork; and**
 - b) \$30,000 for the creation of an entry statement at the Pacific Highway underpass on Wommin Bay Road, in the form of commissioned artwork; and**
- 2. Endorses the proposed process for commencement of each public art project at the Alma Street roundabout, Murwillumbah and Wommin Bay Road underpass, 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 June 2016 Quarterly Budget Review.

REPORT:

1. Introduction

This report follows a previous Council report *Public Artwork Entry Statements at Murwillumbah and Kingscliff* from the Council Meeting held 18 February 2016 in which Council resolved that:

[the] "matter be deferred to allow Council officers to hold community consultation with key stakeholders (including Destination Tweed) to be undertaken to provide a more informed approach to this project."

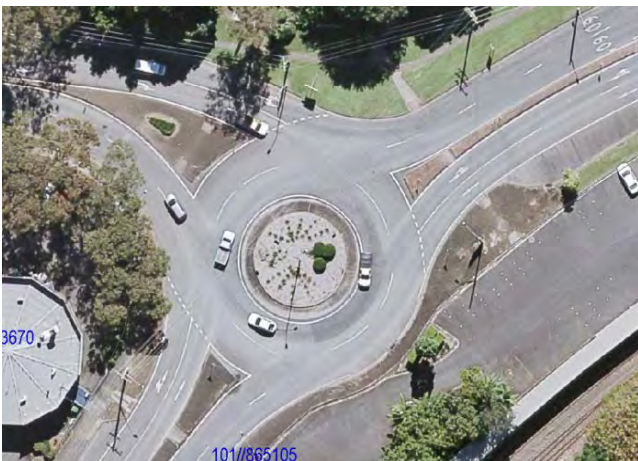
Council officers have subsequently consulted further with Councillors and Destination Tweed to define the engagement process with key stakeholders and the relationship between this project and other objectives of the Tweed Shire Council Economic Development Strategy, specifically the development of a shire wide Brand Strategy.

This report does not propose any changes to the project as proposed in the 18 February 2016 report, however, it does clarify key stakeholder consultation in the project development and selection process.

2. Project proposal

The development of entry statements to towns and localities is a placemaking project that serves to: assist the travelling public in way finding and direction; provide a sense of arrival, identity and pride of place; and provide an opportunity for promotion of the town/shire.

An entry statement at the roundabout at the intersection of Alma Street and Tweed Valley Way, Murwillumbah is consistent with the vision of the Murwillumbah Development Control Plan which states development in the vicinity of the Alma Street roundabout is to reflect a "Gateway Character" with an emphasis on creating a memorable southern entrance to the town.



The Pacific Highway underpass at Wommin Bay Road, Kingscliff, forms a physical gateway to Kingscliff and the coastal villages and presents an opportunity to create an attractive entrance statement to Kingscliff and the coastal villages. 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 entry statement has the potential to deter further attacks.



The project proposes to commission appropriate artworks to serve as attractive entry statements at these locations that will reflect the identity of the local community. The commissioning of the artwork will be consistent with Council's adopted *Placemaking and Public Art Policy* and the *Public Art Commissioning Structure Procedure*.

3. Key stakeholder engagement

Council's *Placemaking and Public Art Policy* includes community consultation as a policy objective and makes provision for key stakeholder engagement in the planning and commissioning process.

Destination Tweed, as the appointed body responsible for marketing and promotion of Tweed as a tourist destination, is identified as a key stakeholder for this project and will be invited to participate in the Public Art Reference Group (PARG) which will be responsible for assessing submissions.

Further opportunities for wider community participation in the project can be incorporated in the selection process for the final design as outlined below.

4. Proposed process

This project proposes to commission a mural at the Wommin Bay Road underpass and a sculpture/installation for the roundabout at Alma Street. The commissioning for both artworks will follow the same process however the criteria for the project brief and assessment of submissions will differ to suite each location's requirements.

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. 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.

2. 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.
3. Tenders are assessed by the Working Group/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.
4. OPTIONAL Shortlisted recommendations are placed on public exhibition for feedback which is taken into consideration by the PARG and/or Council in accordance with policy guidelines to consider community input.
5. 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.
6. A Section 138 Application for works within the road reserve is made.
7. Winning artist is engaged and work is installed in accordance with the Public Art Installation Agreement made with the artist by Council.

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.

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. 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 is 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.

OPTIONS:

1. Approves the allocation of \$90,000 from the 2015/16 budget to be allocated as follows:
 - a) \$60,000 for the creation of an entry statement at the roundabout at Alma Street, Murwillumbah in the form of commissioned artwork; and
 - b) \$30,000 for the creation of an entry statement at the Pacific Highway underpass on Wommin Bay Road, in the form of commissioned artwork; and
 - c) endorses the process for formal commencement of each project.
2. That Council considers and allocates \$60,000 to create an entry statement at the Alma Street roundabout **only** and endorses the process for formal commencement of the project.
3. That Council considers and allocates \$30,000 to create an entry statement 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 create entry statements at the Alma Street roundabout or at the underpass on 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.

Tweed Shire Economic Development Strategy adopted 10 April 2014.

b. Budget/Long Term Financial Plan:

The proposed budget reflects the purpose and vision of the art works to achieve the broad objectives of facilitating promotion of the localities as well as for increasing general visual amenity of the specified gateway areas.

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.

An allocation of \$55,000 from the Major Events and Attraction Rollover/ Carryovers (2014/15 budget) and \$35,000 from the Economic Development Rollover/ Carryover (2014/15 budget) is to be allocated as follows:

- \$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
- \$30,000 to commission and install public artwork the Pacific Highway underpass on Wommin Bay Road, Kingscliff, that creates an attractive entrance gateway to the coastal villages.

Insurance and ongoing maintenance of the newly installed artworks will impact the current and future budget allocations for the insurance and maintenance of Tweed Shire's public artworks.

c. Legal:

Not applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 - SECT 79C

79C Evaluation

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

(a) the provisions of:

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

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

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

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

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

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

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

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

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

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

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

- 8 [PR-CM] Development Application DA10/0222.26 for an Amendment to Development Consent DA10/0222 for Casuarina Town Centre Including 56 Lot Subdivision, Road Works, Infrastructure Works and Landscaping (Department of Planning Application MP06_0258) MOD 10 at Lot 15 DP 1198266 Casuarina Way, Casuarina

SUBMITTED BY: Development Assessment and Compliance

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.1	Ensure actions taken and decisions reached are based on the principles of sustainability
1.1.1	Establish sustainability as a basis of shire planning and Council's own business operations

SUMMARY OF REPORT:

This report has been prepared to provide Council with an overview of staff comments in relation to the proposed modifications to the approved Concept Approval and Project Approval for the Casuarina Town Centre development (MP06_0258).

A modification application (Section 75W) has been lodged with NSW Department of Planning & Environment to modify the Concept Plan and Project Approval for MP06_0258. The proposed modifications include:

- Modification of the approved lot layout and increase in the number of lots permitted on-site from 97 to 177;
- Modification of the built form controls to increase the height of buildings permitted along Grand Parade;
- Deletion of the approved hotel use;
- Revisions to the drainage concept to facilitate the filling of the existing drainage swale and the conversion of the swale to a 'green buffer';
- Changes to the timing for the provision of additional beach access;
- Changes to the approved staging plan; and
- Administrative changes to the conditions of approval in response to the above changes.

The Department placed the modification on public exhibition between Wednesday 24 February 2016 and Tuesday 29 March 2016. Council have also been invited to comment on the modification request. The staff comments are being reported to Council for endorsement, which will then to be submitted formally to the Department for consideration.

RECOMMENDATION:

That Council endorses the comments to be submitted to NSW Planning & Environment with regard to all proposed modifications of the Concept Approval and Project Approval relating to Casuarina Town Centre (MP06_0258) MOD 10.

REPORT:

Applicant: Clarence Property Corporation Limited
Owner: Clarence Property Corporation Limited
Location: Lot 15 DP 1198266 Casuarina Way, Casuarina

Background

Approval was granted on 20 September 2009 by the Minister for Planning to the Concept Plan and Project Application for the Casuarina Town Centre (Major Project 06_0258).

The Concept Plan approval was granted for:

- The subdivision of land in 61 lots including low and medium density residential, retail, commercial and mixed use lots;
- Construction of a retail centre comprising a supermarket, restaurants and shops;
- Construction of a hotel;
- Construction of the associated road network and car parking;
- Construction of all necessary services; and
- Landscaping and open space.



Figure 1: Approved Casuarina Town Centre Concept Plan (Original)

Separately, Stage 1 Project Approval was granted for:

- The subdivision of land into 61 lots;
- Construction of a retail centre comprising 2500m² supermarket, 1160m² of retail shops/restaurants, office space and car parking;

- Bulk earthworks and vegetation clearing;
- Construction of all roads;
- Closure of Dianella Drive;
- Provision of infrastructure and services; and
- Landscaping.

Modifications to these approvals have been subsequently approved on a number of occasions (see details in history below).

A Section 75W modification application has now been lodged with NSW Department of Planning & Environment to further modify the Concept Plan and Project Approval for MP06_0258. The proposed modification includes:

- Modification of the approved lot layout and increase in the number of lots permitted on-site from 97 to 177;
- Modification of the built form controls to increase the height of buildings permitted along Grand Parade;
- Deletion of the approved hotel use;
- Revisions to the drainage concept to facilitate the filling of the existing drainage swale and the conversion of the swale to a 'green buffer';
- Changes to the timing for the provision of additional beach access;
- Changes to the approved staging plan; and
- Administrative changes to the conditions of approval in response to the above changes.

The Department placed the modification on public exhibition between Wednesday 24 February 2016 and Tuesday 29 March 2016. Council have also been invited to comment on the modification request, which is provided in this report.

The modification request has been reviewed by Council's Development Assessment, Water, Development Engineering, Environmental Health, Natural Resource Management and Recreation Services Units. Furthermore, the proposal has been reviewed by Council's Infrastructure Engineers who have provided comment with respect to stormwater management, easement to be deleted and traffic/road layout.

It is noted that the applicant has also lodged an application with Tweed Shire Council in order to extinguish an easement to the northern element of the Casuarina Town Centre development, which is required to be approved by elected Council to facilitate the modified lot layout now proposed.

Site

The Casuarina Town Centre development was originally approved over a 26.2ha land area, identified in Figure 1 above. The site is located adjacent to the Casuarina Beach foreshore and has been partially developed since the original Concept and Project Approvals were issued in 2009.

This modification is stated as relating to an 8.93ha portion of the development, located to the north-east corner of the original site. This would correlate with Lot 15 DP 1198266, for which landowners consent has been submitted to the Department of Planning and Environment.

However the submitted application identifies a modified layout (reproduced under figures 2 & 3 below) which also includes Lot 13 DP 1014470, a 5.2 ha Tweed Shire Council owned parcel of land located adjacent to the coastal foreshore within which works (including a retaining wall) appear to be proposed and a road reserve which includes parking area.

Clarification is to be sought from the Department of Planning and Environment as to the extent of area covered by this modification application.



Figure 2: Area of Proposed Development



Figure 3: Aerial Imagery of Site

History

As outlined elsewhere in this report, Concept Plan and Stage 1 Project Approval was originally granted on 20 September 2009. The Concept Plan approval was granted for:

- The subdivision of land in 61 lots including low and medium density residential, retail, commercial and mixed use lots;
- Construction of a retail centre comprising a supermarket, restaurants and shops;
- Construction of a hotel;
- Construction of the associated road network and car parking;
- Construction of all necessary services; and
- Landscaping and open space.

Stage 1 Project Approval was granted for:

- The subdivision of land into 61 lots;
- Construction of a retail centre comprising 2500m² supermarket, 1160m² of retail shops/restaurants, office space and car parking;
- Bulk earthworks and vegetation clearing;
- Construction of all roads;
- Closure of Dianella Drive;
- Provision of infrastructure and services; and
- Landscaping.

Subsequent to this, there have been (to date) nine modification applications to these approvals, as detailed below;

Mod 1 (Approved 17 June 2010) - Modifications include filling the existing drainage easement running through the site, and works to include piping of stormwater drainage through the former easement channel. Modifications also include carrying out of stormwater infiltration and landscaping works within Lots 10 and 13, including extensions to the existing cycleway network and upgrades to public open space areas. These modifications were a result of Tweed Shire Council granting the proponent owners consent to undertake stormwater, sewerage and landscape works in Council owned land as it was initially withheld.

Mod 2 (Approved 1 July 2011) – Modifications involve the carrying out of approved Stage 1 throughout two separate stages (Stage 1A and then the balance of Stage 1). The modified staging regime was sought to provide a more logical sequence of services, including road connectivity; drainage and car parking; relocation of the swale; and, the provision of cycleway and pedestrian linkages.

Mod 3 (Approved 7 March 2012)-

This modification involved the following:

- A reduction in the size of the approved supermarket building and floor space by 200m²,
- Reduction of the height and bulk of the supermarket building,
- A total reduction of floor space from 4,301m² to 3,705m²,
- A relocation of the approved first floor office space,
- Replacement of an approved restaurant tenancy with a retail shop,
- Removal of basement car parking and provision of additional at-grade car parking resulting in an overall reduction of 14 spaces,

- Adjustment of the loading dock, and
- Increased landscaping and signage.

Mod 4 (Approved 24 April 2014)

This application relates to modification to the staging of the subdivision, consolidation of lots 7, 8, 9, 14 & 15 into a development lot, modification of the approval to allow the sequencing for future stages to be varied with the written approval of the Department, modification of the timing to obtain approval for the beach access and an amendment to the timing in which Section 94 and Section 64 Contributions are paid for the shopping centre.

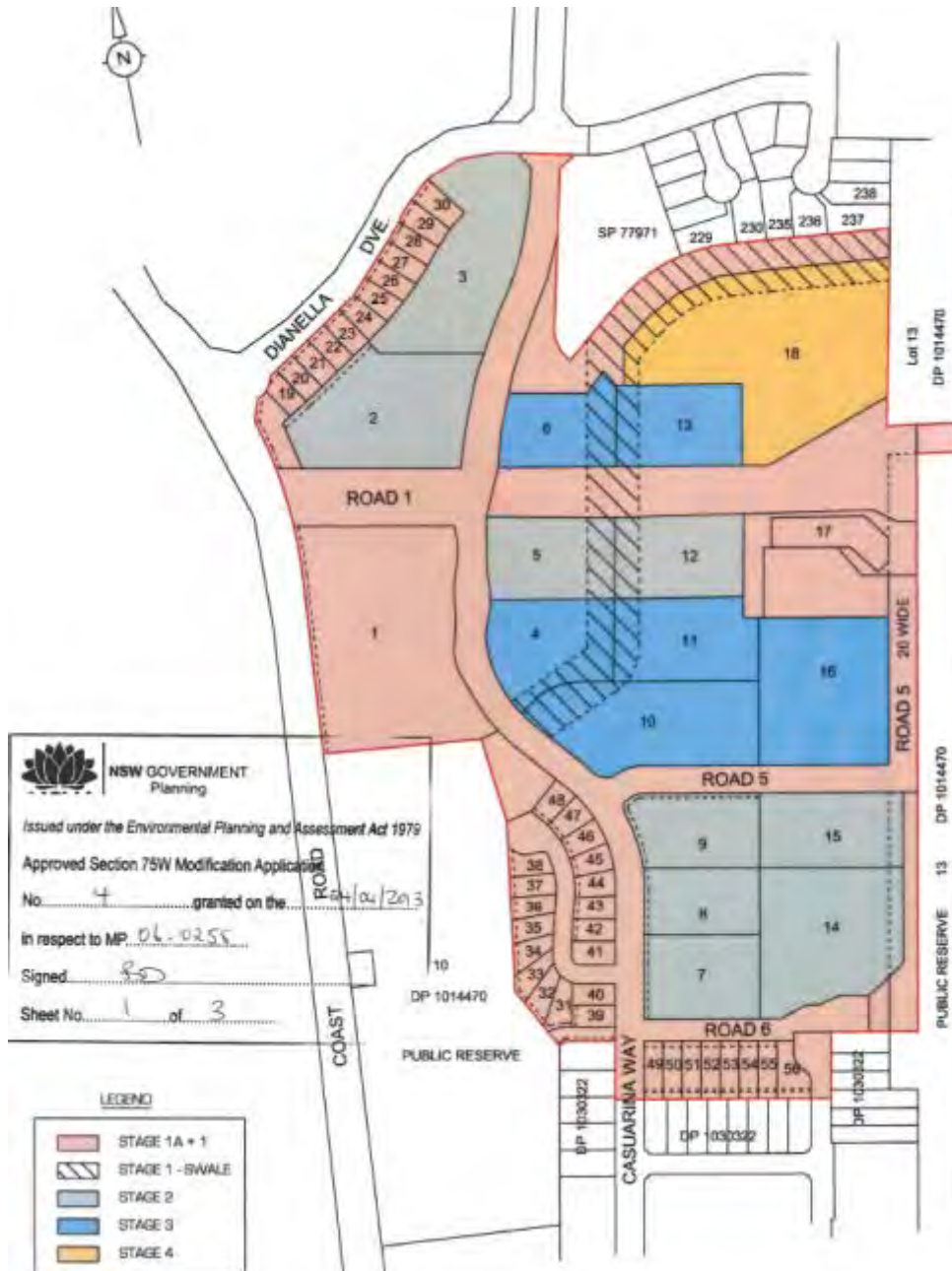


Figure 4: Mod 4 Concept Staging Plan

Mod 5 (Approved 24 September 2013)

Modification 5 approved an amendment to the location of a retaining wall on the south east boundary of the Casuarina Town Centre site adjacent to the cul-de-sac of Road 6.

Mod 6 (Approved 16 May 2014)

Modification to the Concept Plan and Stage 1 Project Application for the Casuarina Town Centre involving:

- change of use of Lots 7,8 ,9, 14 &15 from medium density residential to low density residential (single-dwelling use);
- 40 lot Torrens title subdivision of adjoining Lots 7, 8, 9, 14 & 15 with associated civil works;
- the introduction of additional Stages 1B and 1C;
- a two-lot subdivision of commercial Lot 2; and
- a request to allow for small lot housing within the town centre site.

The 40 lot subdivision layout approved under this Mod is located to the south of the area subject to this application and is demonstrated under Figure 4 below;



Figure 5: Mod 6 Approved 40 lot subdivision

Mod 7 (Approved 18 June 2014)

Modification to the retail centre approved as part of the Stage 1 Project Application for the Casuarina Town Centre. The modification involved:

- a 1,000sqm increase in gross floor area of the supermarket;
- a 581sqm increase in gross floor area of specialty retail;
- amended car parking arrangements within the retail centre; and
- amendments to section 94 contributions.

Mod 8 (Approved 21 January 2015)

Modification to Project Approval including design changes to the retail shopping centre comprising an amended roof design and new design and finishes to all facades. A new 12m high pylon sign was also approved to the north-west corner of the shopping centre site.

Mod 9 (Approved 15 June 2015)

Further modification to Project Approval including design changes to the retail shopping centre as a consequence of the detailed design process and tenant requirements.

Assessment of Modifications Proposed as Part of this Application

The proposed amendments are reviewed in detail below;

Modification of the approved lot layout and increase in the number of lots permitted on-site from 97 to 177

A revised subdivision layout has been proposed as part of this application, which is commented on below. An element of this revised layout relates to amendments to the north site boundary including the extinguishment of an easement. This is reviewed in more detail as a separate matter elsewhere in this report.

The revised subdivision layout is demonstrated in Figures 6-8 below and is reviewed with respect to earthworks, road layout and density;

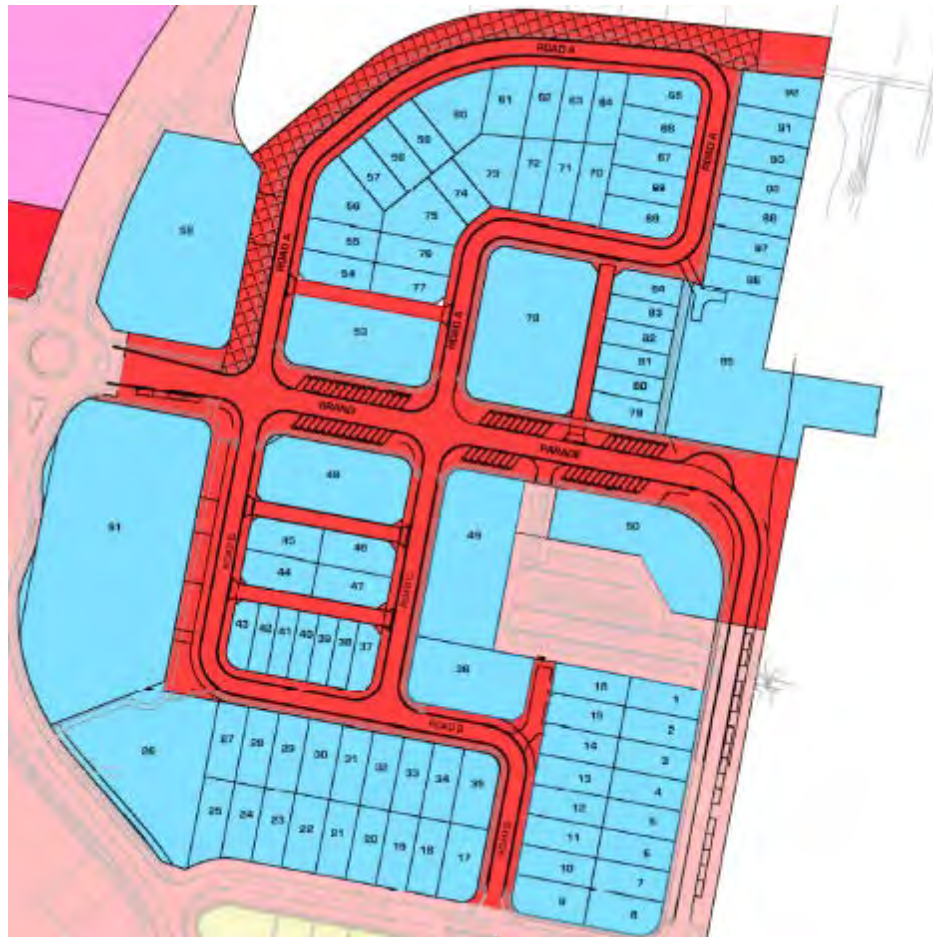


Figure 6: Proposed Allotment Layout



Figure 7: Proposed Layout (North)



Figure 8: Proposed Layout (South)

Earthworks/Retaining walls

Concerns are raised with respect to the extent and number of retaining walls proposed under the modified layout. Council's Development Engineering Unit has advised the following with respect to this;

- Tweed Shire Councils Development Design Specification – D6 Site Regrading (TSC-D6) specifies that the maximum permissible combined of retaining walls or batters in residential subdivisions shall be 1.8m above street level and 2.4m below street level. The proposal to have a retaining wall up to 4m in a residential subdivision (adjacent to proposed Lot 92) does not comply with TSC – D6.



Figure 9: Extract from Bulk Earthworks Plan (demonstrating retaining walls to north east corner of site)

- Concerns are raised on the number of retaining walls proposed across the site. It seems that the applicant has used multiple retaining walls to provide flatter gradient sites. The previous earthwork approvals did not have multiple retaining walls and still achieved compliant gradients.
- Concerns are raised regarding the number of proposed retaining walls in public road reserves / open space foreshore area on the eastern boundary. The walls would attract increased maintenance issues such as graffiti, re-painting, weed control etc... compared to a gradient batter that is grassed. The previous earthwork approvals did not have multiple retaining walls.



Figure 10: Streetscape Drawing/ Retaining Walls to North East

Further to this, Council's Stormwater Engineer has advised that *"The proposed earthworks are shown to extend through to the edge of the existing coastal cycleway. In addition retaining walls are shown as 1m high, however based on the proposed and existing landform. I strongly suspect the walls would be greater than 2.5m high rather than the 1m nominated. For example the adjacent proposed Lot 92 ranges from RL 7 to 7.25m AHD and the existing swale is at RL 4m - in short there is over a 3m level difference"*.

"From a maintenance perspective Basin 3 has no road frontage or vehicular access apart from the existing coastal cycleway. Ease of access for maintenance shall be considered and documented for Basin 3 that eliminates disruption to the existing cycleway. I also have concerns about the available space to accommodate the 2550sqm infiltration basin which excludes maintenance access and batter embankments without resuming existing dedicated open space. Extensive use of retaining wall structures is not acceptable from an ongoing maintenance perspective. Further investigation shall be undertaken to accommodate other available locations for infiltration basin/s that mitigates resumption and impacts of dedicated open space within the development footprint."

Beyond this, it is not apparent that owners consent has been submitted as part of this application for the proposed works within Council Reserve Lot.

Council request that the submitted application address the above concerns with respect to earthworks/retaining walls.

Road Layout

The proposed modification incorporates a new road layout to service the proposed allotments. This has been reviewed by Council's Traffic Engineer who has provided the following comments with respect to traffic and public car parking;

"Traffic

The proposed 4 leg intersection treatments at Grand Parade/Roads A and B, are not considered acceptable given Council's experience with similar intersections where crash history results in required upgrading through Federal Black Spot funding. The traffic volumes need review in accordance with the RMS Guidelines and suitable treatments constructed (roundabouts) to reduce potential conflict points. Roundabouts also provide turnaround facilities for motorists seeking on road parking negating the need to circulate on residential roads or Casuarina Way.

The on road parking layout on Grand Parade is only suitable for left in movements. The parking bays should be modified to be 90 degree angle parking with dimensions according to AS2890.5.

Public Car Parking

- *On-road parallel parking bays do not provide additional parking as vehicles can always park on roads where there is sufficient width.*
- *The on road parking on Grand Parade should not be included in the public carparking provision. It is likely that these car spaces will be absorbed for parking associated with the retail developments.*
- *The parallel parking bays on Blue Horizon Drive are not supported as they do not result in actual increase car parking provision. It is recommended that 90 degree angle parking be designed on Blue Horizon Drive adjacent to the beach foreshore."*

Further comment has been provided with respect to road network and parking by Council's Development Engineering Unit as per the below;

"Road Network/Horizontal/Vertical Alignment, Cross Section

- *The modification now seeks to reduce the road reserve width of Road 1 (Grand Parade) from 33.370m to 29m in width. The modification also is reducing the verge area from 4.5m to 3.5m. Tweed Shire Councils minimum road reserve width for this type of access road is to be 30m and minimum footpath verge to be 4.5m.*
- *The applicant is to indicate if the mixed use will provide shop frontage on Grand Parade and if so then Tweed Shire Council standard road standards require full width concrete pavement of the 4.5m wide verge on Grand Parade.*
- *The applicant to confirm if the rear access laneways (lots 37-43, 45-46, 53 and 79-84) will be privately owned with appropriate easements or public roads conforming to Council standards. If public road then applicant to demonstrate to Council standards.*

- *The applicant to confirm if the access driveway servicing proposed Lots 14, 15 and 16 is proposed to be privately owned with appropriate easements or intended to be a public road conforming to Council standards. If public road then applicant to demonstrate to Council standards.*
- *Adjacent to proposed Lot 85 being the public reserve there is a widened section of Grand Parade forming a nib. The applicant is to demonstrate the purpose of the widened section and its practicality compared to car parking previously approved adjacent to the public reserve.*

Intersections

- *The current approval provides roundabouts at four way intersections. The proposed modification now seeks to provide four way intersections with Give Way signs by means of priority control with Grand Parade. The applicant justifies intersection design to be Give Way by argumentation of low traffic volumes, more friendly towards pedestrians and cyclists at four way intersections. The applicant has not considered Tweed Shire Councils Specifications for design.*

Tweed Shire Councils Development Design Specification – D1 specifies traffic control at four way intersections being Neighbourhood Connector and/or Access Streets to be controlled by use of roundabouts for use of speed control and intersection safety. A four way intersection for Access Street / Access Street may be controlled by small roundabouts (mountable are acceptable).

- *An access lane is proposed to connect the beach car park to Grand Parade. The proposed access lane is almost directly opposite a proposed driveway access for proposed Lots 79 – 84. Australian Standard AS2890.1 specifies prohibited locations of access driveways (Figure 3.1). The proposed driveway access as indicated is within the prohibited location.*

Footpaths / Cycleway

- *The existing approval includes a proposed 3.5m wide cycleway connecting from Casuarina Way to Casuarina foreshore along an easement of various widths. In addition the approval provides an additional cycleway connection to Casuarina Way near the existing Santi building.*

The proposed modification now seeks to reduce the proposed cycleway width from 3.5m to 2.5m and delete the additional cycleway connection to Casuarina Way near the existing Santi building. The cycleway width of 3.5m and cycleway connection to Casuarina Way near the existing Santi building is to remain as per approved.

- *The applicant has not provided pedestrian access for the proposed Access connecting the beach car park to Grand Parade. A pedestrian footpath to be provided within the road reserve of the Access connecting the beach car park to Grand Parade for separation.*

Car Parking

- *Additional 17 existing car parking spaces are counted as being within the 100m zone. Upon review of car parking counts it seems only 6 to 7 car parks are within*

the 100m zone. Applicant to demonstrate how 17 car parks were counted as part of the 100m zone.

- *The total car parking calculations does not take into consideration the three (3) car parking spaces removed as agreed for the Kool Kids development.*
- *The proposal is essentially re-locating the existing approved car parking along Blue Horizon Drive (existing 42 parks – proposed 14 parks) to Grand Parade. Upon re-locating the car parks the applicant is changing the car parking layout from 90 degree parking to parallel parking. By re-locating the majority of car parking to Grand Parade concerns are raised regarding the following:*
 - 1) *Reduction in car parking within the 100m beach parking zone by approximately 24 car parks.*
 - 2) *The car parks in Grand Parade is more focused on mixed use (shop) car parking rather than public beach car parking.*
 - 3) *The mixed use development (shop) will want to use the public car parks in Grand Parade as credit provisions in their car parking calculations (similar to the Seaside City development).*
 - 4) *The parallel parking along Blue Horizon Drive is essentially not providing additional car parking given commuters would most likely park on the side street. The car parking proposed is only formulating car parking spaces. It is preferable if 90 degree parking is provided as per the original approval.*
 - 5) *Angle parking 30 – 60 degrees is not supported in Grand Parade in this instance as it would restrict users on opposite side of road to park. Previously there was a median proposed down the centre line of Grand Parade and 30 - 60 degree parking was desirable given one sided traffic lane. As there is no proposed central median preference is for 90 degree parking to be provided in Grande Parade to allow both east and west commuters to park.”*

Having regard to the information provided by Council's Traffic engineer and Development engineering Unit, it is considered that the proposal would require amendment to take into account the issues raised in the above comments.

Density of Casuarina Town Centre Development

The proposed modification results in an amended allotment layout design as outlined under figures 6-8 above. It is noted that this amended layout will result in a reduction in density of development on site. The Economic Impact Assessment submitted as part of this application outlines the following with respect to this;

“Clarence Property Group controls a strategic parcel of land within the Town Centre which was originally designated to incorporate some 474 dwellings. A modification to this number of dwellings is proposed, which would result in a reduced number of 330 dwellings.”

The area to which this reduction applies is identified under figure 11 below



Figure 11: Clarence Property Group Controlled Land

It is noted that under Modification 6 (Approved 16 May 2014) a reduction in density was previously approved to the Casuarina Town Centre development on land to the south of the Clarence Property land, where medium density allotments to provide for 208 units was changed to a 40 Torrens title allotment configuration.

This application would further reduce the density of development to the overall Casuarina Town Centre.

At the time of assessment of Mod 6, Council provided the following comments concerning the reduced density of the development over these allotments;

“In assessing the merits of the original proposal it was noted that a variety of low and medium density housing options was an element of the overall Casuarina Town Centre development which provided an environmental, social and economic benefit and resulted in the support of the development. Furthermore, it is considered that a town centre site should have a higher residential density in close proximity to services such as the proposed retail area in order to maintain the viability of such services.

Therefore, from Councils perspective it is considered necessary that any such amendment be suitably investigated from a holistic perspective regarding potential impacts on the Casuarina Town Centre Development.

It is not considered that adequate information has been provided in this regard to determine that the proposed amendment will not have a detrimental impact on the

Casuarina Town Centre development as a whole. As such, a detailed assessment of the potential impacts arising from the proposed modification should be provided in order to ascertain the impact of the modification with respect to this.”

The modification application now submitted seeks to further reduce the density of development over this area by an additional 144 dwellings. Tweed Shire Council would again request that Department of Planning & Environment assess this as a reduction to the density of the overall Casuarina Town Centre development and consider its suitability from an holistic perspective regarding potential impacts on the Casuarina Town Centre Development.

It is further noted that under Tweed Local Environmental Plan 2014, a large portion of land to which this application relates is zoned B2 Local Centre and R3 Medium Density Residential uses where a greater residential density would ordinarily be provided.

Modification of the built form to increase the height of buildings permitted along Grand Parade

The submitted application advises that the concept plan has been designed in order to create a gradual increase in density from the surrounding existing residential uses to the town centre. A concept drawing of this has been reproduced under figure 12 below;



Figure 12: Concept Imagery

It is further noted that the modified master plan encompasses two four storey apartment sites to the western end of Grand Parade. Grand Parade is stated as being lined with three and four storey mixed use retail (ground floor) and residential units (levels 2 & 3). The

submitted application advises that the proposed building height accords with the 13.6m building height limit prescribed within the Tweed Local Environmental Plan 2014.

The Grand Parade sheet contained within the Urban Design Plans and Design Statement prepared by RPS (Page 4 of 18) indicates that there would be Ground Level Mixed Use development such as shop top housing and SOHO type units proposed as part of this modification.

Council would be supportive of the area being utilised for commercial and mixed use type development, which would be consistent with the current zoning over the land under the Tweed Local Environmental Plan 2014 (B2 Local Centre), however it is requested that the land use definition of any such SOHO units be provided in order to determine whether this would entail a commercial use or a home office area which would be ancillary to a residential unit on site.

Council officers raise no objection to the proposed modified building heights. In this regard it is noted that this area was previously subject to a three storey building height control under Tweed Local Environment Plan 2000, however the current Council controls under Tweed Local Environmental Plan 2014, a building height of 13.6m is identified for this site, which the applicant states will be complied with.

With respect to the built form gradual increase in height, please see comments above relating to the density being achieved across the Casuarina Town Centre development.

Deletion of the approved hotel use

A tourist hotel was approved as part of the original Casuarina Town Centre development. As part of this S75W modification application, it is proposed to delete this use *'due to the development not being deemed economically feasible having regard to existing tourist development within the immediate locality.'*

It is noted that the Economic Impact Assessment submitted as part of this application does not detail further how this conclusion has been reached.

Tweed Shire Council does not have any specific comments with respect to the deletion of this use, however the Department of Planning and Environment is requested to determine any impacts associated with same as part of its assessment of the modification.

Revisions to the drainage concept to facilitate the filling of the existing drainage swale and the conversion of the swale to a 'green buffer'

There is currently a 36m swale located to the north site boundary, approved under the original approval. Modification 1 raised the proposal to pipe the swale and reduce the width of drainage land to accommodate it. Under this Modification the Department issued an approval that set various design criteria around the sizing of the piped system to ensure equivalency of performance in extreme storm events, requirements to offset lost infiltration capacity, and requirement that a 20m wide drainage reserve be created over the drainage infrastructure along the northern boundary, thereby preserving a buffer function and continuity for a cycleway between the sports fields to the coastline cycleway.

In granting owner's consent for works to be carried out in this area, Council agreed to relinquish the 36m wide easement in return for the dedication of the 20m wide drainage reserve. To date these works and dedication have not taken place. The previously approved 20m easement is demonstrated in figure 13 below;

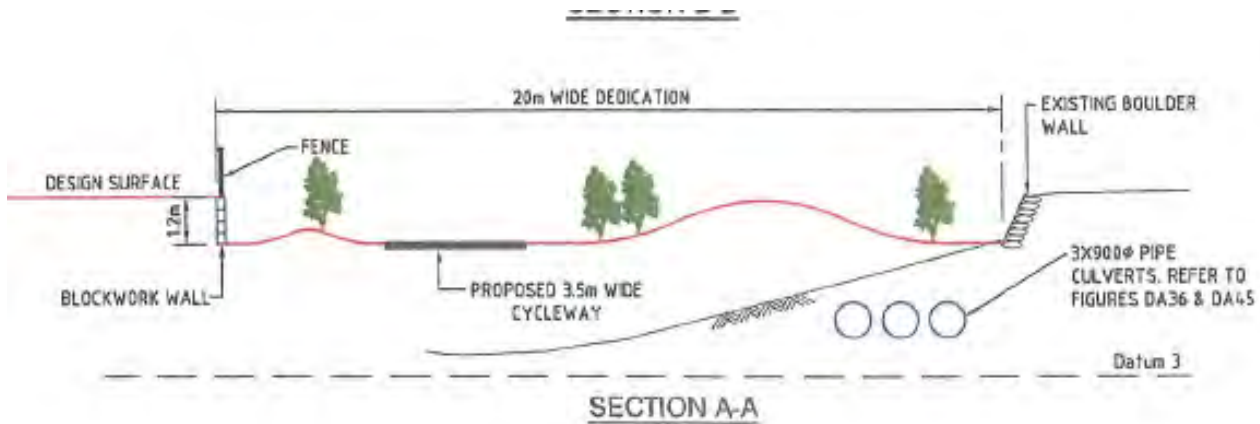


Figure 13: Approved Easement

The submitted application outlines that the purpose of the swale was twofold, firstly to provide for stormwater management within Casuarina, and secondly to address the proposed land use interface with the adjoining northern residential dwellings.

Beyond this it is also noted that this easement is benefitted to Tweed Shire Council, and as such an application to extinguish same would need to be approved by Council.

It is now proposed to locate a road within this 20m dedication, resulting in a reduced 8m wide buffer, as identified in the subdivision layout and figures 14 and 15 below;

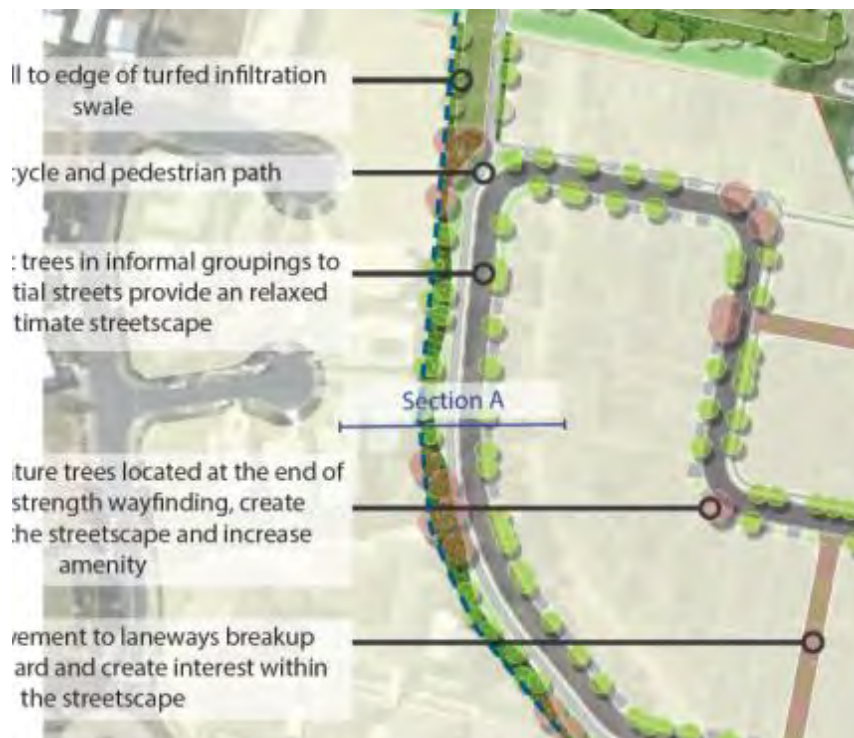


Figure 14: North Boundary Treatment with road

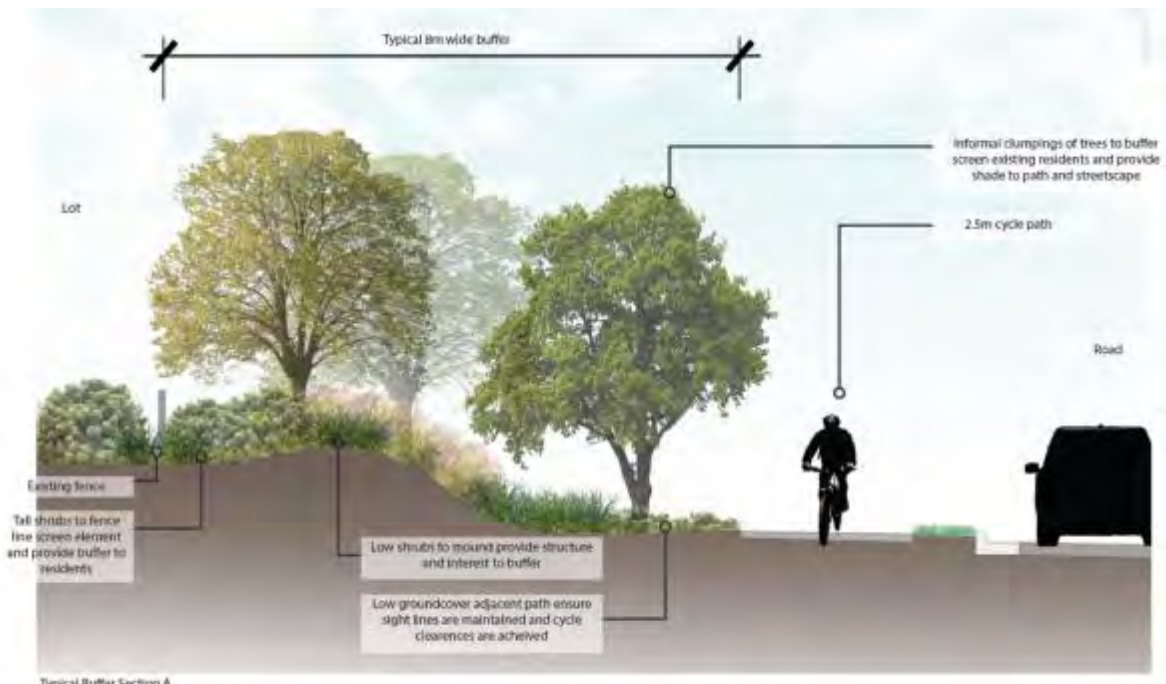


Figure 15: Concept drawing of proposed 8m wide buffer

It is noted that a number of letters have been received by Council during the exhibition of this application, objecting to the amendments to this component of the Casuarina town Centre Development. Council will forward these submissions to Department of Planning & Environment who are the consent authority and request that they take the matters raised into consideration when determining the application.

The proposed modification to amend this swale to the north site boundary has been reviewed by Council's Infrastructure Engineer (proposal would require changes to the easements benefitting Council), Development Engineer and Stormwater Engineer, with the following comments provided;

Infrastructure Engineer (Easement)

The drainage swale provides a high capacity connection between the coastal swale that services the Casuarina Estate and an outlet to Cudgen Creek to the west. It provides a high degree of infiltration due to the sandy soil. Taking into account the design specifications provided by the existing consent and Council's D5 specification, the modification application proposes to replace the open swale with large diameter pipes (3 x 1650mm pipes) to cater for the Q100 flow. Modelling demonstrates that this piped configuration does not increase upstream flood levels in extreme events, or increase the incidence of the coastal swale overtopping the dune to the beach. This would allow for the overall easement width to be reduced, provided equivalent infiltration can be achieved elsewhere in the trunk drainage system. As such, there is no hydraulic reason to oppose the piping of the swale drain, only the public benefits afforded by the wider easement.

Detail of the proposed configuration of the area within the easement is difficult to locate in the modification application. It is assumed that the area will be dedicated as a widened road reserve, containing landscaped vegetation for the first 8m from the northern boundary, a 2.5m wide cycleway, and then a local access street, up to the front boundary of low density residential allotments. The 3x1650 stormwater pipes, a realigned sewer, as well as necessary water services, telecommunications and street lighting will be provided within this area.

It is requested that the applicant provide a clear cross section showing all above and below ground infrastructure, landforming batters and retaining structures, and clearances between the various uses e.g. Vegetation, cycleway, roadway, verge widths, and piped infrastructure. Without such detail, it is suspected that inadequate width has been allowed for in the design, noting that approved 20m wide drainage reserve in the current approval did not include road infrastructure.

Widening of this area to accommodate the additional road infrastructure should also help address the ongoing concerns of landowners to the north and their expectation of a buffer zone created by the drainage reserve.

Development Engineering Unit

The applicant proposes to pipe and fill the existing open swale. The proposal is for with 3 x 1650mm pipes to be installed and to significantly reduce the drainage reserve width (currently 36m wide).

The issue of the drainage swale and associated easement over the Casuarina Town Centre site is long running and there is a great deal of history and correspondence associated with the various landholders' proposals to realign, reduce or eliminate the open drain in order to maximise developable area.

Of relevance to this assessment is a letter dated 24 September 2013 to NDC from Council's Coordinator Development Engineering. This provides a summarised history of the issues, and in consideration of the proposal to fill and pipe the swale and reduce the easement width concludes:

"Council wishes to retain the existing approval drainage reserve to ensure a minimum urban buffer is achieved. Therefore, Council does not accept piping of the whole open drain and the reduction of drainage reserve widths and easement widths from the original agreement."

The current proposal does not acknowledge this previous advice.. there is no justification for Council to change the viewpoint of opposing piping of the whole swale.

Stormwater Engineer

The application has included a preliminary engineering assessment with preliminary conceptual engineering details. Based on review of the documents the applicant is prepared to accept our earlier advice that the equivalent Infiltration Basin Configuration on the adopted Cardno MBK plan SK No. 7079/1-24 Rev B shall be incorporated with this proposal.

Conceptually the application has provided three separate locations for the infiltration basins as shown on the NDC plan - SWINF 01 - Rev B Dec 2015. There are two located either side of Casuarina Way - Pavilion Ct (Western side 725sqm - existing) and adjacent to Blue Horizon Dr (Eastern side 1130sqm). The remaining basin of 2255sqm is proposed at the northern end of the Town Centre within and adjacent the existing coastal swale and public reserve. For the purposes of this assessment I will refer to this third basin as Basin 3.

In conclusion, it is considered that the proponent may be able to achieve the required stormwater/infrastructure provisions within the amended design, however sufficient

information has not been provided as part of this application to demonstrate that all services can be located in the proposed area.

It is further considered that adequate justification for the reduction of a buffer area has not been provided as part of this application. This is in particular noted through the submission of correspondence from landowners to the north in opposition to this element of the proposal.

Council would request that the Department of Planning & Environment give consideration to the public submissions received with respect to this element of the modification and it is considered that without sufficient justification for a change to the approved layout, Council would prefer that the existing arrangement remain to this area.

An application has been submitted to Tweed Shire Council for the extinguishment of the existing easement to the north site boundary (to be replaced by road reserve under this proposed layout) which would require the approval of the elected Council, however the applicant has requested that the determination of this application be deferred.

Changes to the timing for the provision of additional beach access

Under the current approval, Condition B51 of the Concept Approval requires the proponent to obtain approval from the relevant agencies regarding the provision of a proposed beach access to the east of the icon building. This is currently required prior to the issue of a construction certificate for balance of Stage 1 works. The applicant has requested that the approval be modified to have the access approved in Stage 2 in association with the development of the 'Icon Building' and surf lifesaving facilities.

To this end the applicant has provided an amended condition B51 which states that *'Evidence of the approval for the construction of the beach access shall be provided to the Department prior to the issue of the Construction Certificate for the Icon Building.'*

This has been reviewed by Council's natural Resource management Unit who have advised that there is *'No objection to the proposed changes to timing for provision of additional beach access.'*

Council has no objection to the amended timing for the beach access provision.

Changes to the approved staging plan

Amended staging of the development is proposed as part of this application. With respect to this, the submitted application states the following;

"Stage 1D is proposed to include the construction of the civil infrastructure and its associated dedication as a public asset, whilst Stage 1E will include the release of the remaining 92 lots (including 2 public reserves). Stage 1D will encompass the development of the balance of the road network (as amended), water, sewer, drainage, electricity and telecommunication infrastructure for the full Casuarina Town Centre. As part of the drainage works, the existing swale will be piped and filled and thereby established as a planted buffer with a shared pedestrian/cycleway path.

Stage 1E will then comprise the release of the balance of the subdivision for future residential housing, mixed use, commercial and retail development. The timing for the release of the lots within Stage 1E will occur based on market demand.”

The amended staging is demonstrated in figure 16 below;

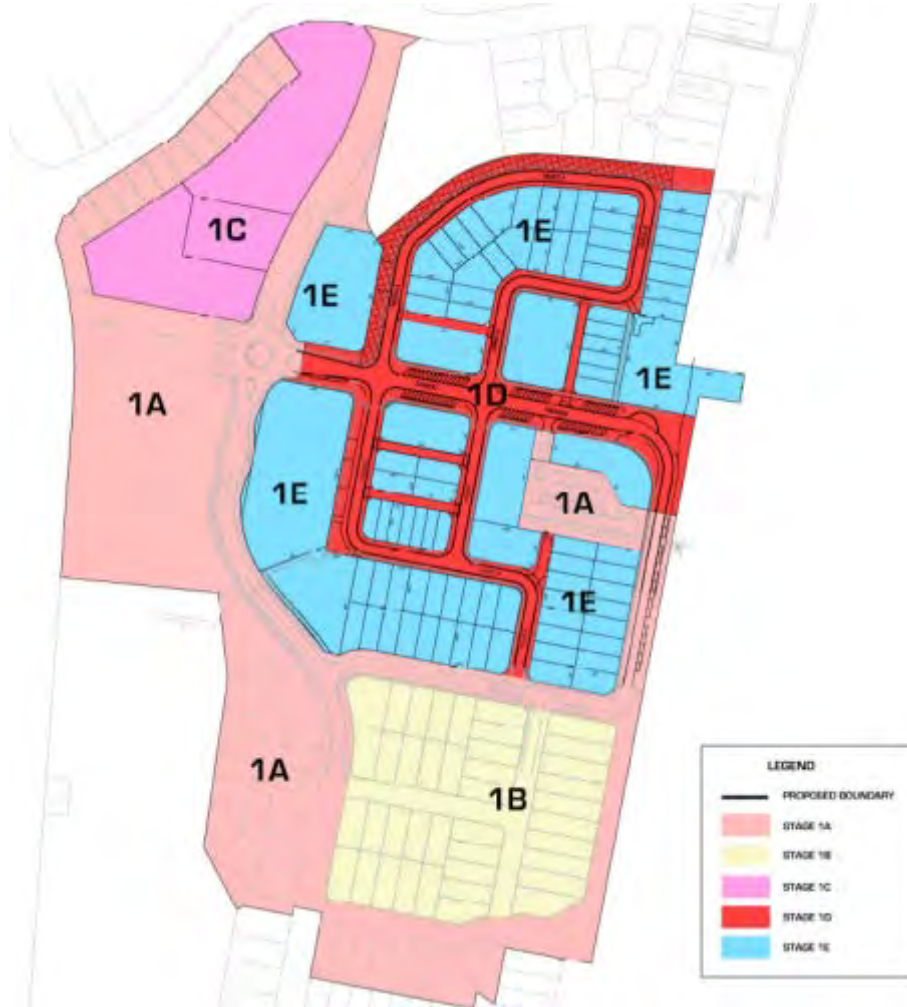


Figure 16: Proposed Staging plan

Council do not have any specific objections to the staging of the development in this manner, provided the provision of infrastructure (Stage 1D) occurs prior to the release of allotments (Stage 1E).

It is noted that Development Sequence Plan (Drawing No. 13/054), prepared by Newton Denny Chapelle and dated 21 December 2015 demonstrates an allotment to the west of Casuarina Way as part of Stage 1D works. The Department of Planning and Environment are requested to clarify whether it is intended to incorporate this site into Stage 1D works.

Administrative changes to the conditions of approval in response to the above changes.

As outlined in the comments contained elsewhere in this report, it is considered that additional information is required with respect to the proposed modification application which would likely necessitate the amendment to the conditions of approval. Tweed Shire Council

would welcome an opportunity to comment/review conditions of approval prior to the application being finalised.

Public Comments

Council have received correspondence throughout the exhibition period with respect to the modification. These are to be forwarded to NSW Planning & Environment, with the Department requested to take into account the matters raised in these correspondences.

Miscellaneous

Owners consent/ Land to which the Modification relates

This modification is stated as relating to an 8.93ha portion of the Casuarina Town Centre development. This would correlate with Lot 15 DP 1198266, for which landowners consent has been submitted to the Department of Planning and Environment.

However the submitted application elsewhere relates to a modified layout which also includes Lot 13 DP 1014470, a 5.2 ha Tweed Shire Council owned parcel of land located adjacent to the coastal foreshore within which works (including a retaining wall) appear to be proposed and a road reserve which includes parking area. It does not appear that Council consent for works on this land has been submitted as part of this application.

The Department of Planning and Environment is requested to clarify the allotments/land included as part of this application and to ensure that the correct landowners consent has been submitted.

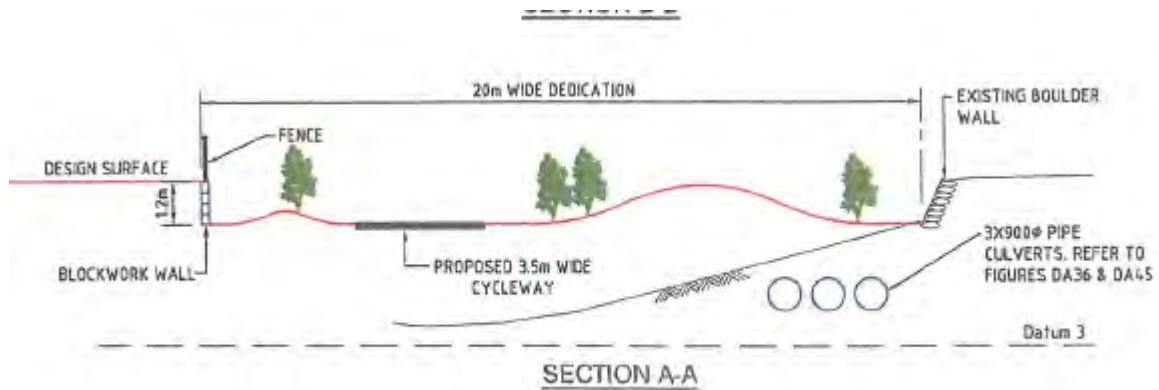
Tweed Shire Council Officer Comments in Full

Development Engineering Unit request further information/modified design with respect to the following

Earthworks and Retaining walls

- Tweed Shire Councils Development Design Specification – D6 Site Regrading (TSC-D6) specifies that the maximum permissible combined of retaining walls or batters in residential subdivisions shall be 1.8m above street level and 2.4m below street level. The proposal to have a retaining wall up to 4m in a residential subdivision (adjacent to proposed Lot 92) does not comply with TSC – D6.

The previously approved cycleway/drainage plan (Figure No. DA44D(21/12/09) provided an open channel approval with a retaining wall limited to a maximum of 1.2m in height as per below:



- Concerns are raised on the number of retaining walls proposed across the site. It seems that the applicant has used multiple retaining walls to provide flatter gradient sites. The previous earthwork approvals did not have multiple retaining walls and still achieved compliant gradients.
- Concerns are raised regarding the number of proposed retaining walls in public road reserves / open space foreshore area on the western boundary. The walls would attract increased maintenance issues such as graffiti, re-painting, weed control etc. compared to a gradient batter that is grassed. The previous earthwork approvals did not have multiple retaining walls.

Road Network/Horizontal/Vertical Alignment, Cross Section

- The modification now seeks to reduce the road reserve width of Road 1 (Grand Parade) from 33.370m to 29m in width. The modification also is reducing the verge area from 4.5m to 3.5m. Tweed Shire Councils minimum road reserve width for this type of access road is to be 30m and minimum footpath verge to be 4.5m.
- The applicant is to indicate if the mixed use will provide shop frontage on Grand Parade and if so then Tweed Shire Council standard road standards require full width concrete pavement of the 4.5m wide verge on Grand Parade.
- The applicant to confirm if the rear access laneways (lots 37-43, 45-46, 53 and 79-84) will be privately owned with appropriate easements or public roads conforming to Council standards. If public road then applicant to demonstrate to Council standards.
- The applicant to confirm if the access driveway servicing proposed Lots 14, 15 and 16 is proposed to be privately owned with appropriate easements or intended to be a public road conforming to Council standards. If public road then applicant to demonstrate to Council standards.
- Adjacent to proposed Lot 85 being the public reserve there is a widened section of Grand Parade forming a nib. The applicant is to demonstrate the purpose of the widened section and its practicality compared to car parking previously approved adjacent to the public reserve.

Intersections

- The current approval provides roundabouts at four way intersections. The proposed modification now seeks to provide four way intersections with Give Way signs by means of priority control with Grand Parade. The applicant justifies intersection design to be Give Way by argumentation of low traffic volumes, more friendly towards pedestrians and cyclists at four way intersections. The applicant has not considered Tweed Shire Councils Specifications for design.

Tweed Shire Councils Development Design Specification – D1 specifies traffic control at four way intersections being Neighbourhood Connector and/or Access Streets to be controlled by use of roundabouts for use of speed control and intersection safety. A four way intersection for Access Street / Access Street may be controlled by small roundabouts (mountable are acceptable).

- An access lane is proposed to connect the beach car park to Grand Parade. The proposed access lane is almost directly opposite a proposed driveway access for proposed Lots 79 – 84. Australian Standard AS2890.1 specifies prohibited locations of access driveways (Figure 3.1). The proposed driveway access as indicated is within the prohibited location.

Footpaths / Cycleway

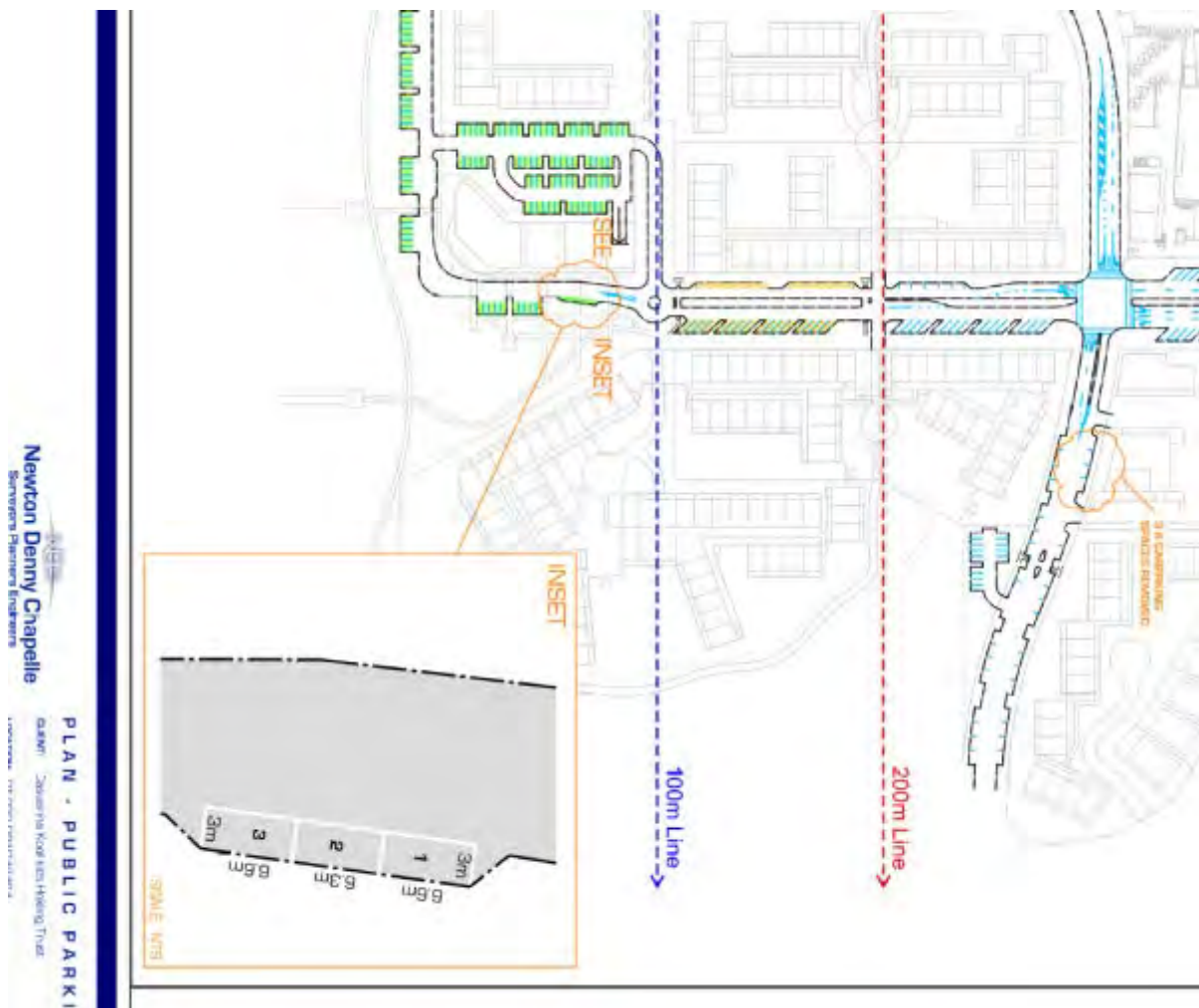
- The existing approval includes a proposed 3.5m wide cycleway connecting from Casuarina Way to Casuarina foreshore along an easement of various widths. In addition the approval provides an additional cycleway connection to Casuarina Way near the existing Santi building.

The proposed modification now seeks to reduce the proposed cycleway width from 3.5m to 2.5m and delete the additional cycleway connection to Casuarina Way near the existing Santi building. The cycleway width of 3.5m and cycleway connection to Casuarina Way near the existing Santi building is to remain as per approved.

- The applicant has not provided pedestrian access for the proposed Access connecting the beach car park to Grand Parade. A pedestrian footpath to be provided within the road reserve of the Access connecting the beach car park to Grand Parade for separation.

Car Parking

- Additional 17 existing car parking spaces are counted as being within the 100m zone. Upon review of car parking counts it seems only 6 to 7 car parks are within the 100m zone. Applicant to demonstrate how 17 car parks were counted as part of the 100m zone.
- The total car parking calculations does not take into consideration the three (3) car parking spaces removed as agreed for the Kool Kids development as per below:



- The proposal is essentially re-locating the existing approved car parking along Blue Horizon Drive (existing 42 parks – proposed 14 parks) to Grand Parade. Upon re-locating the car parks the applicant is changing the car parking layout from 90 degree parking to parallel parking. By re-locating the majority of car parking to Grand Parade concerns are raised regarding the following:
 - Reduction in car parking within the 100m beach parking zone by approximately 24 car parks.
 - The car parks in Grand Parade is more focused on mixed use (shop) car parking rather than public beach car parking.
 - The mixed use development (shop) will want to use the public car parks in Grand Parade as credit provisions in their car parking calculations (similar to the Seaside City development).
 - The parallel parking along Blue Horizon Drive is essentially not providing additional car parking given commuters would most likely park on the side street. The car parking proposed is only formulating car parking spaces. It is preferable if 90 degree parking is provided as per the original approval.
 - Angle parking 30 – 60 degrees is not supported in Grand Parade in this instance as it would restrict users on opposite side of road to park. Previously there was a median proposed down the centre line of Grand Parade and 30 - 60 degree parking was desirable given one sided traffic lane. As there is no proposed central median preference is for 90 degree parking to be provided in Grande Parade to allow both east and west commuters to park.

Open Swale Drainage

- The applicant proposes to pipe and fill the existing open swale. The proposal is for with 3 x 1650mm pipes to be installed and to significantly reduce the drainage reserve width (currently 36m wide).

The issue of the drainage swale and associated easement over the Casuarina Town Centre site is long running and there is a great deal of history and correspondence associated with the various landholders' proposals to realign, reduce or eliminate the open drain in order to maximise developable area.

Of relevance to this assessment is a letter dated 24 September 2013 to NDC from Council's Coordinator Development Engineering. This provides a summarised history of the issues, and in consideration of the proposal to fill and pipe the swale and reduce the easement width concludes:

- *"Council wishes to retain the existing approval drainage reserve to ensure a minimum urban buffer is achieved. Therefore, Council does not accept piping of the whole open drain and the reduction of drainage reserve widths and easement widths from the original agreement."*

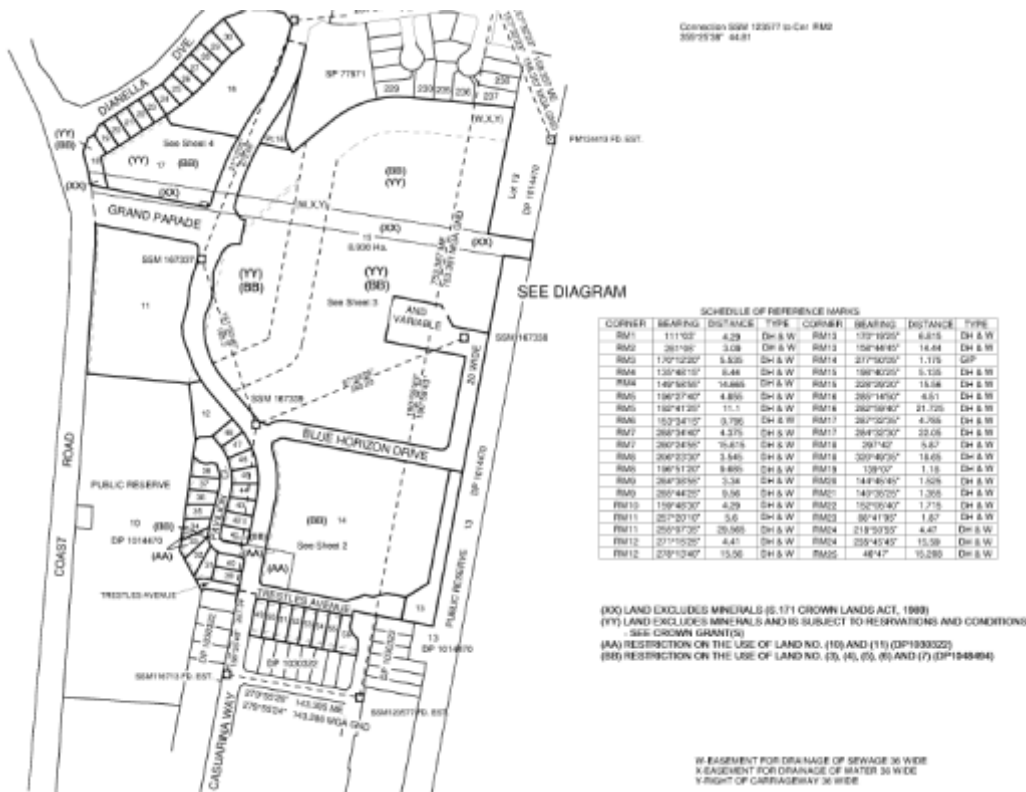
The current proposal does not acknowledge this previous advice, or attempt to address the urban design issues associated with the proposed changes to the easement and associated works. As such, there is no justification for Council to change the viewpoint of opposing piping of the whole swale, and no changes to the existing easement benefiting Council will be supported.

Stormwater Operational Phase

- There is an existing Gross Pollutant Trap (GPT) (GPT 12a-1) that requires modification in order to function correctly. The applicant's contractors have provided previous correspondence that this GPT would be fixed. This proposal will only further impact on the GPT's performance. Applicant to indicate when GPT 12a-1 will be rectified. Preference is for GPT to be modified during construction.

Infrastructure Engineer Comments (Easement)

As asset owner, this assessment will centre on the proposal to fill the drainage swale which currently traverses the site, and associated changes to the easements benefiting Council (easements for drainage, sewerage and right of carriageway, 36m wide, refer deposited plan below).



The town planning report describes various previous modifications to the Concept and Project Approvals. MOD1 from 2009 first raised the proposal to pipe the swale and reduce the width of drainage land to accommodate it. The Department issued an approval that set various design criteria around the sizing of the piped system to ensure equivalency of performance in extreme storm events, requirements to offset lost infiltration capacity, and required that a 20m wide drainage reserve be created over the drainage infrastructure along the northern boundary, thereby preserving a buffer function and continuity for a cycleway between the sportsfields to the coastline cycleway.

In granting owner's consent for works to be carried out in this area, it was agreed to relinquish the 36m wide easement in return for the dedication of the 20m wide drainage reserve. However to date these works and dedication have not taken place.

The drainage swale provides a high capacity connection between the coastal swale that services the Casuarina Estate and an outlet to Cudgen Creek to the west. It provides a high degree of infiltration due to the sandy soil. Taking into account the design specifications provided by the existing consent and Council's D5 specification, the modification application proposes to replace the open swale with large diameter pipes (3 x 1650mm pipes) to cater for the Q100 flow. Modelling demonstrates that this piped configuration does not increase upstream flood levels in extreme events, or increase the incidence of the coastal swale overtopping the dune to the beach. This would allow for the overall easement width to be reduced, provided equivalent infiltration can be achieved elsewhere in the trunk drainage system (refer to separate assessment by the Flooding and Stormwater Engineer). As such, there is no hydraulic reason to oppose the piping of the swale drain, only the public benefits afforded by the wider easement.

Detail of the proposed configuration of the area within the easement is difficult to locate in the modification application. It is assumed that the area will be dedicated as a widened road reserve, containing landscaped vegetation for the first 8m from the northern boundary, a

2.5m wide cycleway, and then a local access street, up to the front boundary of low density residential allotments. The 3x1650 stormwater pipes, a realigned sewer, as well as necessary water services, telecommunications and street lighting will be provided within this area. **It is requested that the applicant provide a clear cross section showing all above and below ground infrastructure, landforming batters and retaining structures, and clearances between the various uses e.g. Vegetation, cycleway, roadway, verge widths, and piped infrastructure. Without such detail, it is suspected that inadequate width has been allowed for in the design, noting that approved 20m wide drainage reserve in the current approval did not include road infrastructure.**

Widening of this area to accommodate the additional road infrastructure should also help address the ongoing concerns of landowners to the north and their expectation of a buffer zone created by the drainage reserve.

Traffic Engineer Comments

Whilst the development can be accommodated on the existing road network, the proposed road layout needs review in consideration of the following.

Traffic

Estimated traffic generation for the Development would appear to be significantly understated, particularly for the Retail (3200m²) component. Attachment 6 Engineering Services Report, Section 4.2 Trip Generation needs to be reviewed in reference to the Roads and Maritime Services Guide to Traffic Generating Developments.

The proposed 4 leg intersection treatments at Grand Parade/Roads A and B, are not considered acceptable given Council's experience with similar intersections where crash history results in required upgrading through Federal Black Spot funding. The traffic volumes need review in accordance with the RMS Guidelines and suitable treatments constructed (roundabouts) to reduce potential conflict points. Roundabouts also provide turnaround facilities for motorists seeking on road parking negating the need to circulate on residential roads or Casuarina Way.

The on road parking layout on Grand Parade is only suitable for left in movements. The parking bays should be modified to be 90 degree angle parking with dimensions according to AS2890.5.

Public Car Parking

- On-road parallel parking bays do not provide additional parking as vehicles can always park on roads where there is sufficient width.
- The on road parking on Grand Parade should not be included in the public carparking provision. It is likely that these car spaces will be absorbed for parking associated with the retail developments.
- The parallel parking bays on Blue Horizon Drive are not supported as they do not result in actual increase car parking provision. It is recommended that 90 degree angle parking be designed on Blue Horizon Drive adjacent to the beach foreshore.

Pedestrian access.

There are no proposed pedestrian facilities on Grand Parade and this should be reviewed in consideration of the likely pedestrian desire lines.

Stormwater Engineer Comments

The application has included a preliminary engineering assessment with preliminary conceptual engineering details (Engineering Services Report - NDC - December 2015). Based on review of the documents the applicant is prepared to accept our earlier advice that the equivalent Infiltration Basin Configuration on the adopted Cardno MBK plan SK No. 7079/1-24 Rev B shall be incorporated with this proposal - refer Section 5.2 of the report.

Conceptually the application has provided three separate locations for the infiltration basins as shown on the NDC plan - SWINF 01 - Rev B Dec 2015. There are two located either side of Casuarina Way - Pavilion Ct (Western side 725sqm - existing) and adjacent to Blue Horizon Dr (Eastern side 1130sqm). The remaining basin of 2255sqm is proposed at the northern end of the Town Centre within and adjacent the existing coastal swale and public reserve. For the purposes of this assessment I will refer to this third basin as Basin 3.

Review of the NDC - Bulk Earthworks Plan BE001 - Rev A indicates Basin 3 will involve earthworks shaping and cut within the already dedicated Public Reserve of Lot 13 DP 1014470. The proposed earthworks are shown to extend through to the edge of the existing coastal cycleway. In addition retaining walls are shown as 1m high, however based on the proposed and existing landform. I strongly suspect the walls would be greater than 2.5m high rather than the 1m nominated. For example the adjacent proposed Lot 92 ranges from RL 7 to 7.25m AHD and the existing swale is at RL 4m - in short there is over a 3m level difference.

From a maintenance perspective Basin 3 has no road frontage or vehicular access apart from the existing coastal cycleway. Ease of access for maintenance shall be considered and documented for Basin 3 that eliminates disruption to the existing cycleway. I also have concerns about the available space to accommodate the 2550sqm infiltration basin which excludes maintenance access and batter embankments without resuming existing dedicated open space. Extensive use of retaining wall structures is not acceptable from an ongoing maintenance perspective. Further investigation shall be undertaken to accommodate other available locations for infiltration basin/s that mitigates resumption and impacts of dedicated open space within the development footprint.

Water and Wastewater Unit Comments

The information provided within the document for water and wastewater infrastructure is considered to be insufficient for Council to make a reasonable assessment of the proposal. Only one plan has been provided to show Sewerage (Master Services Plan in Appendix A) which is at scale 1:750 and is difficult to see detail and does not show Water Supply.

The following issues are highlighted as the main Water Unit concerns:

Sewerage System

- The report does not discuss the impact to the downstream sewerage infrastructure based on the changes to the proposal and the capacity to accept additional flows.
- No information has been provided regarding the proposed trunk sewer relocation to demonstrate that it meets the requirements outlined within Tweed Shire Council Development Design Specification D12 – Sewerage System. It does

however indicate that the trunk sewer will be deeper than the maximum permitted in D12.

- No information has been provided regarding the proposed sewer reticulation layout to demonstrate that it meets the requirements outlined within Tweed Shire Council Development Design Specification D12 – Sewerage System.
- The Master Services Plan does not show the most recent trunk sewer main details.
- The Master Services Plan appears to show sewer reticulation located next to a retaining wall up to four meters high and under the Q100 stormwater piped drainage system. Information shall be provided to demonstrate that the proposed retaining wall next to the proposed sewers meets the Tweed Shire Council Sewers – Works in Proximity Policy, to ensure that in future Council may access the sewer for maintenance, repairs or renewals.
- The Master Services Plan does not show how the lot to the north of the development will connect to the relocated trunk sewer.

Water Supply

- The Master Services Plan does not show the proposed water supply layout for the new lots.
- The Engineering report states there is sufficient capacity for the water supply network as the previous Cardno report was for an expected 550 ET as compared to 240 ET for this proposal. However it is believed that the original Cardno report included the commercial areas to the west of the proposed modification area. Thus further information is required to demonstrate that the water supply capacity of the area will be sufficient to include the proposed modification.
- No information has been provided regarding the proposed water reticulation layout to demonstrate that it meets the requirements outlined within Tweed Shire Council Development Design Specification D11 – Water Supply System.

Summary

To undertake a full and proper assessment of the proposed development the following additional information is to be provided by the applicant:

- Assessment of the downstream capacity of the sewerage system to accept the additional proposed ET as a result of the modification.
- Plans to demonstrate the proposed trunk sewer relocation and new sewer reticulation layout will meet TSC D12 requirements.
- Plans to demonstrate the proposed trunk sewer relocation will meet the Sewer-Works in Proximity Policy requirements, in particular next to the proposed four meter retaining wall and the proposed stormwater drainage system.
- Plans to demonstrate how the existing upstream catchment to the north of the development will connect to the relocated trunk main.
- Plans to show the proposed water supply layout for the new lots and to demonstrate that it meets the requirements outlined within TSC D11.
- Assessment of the capacity of the water supply to accept the additional proposed ET as a result of the modification. Provision of the Cardno information referred to in the report is requested to demonstrate the information referred to within the Engineering report.

Recreation Services Unit Comments

The Landscape Design Plans (Masterplan) submitted as part of the application have been reviewed by Council's Recreation Services Unit, with the following comment provided in relation to public open space and landscaping of public land:

- Regarding planting on the “8 metre wide buffer to rear of properties includes planted mounds, informal shrub and ground cover plantings.....”, these will need to be carefully designed to ensure minimal maintenance to the plantings will be required long term. This is important as this is not a park and won't be maintained in the same way as parks are.
- Reference is made to a “concrete wall to edge of turfed infiltration swale”. Its not clear what this means but there is strong concern regarding use of retaining walls anywhere on public land including road reserves.
- Regarding the main park at the eastern end of Grand Parade:
 - The playground appears to be too close to the road. TSC playground guidelines seek a safe distance of 30 metres to roads, waterbodies or similar potential risks.
 - More information is required regarding the function of the ‘secondary building’ shown.
 - Given the apparent use of this park as a key beach access and recreation area, public toilets and beach showers are desirable.
- Beach access points. There has been prior comment made about the number and location of the beach access tracks east of the Casuarina development. It may be appropriate to reconsider these access points however this should be considered in consultation with Council's NRM Unit.
- The ‘Bio-basin’ at the south west corner of the development. Plantings in such areas are desirable however design must consider that this will be an operational area and be designed for minimal maintenance to the plantings. Plantings in these areas received little or no long term maintenance.
- Similarly, design of the “revegetation to edges of swale to integrate device into existing dune landscape” must consider the long term maintenance implications of both the plantings and general area.
- Casuarina Beach Landscape Masterplan has been prepared with some notations upside down. For ease of comparison with previous plans please ensure the drawings are consistently oriented.

Natural Resource Management Unit Comments

There is no objection to the proposed timing for provision of additional beach access.

Environmental Health Unit Comments

Acid Sulfate Soil Management / Contaminated Lands

An Engineering Services Report prepared by Newton Denny Chapelle Consulting Surveyors & Planners dated December 2015 has been submitted. It is noted works within the drainage swale are proposed to be deeper than 0.6m AHD with groundwater generally indicated at 1m AHD.

Prior subsurface site investigation/remediation assessment and works for radiation considerations were undertaken to a depth of 4m or groundwater. It would appear drainage works will go beyond prior investigations therefore further assessment is required.

The Department of Planning and Environment need to ensure the provisions of current conditions B1 and E5 are also applied to proposed Stages 1D and 1E. Furthermore, there is a need to ensure the approved ASS MP is also applicable to proposed Stage 1D.

Amenity

The modified layout is inclusive of the removal of the 36m wide easement over the existing east/west drainage swale for the purposes of stormwater management and conduit for utility services and replaced with a 10.5m with planted zone (8m) and shared pedestrian/cycleway (2.5m) and a local road. Building setbacks are also current and applicable to the northern boundary.

The easement lies between the northern residential precinct and southern retail/commercial/residential precinct however residential development is proposed on each side of the easement.

The proposal also includes the removal of the construction of a 3-storey hotel previously nominated in the north eastern part of the Town Centre Development.

It is considered that the proposed reduction in buffer width will not significantly impact upon the noise amenity of nearby residential development.

OPTIONS:

1. Council endorses the comments to be submitted to NSW Planning & Environment with regard to all proposed modifications of the Concept Approval and Project Approval relating to Casuarina Town Centre (MP06_0258) MOD 10; or
2. Council does not endorse the attached comments to be submitted to NSW Planning & Environment and either provides amended comments or elects to make no submission on this Modification application.

Council officers recommend Option 1.

CONCLUSION:

It is considered that additional information and possible design amendments are required in order for the proposed modification to receive the support of Tweed Shire Council, as outlined in the above report. It is recommended that the Department of Planning and Environment be advised of this and requested to take Council comments into account when assessing the modification application.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|---------------|---|
| Attachment 1. | Copy of Council's draft comments to NSW Department of Planning and Environment (ECM 4012221) |
| Attachment 2. | Copy of correspondence received by Council from members of the public through the S75W Modification exhibition period (ECM 4012233) |
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9 [PR-CM] Environmental Enforcement Levy

SUBMITTED BY: Planning and Regulation

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:

At the 18 February 2016 Council Meeting, the Mayor asked the following Question on Notice:

“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?”

The Director Planning and Regulation provided initial advice on the Environmental Enforcement Levy (EEL) and committed to preparing a further report to Council.

As part of Council's endorsement of the 2007/2010 Draft Management Plan incorporating Council's 7 Year Infrastructure and Services Plan, 2007/2008 Draft Budget and Fees and Charges, an Environmental Enforcement Levy (EEL) was introduced as a new charge for all development applications (DAs) under section 608 of the Local Government Act, in addition to the prescribed fees of the Environmental Planning and Assessment Act Regulation 2000. The Levy requires a payment of 0.1% of the contract price of development, or building cost estimate, for all DAs, up to, and including an estimate of \$2 Million, which does increase for developments over \$2 Million.

The original intention of the EEL was intended to recover the costs of additional staff resources to investigate complaints or conduct audits associated with building construction, or after construction works had been completed. This use of the EEL has since expanded to include a wider range of compliance services, particularly in staff responding to complaints regarding illegal land use activity and unauthorised vegetation removal.

Since the introduction of the levy, and up until 30 June 2015, a total of \$1,395, 677 has been collected. This income has adequately covered costs in some years, however in other years it has not, depending on the economic activity at the time. The income has primarily been used for two compliance officers, one in the Building Unit, and one in the Development Assessment Unit. The total costs incurred through employee and motor vehicle cost in this

corresponding period was \$1,675,984. This represents an overall resourcing shortfall of \$280,307, which has been absorbed through the Division's salary budget.

In response to the Mayor's Question on Notice, the feasibility of increasing the EEL to expand the range of compliance services provided by Council was discussed at a recent Councillors Workshop held on 24 March 2016.

The general feedback at the Workshop was that any increase in the EEL as part of the DA process was likely to impact on the affordability and of Council's development assessment services, and would create a greater inequity for development proponents, for which their EEL payments are already making a substantial contribution towards a compliance service for the whole Shire.

It is therefore considered appropriate for Council not to consider an increase to the EEL at this point of time.

RECOMMENDATION:

That Council receives and notes this report in respect of the Environmental Enforcement Levy.

REPORT:

Background to the Environmental Enforcement Levy

As part of Council's endorsement of the 2007/2010 Draft Management Plan incorporating Council's 7 Year Infrastructure and Services Plan, 2007/2008 Draft Budget and Fees and Charges, an Environmental Enforcement Levy (EEL) was introduced as a new charge for all development applications (DAs) under Section 608 of the Local Government Act, in addition to the prescribed fees of the Environmental Planning and Assessment Act Regulation 2000. The Levy requires a payment of 0.1% of the contract price of development, or building cost estimate, for all DAs, up to, and including an estimate of \$2 Million, which does increase for developments over \$2 Million.

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Use of the EEL to Date

Whilst the EEL was introduced with a specific focus on seeking compliance for building and construction works, given that DAs are assessed by both DA and Building Units, the income generated by the EEL was originally split into creating a separate land use/town planning role (Grade 7) in the DA Unit, and a building construction role (Grade 6) in the Building Unit. An additional Grade 6 compliance officer position was created in the Building Unit as part of Council's 7 Year Special Rate Program.

The tasks undertaken by the DA compliance officer role have mainly focused on unauthorised land uses, although in more recent years there has been a greater demand to investigate complaints of unauthorised vegetation removal and earthworks, with assistance from Council's NRM Unit.

While there have been some efforts to pro-actively conduct compliance audits of completed buildings and developments (the primary objective of the EEL), the Building Unit compliance officers have mainly focused on complaints of unauthorised building works and issues raised during construction.

In general, the creation of new positions through the EEL, has provided a relief for the town planners and building surveyors from having to undertake both assessment and compliance roles.

As part of the Organisational Review in 2014, it was determined that the core compliance roles of the Planning and Regulation Division could be more consistently and effectively

managed through the consolidation of the two Building Unit compliance officers and one DA Unit compliance officer, Rangers, Parking Officers and Pound Attendants under a newly created Compliance Unit, and supervised by a new Team Leader Compliance position, who reports directly to an expanded Manager Development Assessment and Compliance role.

The revised Planning and Regulation structure has proven to be very positive and effective to date, providing a more centralised and clearer system for dealing with incoming compliance complaints.

Whilst the compliance officers are now better managed, it has been evident that there is an increasing demand from the general public, Councillors and other parts of the organisation for a much broader range of compliance services, well beyond the current resourcing capacity of the EEL and the Compliance Unit budget. Some of the areas of additional demand include:

- More rigorous investigation and prosecution of vegetation removal and earthworks.
- Increased monitoring of large residential subdivision sites, particularly in terms of run-off to adjoining waterways.
- Monitoring of footpath dining, advertising and other activities in the road reserves and footpaths of the main commercial centres.
- Monitoring of public open spaces and beaches in terms of animal management, illegal camping, events and markets.

At the 18 February 2016 Council Meeting, the Mayor asked the following Question on Notice:

“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?”

The Director Planning and Regulation provided initial advice on the EEL and committed to preparing a further report to Council.

Broader Policy Review of Council’s Compliance Role

A key 2015/16 Delivery Plan project for the Planning and Regulation Division is the creation of an updated Compliance and Enforcement Policy. Initial consultation has been undertaken with internal units and the elected Councillors to guide the scope of the project. At a recent Councillors Workshop, the Councillors gave clear direction that they want the officers to conduct a community consultation process to identify the key areas that Council should focus on with its limited compliance resources. The Compliance Unit are currently working with the Communications and Customer Service Unit to prepare a program of upcoming consultation, to inform a further briefing of the Councillors and the preparation of a new Policy.

The Feasibility of Extending the EEL to Resource Additional Compliance Activities

As mentioned above, the use of income collected through the EEL has already extended beyond its original objective.

Whilst Council's collection of the EEL under Section 608 of the Local Government Act has been confirmed as a legally valid process, there are questions of equity and good governance to be considered should Council decide to increase the EEL as part of the DA process.

To date there has been no major concerns raised by development proponents in respect of paying the EEL as part of the DA process, which can most likely be attributed to the relatively minimal additional fee generated by the current formula of 0.1% of the estimated building costs, which is capped at projects of the value of greater than \$2 Million.

In general, this formula currently favours larger developments. To provide an indication of the impact of this formula on Council's budget, in 2015/16 to date, there have been 18 DAs received by Council with building costs between \$2M and \$20M. Each of these applicants paid the capped amount of \$2,000 in addition to their standard DA fee. The total amount of "surrendered" fees incurred by Council for these 18 DAs is \$58,970. Council could consider the lifting of the current EEL cap to enable the capture of additional fees, but this is likely to generate complaints from the larger developers, who already regularly raise concerns with Council about the affordability of Council's developer contributions charges.

In terms of the impacts of raising the current EEL levy to applicants, the following table provides an indicative comparison of fees relative to building cost estimates:

	\$50K	\$100K	\$500K	\$1M	\$2M
0.1%	\$50	\$100	\$500	\$1,000	\$2,000
0.2%	\$100	\$200	\$1,000	\$2,000	\$4,000
0.3%	\$150	\$300	\$1,500	\$3,000	\$6,000
0.4%	\$200	\$400	\$2,000	\$4,000	\$8,000

In terms of Council's capacity to raise additional income for new compliance resources, the average EEL income for the years 2007/08 to 2014/15 was \$174,459, and the average staff expenses was \$209,498. An indicative estimate of how the raising of the EEL formula could raise additional income is provided below:

	AVERAGE INCOME	AVERAGE EXPENSES	NET RESOURCES
0.1%	\$174,459	\$209,498	-\$35,039
0.2%	\$348,918	\$209,498*	+\$139,420
0.3%	\$523,377	\$209,498*	+\$313,879
0.4%	\$697,836	\$209,498*	+\$488,338

* Staff expenses are likely to increase over time, and these costs do not include legal fee and other related expenses that Council incurs in taking action on compliance matters.

Councillors Workshop 24 March 2016

In response to the Mayor's Question on Notice, the feasibility of increasing the EEL to expand the range of compliance services provided by Council was discussed at a recent Councillors Workshop held on 24 March 2016.

The general feedback at the Workshop was that any increase in the EEL as part of the DA process was likely to impact on the affordability and of Council's development assessment services, and would create a greater inequity for development proponents, for which their EEL payments are already making a substantial contribution towards a compliance service for the whole Shire.

It is therefore considered appropriate for Council not to consider an increase to the EEL at this point of time.

CONCLUSION:

In response to a recent Question on Notice from the Mayor, DP&R has committed to investigating and reporting back to Council on the feasibility of increasing the EEL to fund additional compliance staff resources. On the basis of these further investigations and feedback received at Councillor's Workshop held on 24 March 2016, is considered appropriate for Council not to consider an increase to the EEL at this point of time.

COUNCIL IMPLICATIONS:

a. Policy:

A review of Council's Enforcement and Compliance Policy and procedures is currently being undertaken.

b. Budget/Long Term Financial Plan:

Any proposal to alter the current EEL would firstly need to be publicly advertised and endorsed by Council as an amendment to Council's Fees and Charges. Further consideration of the Long Term Financial Plan is critical for this matter.

c. Legal:

Council's collection of the EEL under Section 608 of the Local Government Act has been confirmed as a legally valid process.

d. Communication/Engagement:

Not applicable

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

10 [PR-CM] Coolamon Cultural Centre, Conservation Management Strategy and Expression of Interest for Commercial Leasing

SUBMITTED BY: Strategic Planning and Urban Design

Valid



Civic Leadership



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.5 Manage and plan for a balance between population growth, urban development and environmental protection and the retention of economical viable agriculture land
 - 3 Strengthening the Economy
 - 3.3 Maintain and enhance the Tweed lifestyle and environmental qualities as an attraction to business and tourism
-

SUMMARY OF REPORT:

A Conservation Management Strategy (CMS) for the Coolamon Cultural Centre, located at No. 3-5 Tumbulgum Road, Murwillumbah, has been prepared by David Scobie Architects Pty Ltd for Council, as owner of the premises. The Strategy was prepared to guide an evaluation of the future reuse of the property and public expression of interest tender.

The property was constructed in 1923 as the residence of William and Annie Proudfoot and their children, and over the years served many purposes including a country hostel for girls in 1946. Council purchased the property in 1951 and converted it into four flats for staff accommodation before further converting it in 1989 to an art gallery and exhibition centre, which was relocated in 2004 to its current Mistral Road location having outgrown the space. It has since been used for staff administration offices however, the Organisation's operating needs have continued to evolve and like those of the previous uses have, at least for the foreseeable future, surpassed the service capability of the premises.

Ensuring the property is not only financially sustainable over the long-term for its running and general maintenance, but to allow for much needed restorative works, is essential. This requires a balancing of three key matters; heritage conservation and restoration, sympathetic adaptation to create useable and code compliant space, and use of the property that furthers the public access to it, and that contributes to the economic vitality of the Township. Ascertaining an appropriate use of the property to achieve these objectives will require further examination and market testing of suitable uses and current business interest in leasing the property.

The CMS has taken these factors into account and while there is emphasis on future business uses to ensure the property is both financially sustainable for Council, as well as creating new employment opportunity and attracting new services and visitors to the area, it is nonetheless grounded on best practice conservation. The CMS envisages no structural works such as; kitchen ventilation, air conditioning, internal cool room facilities, additional

public access ramps compliant with all-access requirements of the Building Code, lighting, signage, external landscaping and paint, which lends itself to inform thoughtful consideration of potential reuse.

The CMS was completed in February 2016 and is appended to this report. The next step with determining a suitable reuse of the Coolamon Cultural Centre is to 'test' the market demand for such premises and the uses it attracts. This report seeks Council's approval to prepare and advertise a public expression of interest for that purpose.

RECOMMENDATION:

That the:

- 1. Conservation Management Strategy for the Coolamon Cultural Centre prepared by David Scobie Architects is received and noted and is to be made publicly available;**
- 2. Conservation Management Strategy for the Coolamon Cultural Centre is to be updated upon completion of any major works or otherwise at 7 year intervals;**
- 3. General Manager is to evaluate future potential uses of the premises ensuring that the long-term reuse returns the highest sustainable values for management, maintenance and restorative work, positive local employment and economic benefit, and public access and use;**
- 4. General Manager is to prepare and advertise a public expression of interest tender calling for expressions of interest for the use of the Coolamon Cultural Centre on a commercial lease basis;**
- 5. General Manager is to prepare and submit a report to Council detailing the outcome of the expression of interest tender and the evaluation of long-term sustainable reuse options for the premises, including but not limited to a comparison of:**
 - a) the financial implications on running costs, maintenance, and restoration;**
 - b) improving public access and use of the premises;**
 - c) likely economic and employment benefit to the Murwillumbah Township.**

REPORT:

Background

The Coolamon Centre is located at No. 3-5 Tumbulgum Road within walking distance of Murwillumbah town centre and with a frontage to the Tweed River. The building was originally constructed in 1923 as the family residence of William and Annie Proudfoot, prior to which the site occupied the two-story Cosmopolitan Hotel of 1885.

In recognition of its local importance a Conservation Management Strategy (CMS) for the property was prepared by David Scobie Architects Pty Ltd for Council, as owner.

Over its life the property has been occupied for many purposes, including a country hostel for girls in 1946. Council purchased the property in 1951 and converted it into four flats for staff accommodation before further converting it in 1989 to an art gallery and exhibition centre, which was relocated in 2004 to its current Mistral Road location having outgrown the space.

Minor changes were completed in 2005 to adapt several of the gallery, office and service spaces in the northern portion of the building to provide staff administration offices. The spaces in the southern portion of the building have been retained to serve as meeting rooms and the 1989 extension has been used for workshop events and exhibitions.

The building retains many of the original and distinctive exterior and internal materials, details and features contributing to its significance and warranting its conservation. It has generally been well maintained with issues attended to on a regular basis however, there are areas and elements where the level and regularity of maintenance, and restoration could be improved.

The property is generally capable of accommodating a range of uses compatible with its cultural heritage significance and that would need to be achieved without any major changes to the significant building fabric, the setting next to the Tweed River and the historic Ferry Road. Its future use may continue significant associations with the art and cultural community and provide improved public accessibility to the grounds.

The Conservation Management Strategy

Council is the owner of many properties identified as either a heritage item or as being within a heritage conservation zone. Some of these properties possess high level historical significance whilst at the same time serve an operational purpose, and require maintenance or modification. Leading a best practice approach and as an example to private property owners Council is progressively undertaking conservation management strategies to identify the best conservation management approach for individual properties; this is typically occurring on a case by case basis as demand for guidance arises in the lifecycle and operation of these buildings and places.

Following a selective public tender process in April 2015 David Scobie Architects Pty Ltd were awarded a contract to prepare a Conservation Management Strategy (CMS) for the Coolamon Cultural Centre. The third and final version of the CMS was delivered in February 2016, following comprehensive review and collaboration between the Consultant, Council staff and its heritage advisor.

The CMS is intended to provide a practical working tool to guide the future development and conservation of the site, including the selection of new uses and any associated adaptation of the building and site which may be required. It highlights that conservation of the original and significant external and internal building fabric is a key objective as is maintaining the broader community values associated with the historic and social aspects of the cultural heritage significance, including the ferry crossing, the Proudfoot family and the art Gallery.

The methodology for the CMS is based on the format established in the document entitled '*The Conservation Management Plan*' by Dr James Semple Kerr (6th Edition, 2004) and the terms: fabric, place, preservation, reconstruction, restoration, adaptation and conservation used within the CMS have the meaning given to them in Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) 1999.

Further, the assessment of significance is guided by the requirements of the *Heritage Act 1972* (NSW) when determining whether it is of 'State or Local Significance'. The criterion for identifying local significance comprises 7 key criteria, generally described as: historical significance, historical association, aesthetic significance, social significance, technical/research significance, rarity, and representativeness. These are each discussed in detail within the CMS from page 27.

The general structure of the CMS may be described as:

- Objectives and Methodology
- Historical analysis and associations (Part 1)
- Describing the building and its curtilage
- Identification and assessment of significance
- Approaches to conservation and management (Part 2)
- Recording present condition
- Identification of items and fabric that may be conserved, restored or altered
- Matters to consider when considering reuse and adaptation
- Architectural drawings and photographic condition assessment
- How to use the CMS and the need for development consent

The final version of the CMS is provided as Attachment 1 to this report.

Cessation of Administrative Offices

The operational arm of council has continued to evolve and its present requirements like those that bore upon the property's historic uses have, at least for the foreseeable future, surpassed the serviceable capability of the premises. This is in part owing to the heritage significance of the Coolamon Cultural Centre, which precludes it from any major expansion and modification works. As such it is incapable of meeting operational requirements and is surplus to requirements for public administration.

Best practice governance requires that council has a long-term sustainable exit strategy that limits any financial risk exposure to Council, and to ensure the proper conservation management of the property when its current occupation ceases, should it wish to retain ownership of the property. This will require an evaluation of the highest and best use for it going forward.

With long-term conservation being a key objective it is essential that any future use is both compatible with the premises so as to minimise adaptation works, can improve public benefit and access to it, and has positive employment and economic benefits, as well as ensuring it is financially self-sufficient. Combining these themes this report generally refers to this overarching requirement as 'sustainable reuse', and as the Coolamon Cultural Centre enters a new chapter in its history there is a prevailing need to ensure that it is '*sustainably reused*'. Being sustainable economically is essential for the proper ongoing management of the premises and importantly critical to the improvement and restoration of this important historic landmark.

Determining a suitable reuse of the Coolamon Cultural Centre will require 'testing' the market demand for such premises and the uses it attracts. The Conservation Management Strategy (CMS) is intended to provide a practical working tool to guide the future development and conservation of the property, including the selection of new uses and any associated adaptation of the building and site which may be required. It will lend itself to inform thoughtful consideration of potential reuse by highlighting the significant elements and features that may, for example; require removal, be maintained, relocated, reinstated, or adapted.

The following extract from the CMS provides an illustration of how the information regarding key elements of the property and their significance is collated and tabulated, complete with a succinct recommendation that is readily understandable and capable of aiding consideration of a reuse. This is useful both to the property owner/manager, as well as any prospective occupier/lessee.

Room No.	Name	Element	Existing	Significance	Proposals/maintenance/restoration/reinstatement
1	Front West Verandah	Floor	Hardwood Boards	Exceptional	Replace worn varnish with decking oil applied two yearly
		Walls	Weatherboards	High	Maintain
		Ceiling	Sheet lining	Detracts	Consider replacement/reinstate lining boards
		Joinery	Balustrade	Exceptional	Maintain
		Details	Wall lights	Detracts	Relocate to verandah soffit
2	Entry	Floor	Carpet on hardwood?	Little	Replace as required Exposed timber hardwood flooring recommended
		Walls	Varies Plasterboard infill Sheeting above dado panels	Little Exceptional	Adapt as required: Reinstate eastern wall to the lines of the bulkhead Note northern partition reinstated circa 2006 Note original pressed metal vents in external walls
		Ceiling	Sheeting with cover battens and canted cornice	Exceptional	Maintain
		Joinery	Dado panels	Exceptional	Restore finish to painted dado panels
			Picture rails	Exceptional	Maintain
			Modified entry door	Little	Maintain as sympathetic and meets compliance
Skirtings & architraves	Exceptional		Remove paint and restore finish to timber		
Details	Lights	Detracts	Replace with sympathetic fittings such as the Heritage		

Figure 2 – Excerpt; David Scobie Architects Pty Ltd, (2016) Conservation Management Strategy: The Coolamon Centre, p31.

Adaptive Reuse and Public Expression of Interest Tender

Discussed earlier within the report is the need to evaluate the adaptive reuse options for the property. While this can be largely undertaken on a desktop basis for evaluating community based uses a more informed approach is required for ascertaining potential use of the premises on a commercial use/leasing arrangement. This latter use is also the preferred use because public/community uses are not likely to meet the economic sustainability target of being cost neutral to the Council's operating budget, and capable of sustaining the management, maintenance and restorative works for the long-term benefit of the property.

The land is classified as 'operational' under the *Local Government Act 1993* and can be used for a purpose other than as a public building. The land is presently zoned R2 'Low Density Residential' under the *Tweed Local Environmental Plan 2014* (LEP). Although commercial and business use is generally prohibited within this zone, the Coolamon Cultural Centre is listed (Item 54) as a heritage item under Schedule 5 of the LEP and special exempting provisions apply.

As a listed heritage Item Clause 5.10(10) applies. This permits with development consent the adaptive reuse of the 'building' and 'land' for any purpose (including those otherwise prohibited under the LEP), as a heritage conservation incentive provision. The relevant part of Clause 5.10 states:

"5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Tweed,

- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

...(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area."

For the purposes of the Clause 5.10(b) a reference to 'heritage management document' is a reference to the *Conservation Management Strategy: Coolamon Cultural Centre* (Feb 2016).

This CMS addresses certain matters in recognition of the past and likely future reuse of the premises. In particular it states on p.58 under the heading 'Owners Requirements':

"Generally, the Building is in a sound condition. There are a range of maintenance requirements and issues.

- *There are opportunities to recover and reinstate some of the original fabric, finishes and design features.*
- *There are opportunities to substitute many of the elements installed as part of the Gallery adaptation assuming that is not the long term adaptive re-use option.*
- *There are opportunities within the 1988 extension to adapt the space for the provision of new facilities including a commercial kitchen, air-conditioning plant and other services.*
- *There are further opportunities within the landscape setting to make better use of the landscape within the site as extensions of the building spaces.*
- *There could be opportunities to utilise portions of the adjoining reserve on the former Ferry Access Road including the River pontoon landing for special events subject to appropriate arrangements."*

It further provides a descriptive discussion of 'typical' adaptations associated with some common uses; it is an instructive but not exhaustive list:

- Office, consulting rooms and clinic
 - The building is currently utilised well for office use with a variety of cellular offices and open plan offices and spaces to provide services for back office printing tea room and meeting rooms.

- Generally the building could provide a suitable office environment with minimal change to the original building. The former workshop space could be adapted to provide additional open plan office with the use of additional windows to the north and south elevations.
- Restaurant
 - The provision of a substantial commercial kitchen could be undertaken within the 1988 workshop space with deliveries and stores located at the accessible northern elevation.
 - The post 1988 partitions reintroduced for the recent office use could be removed to reinstate the more open gallery spaces to allow for an open dining area with a set of more private dining spaces. The open plan would be limited by the need to retain the original walls.
 - The external verandahs could be utilised for outdoor dining. Enclosure would alter and detract from the integrity and this would limit their use to the appropriate season.
 - The river front portion of the 1988 workshop could be glazed to provide protected enclosed waterfront dining.
- Gallery
 - The removal of the recent partitions for the office use would reinstate the open and flexible gallery environment.
 - While the current track lighting is not sympathetic it could be modified with current standard fittings to illuminate an appropriate gallery environment.
 - A combination of gallery and café/restaurant would require minimal adaptation given the previous uses.
 - The modifications noted above for the restaurant use would also apply.
- Café
 - The modification noted above for the restaurant use would also apply specifically to the accommodation of suitable kitchen and the use of extended landscape uses.
 - Refer to the following notes on the provision of a retail use in combination with the catering use.
- Gymnasium
 - The provision of equipment is likely to require a review of the floor structure for the live loads and constant vibration.
 - The removal of the 1988 partitions and office partitions to reinstate an open gallery scale would be acceptable.
- Retail
 - The removal of the 1988 partitions and office partitions to reinstate an open gallery scale would be acceptable.
 - The existing or replacement of similar lighting to suit a retail environment would be acceptable in the gallery spaces with the mitigation of the reinstatement of traditional fittings to the exceptional spaces.

The CMS further continues through pages 59 and 60 with a detailed inventory of the elements and fabric of the building and land that may be adapted, reconstructed or removed, or that must be retained or restored in association with its reuse. The more general conservation and management approaches are detailed in a comprehensive schedule on pages 53-57, and collectively they guide an evaluation or assessment of any proposed future reuse of the property for one of these or like uses.

OPTIONS:

1. Council receives and notes the Conservation Management Strategy for the Coolamon Cultural Centre prepared by David Scobie Architects, proceeds to make it publicly available, and undertakes an open public expression of interest tender as part of evaluating the highest and best future sustainable use for the premises.
2. Council receives and notes the Conservation Management Strategy for the Coolamon Cultural Centre prepared by David Scobie Architects, proceeds to make it publicly available.

Council staff recommend Option 1.

CONCLUSION:

Changes in operational demand and requirements to cater for public administration offices have evolved to the point where the Coolamon Cultural Centre no longer adequately caters to that purpose.

Complicating a thorough consideration of potential reuse of the premises is that the Coolamon site is heritage listed under the Tweed Local Environmental Plan 2014, as locally significant. This changes the complexion of what the building can accommodate, whether as it is presently constructed and/or by modification, and in part is a key contributor as to why it can no longer meet operational service requirements.

To assist with an evaluation of potential reuse and in accordance with best practice heritage management David Scobie Architects were appointed to and prepared a Conservation Management Strategy. This CMS will guide the extent of acceptable adaptation and restoration of the building and land associated with potential future uses.

Ensuring that the heritage conservation management practices are employed and there is scope for further restorative works any future use of the premises must be economically sustainable. This is not the only consideration and as discussed within the report it is essential that the sustainable reuse of the premises not only is cost neutral to Council's operating budget, but also improves public access to the premises, is sensitive to the heritage significance, and has a positive benefit on local employment and the economy.

Undertaking a broad evaluation of potential reuse requires 'testing' the market to ascertain the demand for the premises and the range of uses. To achieve this Council will need to undertake an open public expression of interest (EOI) tender. This will be aided by the CMS.

In light of the impending cessation of use and the historic significance of the property, combined with the need for a long-term sustainable occupation of the site, it is concluded that Council should proceed with an EOI Tender as a matter of priority.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

The (building only) operational costs that could potentially be saved by vacating the building, depending on the leasee's responsibilities, is approximately \$58,000 per annum. This saving coupled with a commercial rent would be a welcome benefit to the budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

David Scobie Architects Pty Ltd, (2016), *Conservation Management Strategy: Coolamon Cultural Centre (Version C)* (ECM 4001612)

11 [PR-CM] aquaSplash

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 has received a request for a letter of support to establish a recreation facility (inflatable aqua park) (aquaSplash) for a trial period in Jack Evans Boat Harbour between November 2016 and March 2017. aquaSplash has established similar approved facilities in Queensland (including Southport Broadwater), and are also currently seeking approvals in other NSW LGAs.

In initial discussions between Council and aquaSplash, there was a suggestion made by Council to consider the use of an alternative location in the Tweed River, adjacent to the former Aquatic Club site, Dry Dock Road, Tweed Heads West. Whilst aquaSplash favour Jack Evans Boat Harbour, they have agreed to discuss their proposal with the owners of the former Aquatic Club site.

A letter of support from Council is required so the proponents can commence their Crown Land licence application procedures. The proposed activity will require development consent from Council and approvals from the Department of Primary Industry - Lands, the Jack Evans Boat Harbour Trust and Council as owners and or managers of Jack Evans Boat Harbour. These processes are separate to the current request and any initial indication of support does not pre-empt the statutory processes.

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

It is therefore considered that at this stage, Council is only in a position to provide a letter of support to enable aquaSplash to investigate the recreational facility concept, but that it cannot commit to any commercial agreement or owners consent for a future development application until a tender process for the use of Jack Evans Boat Harbour has been determined by Council.

It is recommended that Council provides the letter of conditional support.

RECOMMENDATION:

That:

- A. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (d) commercial information of a confidential nature that would, if disclosed:**
- (i) prejudice the commercial position of the person who supplied it, or**
 - (ii) confer a commercial advantage on a competitor of the council, or**
 - (iii) reveal a trade secret.**
- B. The General Manager advises the firm aquaSplash in writing of the following:**
- i. Council generally supports that aquaSplash continue to investigate the concept and any necessary licences/approvals from the Department of Primary Industry – Lands for a trial use at Jack Evans Boat Harbour.**
 - ii. The proposed activity requires development consent from Council and the above support does not pre-empt or fetter any discretion Council exercises for the assessment and determination of a development application or any other statutory function Council has for Jack Evans Boat Harbour.**
 - iii. Prior to advancing any support for individual proponents such as aquaSplash, Council will need to conduct a Tender process to provide an equitable opportunity for other commercial proponents to use Jack Evans Boat Harbour.**
 - iv. Any future development application submitted to Council must include but not be limited to the following:**
 - a. Evidence of consultation with residents of Seascape, Twin Towns, Centro Shopping Centre, Tweed Heads Residents Association, Tweed Heads Chamber of Commerce and Big Trev Water Sports**
 - b. The trial is to commence after 7 November 2016 and finish no later than 15 March 2017**
 - c. An acoustic report undertaken by an acoustic consultant**
 - d. A report from a suitably qualified ecologist or marine biologist assessing the impacts on the waterway including water quality monitoring for the duration of the trial and recommended mitigation measures if required**
 - e. Carparking and traffic analysis**
 - f. The colour of the inflatable aqua park be limited to blue and green.**
 - g. The aqua park application is to demonstrate how it will not hinder the fireworks display on New Year's Eve.**

REPORT:

Council has been requested by the proponents of an inflatable water park known as 'aquaSplash' to provide a letter of support for the proponents to advance their proposal with the Department of Primary Industries (Lands) for a Short Term Licence. A copy of the aquaSplash brochure is provided as Confidential Attachment 1. AquaSplash facilities have already been established at Airlie Beach and the Southport Broadwater.

The proponents wish to undertake a trial from November 2016 to March 2017.

Jack Evans Boat Harbour is Crown Land with part of it administered by Council. The location of the facility within the Harbour has not been determined yet but would be subject to consultation and suitability/capability assessment. It is recommended the proponents be advised that the future development application is to include the results of consultation with stakeholders, acoustic, carparking, traffic and environmental reports.

In initial discussions between Council aquaSplash, there was a suggestion made by Council to consider the use of an alternative location in the Tweed River, adjacent to the former Aquatic Club site, Dry Dock Road, Tweed Heads South. Whilst aquaSplash favour Jack Evans Boat Harbour, they have agreed to discuss their proposal with the owners of the former Aquatic Club site.

A letter of support from Council is required so the proponents can commence their Crown Land licence application procedures. The proposed activity will require development consent from Council and approvals from the Department of Primary Industry - Lands, the Jack Evans Boat Harbour Trust and Council as owners and or managers of Jack Evans Boat Harbour. These processes are separate to the current request and any initial indication of support does not pre-empt the statutory processes.

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

It is therefore considered that at this stage, Council is only in a position to provide a letter of support to enable aquaSplash to investigate the recreational facility concept, but that it cannot commit to any commercial agreement or owners consent for a future development application until a tender process for the use of Jack Evans Boat Harbour has been determined by Council.

OPTIONS:

1. Provide a letter of support in accordance with the recommendation.
2. Provide a letter of support with other identified information/conditions.
3. Not offer a letter of support.

CONCLUSION:

Council has two functions with Jack Evans Boat Harbour being an administrator of the foreshore and part of the waterway under the Crown Lands Act and as the consent authority under the Environmental Planning and Assessment Act. The proponent has requested a

letter of support from Council and the Trust for the facility to enable them to commence the process with the Department of Primary Industries- Lands. Prior to any such support being provided Council will need to undertake a Tender process to provide an equitable opportunity for other commercial proponents to use Jack Evans Boat Harbour.

COUNCIL IMPLICATIONS:

a. Policy:

Any proposal will need to be assessed against the Jack Evans Boat Harbour Plan of Management.

b. Budget/Long Term Financial Plan:

Council has the opportunity to gain additional income in respect of this proposal.

c. Legal:

Statutory approvals for this proposal are required under both the Crown Lands Act and the Environmental Planning and Assessment Act.

d. Communication/Engagement:

The subject proposal has already generated substantial media and public interest. It is expected that any advancement of this proposal would require a community engagement process.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. aquaSplash brochure (ECM 4010024)

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

12 [CNR-CM] Tweed Urban Stormwater Quality Management Plan

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.3	Maintain and enhance Tweed's waterways and its catchments
4.3.2	Improve urban stormwater discharge through water sensitive urban design

SUMMARY OF REPORT:

Council has prepared a new draft Urban Stormwater Quality Management Plan, a document that provides the environmental context and policy objectives that underpin the Development Design Specification D7 - Stormwater Quality. The 2016 plan replaces a document developed by Council for the same purpose in 2000.

The Tweed Urban Stormwater Quality Management Plan 2000 was originally prepared and adopted in response to a Notice issued to all NSW Councils by the Environment Protection Authority (now Office of Environment and Heritage) under Section 12 of the *Protection of the Environment Administration Act, 1991*.

Given the age of the existing document, and changes in stormwater best management practice, Council has reviewed the scope of the existing plan and determined that a revised stormwater management plan should:

- Confirm Council's stormwater management objectives,
- Provide ambient water quality and stormwater quality objectives,
- Insist on the use of best practice design guidance available to the industry, and
- Provide specific and measurable guidance for monitoring and maintenance of stormwater quality improvement devices.

The draft Tweed Urban Stormwater Quality Management Plan 2016 addresses these objectives, and is consistent with the DCP Section A5 Subdivision Manual - Development Design Specification D7 (Stormwater Quality), which provides the technical guidance required to achieve nominated environmental outcomes.

The purpose of this report is to gain Council support for placing the draft plan on exhibition, with the aim of making the community and development industry aware of the updated plan requirements, and to seek feedback or improvements to the updated plan.

RECOMMENDATION:

That Council places the draft Tweed Urban Stormwater Quality Management Plan 2016 on exhibition for a period of 28 days with submissions to be received for 42 days.

REPORT:

Stormwater pollution has economic, social and environmental implications on receiving environments. Management of stormwater pollution from existing urban areas is a significant challenge for Council, a challenge that will grow as the population of Tweed increases and construction of sub-divisions and individual dwellings continues.

The Tweed community's strong support for protection of the environment, and in particular our waterways, has seen the theme of urban stormwater quality management expressed as objective 4.3.2 of the Community Strategic Plan. As such, Council is committed to the implementation of current best practice in stormwater management. The principles of ecologically sustainable development and water sensitive urban design are fundamentally important to the management of stormwater, which is both a resource and a potential contaminant of natural waterways.

The draft Tweed Urban Stormwater Quality Management Plan 2016 (USQMP):

- Confirms Council's stormwater management objectives,
- Confirms water quality objectives for receiving waters,
- Insists on the use of best practice design guidance available to the industry,
- Provides specific and measurable guidance for monitoring and maintenance of stormwater quality improvement devices (SQIDs),
- Ensures stormwater design and maintenance is always consistent with current best practices, and
- Promotes consultation between the applicant and Council at all stages of SQID design and construction, including the planning, design, construction, performance monitoring and asset handover phases.

Tweed Shire Council's *Development Design Specification D7 – Stormwater* enables the implementation of the Tweed USQMP by detailing stormwater objectives/standards and prescribed stormwater management measures that comply with the Tweed USQMP and contemporary best practice.

A key difference between the 2000 and 2016 Tweed USQMP relates to the inclusion of a 'best practice' pollutant load reduction approach in the revised plan. This means that for new development, annual pollutant loads generated from an un-mitigated development are to be reduced by at least the percentage reduction rates prescribed in the design objectives. This form of design objective for stormwater quality management is consistent with the current load-based design objectives adopted in Queensland, Victoria and NSW.

The intent is to reduce pollutant loads discharged in the operational phase of the development and ensure that the impacts of development do not degrade water quality in the receiving environment.

The objectives are to achieve the following minimum reductions in total pollutant load, compared with that in untreated stormwater runoff, from the developed part of the site:

- 80% reduction in total suspended solids
- 60% reduction in total phosphorus
- 45% reduction in total nitrogen
- 90% reduction in gross pollutants.

Compliance with the objective is to be demonstrated through the submission of a stormwater management plan incorporating modelling, and consideration of the impact of resultant discharge on the water quality objectives of the receiving environment.

The revised USWQMP also recognises that in some cases, compliance with the objectives nominated above will not completely negate the potential impact that stormwater from a new development will have on water quality in a receiving environment. To address this issue, the new plan includes the concept of managing the residual and/or cumulative impact of stormwater discharge on the receiving waterway.

In some cases investigation into the cumulative impact of residual loads of contaminants on the receiving environment will be required, and should be considered through the development assessment process, consistent with the objectives of the Environmental Planning and Assessment Act 1979. If it cannot be demonstrated that achieving best practice stormwater management will protect a waterway and its ecosystem values, the principals of ecologically sustainable development upon which the EP&A Act 1979 is based would require that the proposed development be modified.

Where it is determined that the residual or cumulative discharge from a development will have a detrimental impact on water quality objectives in the receiving environment, Council and development proponents should also consider a Voluntary Planning Agreement under section 93F of the EP&A Act 1979, through which stormwater impacts on the waterway can be offset by rehabilitation, retrofit or compensation measures at another location; within the same catchment. The basis of this concept is that the overall ecological health and resilience of a waterway could be improved as a result of the development, despite the potential worsening of water quality due to development discharge. A voluntary planning agreement is considered to be the most effective tool to use to achieve meaningful rehabilitation works in a catchment, beyond that which would be mandated through development conditions, on an individual site.

As well as setting objectives for stormwater quality management for the development process, the revised plan includes a number of recommendations for Council to improve existing stormwater quality management performance. These are to:

- Implement training and build skills of staff involved in the design, assessment and maintenance of SQIDs.
- Investigate a bonding process to achieve better SQID asset handover and establishment.
- Confirm the preferred construction and asset handover process.
- Identify stormwater assets (map and condition assessment) to generate a SQID Asset Database.
- Undertake mapping of waterway categories and riparian corridor width requirements
- Confirm funding required to monitor and maintain existing SQID assets at desired condition, and work towards allocating sufficient resources to asset managers to achieve optimal asset management.
- Commit to SQID maintenance requirements and programs.

Staff from Council's Roads and Stormwater and Natural Resource Management Unit are working on the implementation of these recommendations, including an audit of the condition of Council's existing stormwater quality improvement devices.

OPTIONS:

1. Council may either support the exhibition of this plan, or
2. Request that it be amended prior to exhibition.

CONCLUSION:

Stormwater runoff from existing and proposed development has a significant impact on the environmental and recreational value of Tweed Waterways. The Tweed Urban Stormwater Quality Management Plan sets out Council's rationale and policy objectives for stormwater management, and supports the *Development Design Specification D7 – Stormwater* which is currently used to guide the design and construction of water quality protection devices. Exhibiting this document will provide interested community members and relevant development industry professionals with the opportunity to be advised of its contents and make contributions to its final detail, prior to adoption by Council.

COUNCIL IMPLICATIONS:

a. Policy:

Supports existing policy instruments, in particular the DCP Section A5 Sub-division Manual - Development Design Specification D7 (Stormwater Quality).

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Draft Tweed Urban Stormwater Quality Management Plan
2016 (ECM 4012532)

13 [CNR-CM] Private Land Conservation Program Quarterly Report

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.2 Conserve native flora and fauna and their habitats
 - 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire
 - 4.3 Maintain and enhance Tweed's waterways and its catchments
 - 4.3.1 Manage water resources sustainably and minimise impact on the environment by achieving more integration of water supply, wastewater and stormwater services
-

SUMMARY OF REPORT:

This report details the status of works and community engagement for the first quarter of 2016 under Council's integrated private land conservation program.

Council's River Health Grant program invested \$41,350 into nine projects mitigating erosion, improving water quality and the health of 4.7 kilometres of waterway.

Due to significant landholder interest, the annual budget for the Biodiversity Grant program was fully allocated by December 2015. Although no new grants were allocated in the current quarter, projects across 28 properties will rehabilitate approximately 34 hectares of habitat.

Three landholders registered for the Land for Wildlife program electing to conserve seven hectares of native habitat. Thirty-two landholders attended a Land for Wildlife soils workshop in February. As a result, they are now able to assess soil health and remediate poor soils. The workshop elicited excellent feedback.

Council continues to build strong relationships with landholders and productive stakeholder networks. Programs delivered led to increased community engagement and more skilled, knowledgeable landholders better equipped to manage the Shire's precious natural resources and improving agricultural productivity. Workshops and other events continue to elicit positive feedback. Council's integrated private land conservation program continues to provide substantial investment in the local economy through the purchase of contract labour and materials.

RECOMMENDATION:

That Council receives and notes the outcomes of the River Health Grants, Biodiversity Grants and Land for Wildlife programs for the first quarter of 2016.

REPORT:

Council's integrated private land conservation program has attracted a diverse range of landowners from traditional farmers to rural lifestyle property owners. Since its inception in 2006, these programs have helped 486 landholders protect 2,254 hectares of habitat and 85 kilometres of waterway.

Since 2009, Council's Biodiversity Program has been used to secure \$5.1 M of external funding. Typically from State and Federal Governments, external funding is invested in a diverse range of projects delivering significant biodiversity conservation, water quality, farm productivity, community engagement and capacity-building outcomes for the Shire. During the same period, Biodiversity Grant funding of \$510,000 secured projects with a total value of \$910,000, including landholder contributions of around 40 per cent. This represents a return on investment of \$1.80 for every dollar invested. Council's integrated private land conservation program therefore makes a significant contribution to the local economy.

The Land for Wildlife (LfW) Program is a voluntary property registration scheme that helps rural landholders manage wildlife habitat on their property. One hundred and thirty landholders are registered. One hundred and ninety one people have attended workshops specifically developed for the program. In addition, 155 landowners have registered for the Backyard Habitat for Wildlife program catering for smaller lots and urban households.

In the first quarter of 2016, the River Health Grants program invested \$41,350 into nine projects delivering major works that protected and improved the health of 4.7 kilometres of waterway.

Due to significant landholder interest, applications for the Biodiversity Grant program were oversubscribed. The program's annual budget was fully allocated by December 2015 and there is a waiting list of applications for the next round of funding in the 2016-17 financial year. A total of \$85,000 was allocated to restoration work on 28 properties including weed control in ten hectares of high biodiversity value vegetation containing threatened plant species. A further \$4,000 was allocated to Tweed Landcare Inc. as an in-kind contribution to the *Mid-Tweed River and Mount Warning Connections of High Conservation Value Vegetation Project* which aims to restore 60 hectares across five properties. Works for these projects are being carried out throughout the current financial year.

Landholder agreements negotiated for each grant specify the contributions, rights and responsibilities of Council and landholders. Landholders make significant contributions to each project, typically up to half the total project value. Contributions are generally in the form of in-kind labour, often for site maintenance.

The status of program works, community engagement and detailed finances for the January to March 2016 quarter are described below. Future priorities and opportunities are outlined.



Private land conservation program implementation January - March 2016

Landholder engagement and capacity building



Participants at the Land for Wildlife soils workshop in February 2016 using the Northern Rivers Soil Health Card to assess soil health. Responding directly to the needs of landholders, this workshop will help landholders monitor and improve soil health on their properties. Participant feedback obtained via evaluation forms is an integral part of continuous improvement to ensure workshops are of a high quality and deliver practical learning outcomes that can be readily applied on the land.

- As part of ongoing Biodiversity Grant Program project delivery, 28 landholders received hands-on tuition in weed identification and control techniques. As a result, landholders are better able to:
 - Identify common weeds and natives
 - Assess weed impacts on native habitat
 - Take steps to restore native habitat.
- Following property inspections and assessment against standard criteria, three landholders registered for the Land for Wildlife program. Landholders received a resource kit, technical advice concerning habitat conservation and an invitation to workshops.
- Thirty-two people attended a Land for Wildlife soils workshop on 27 February 2016. This was the eighth workshop in the Land for Wildlife Workshop Series. Participant feedback was overwhelmingly positive. As a result, landholders are now better able to:
 - Assess soil health
 - Recognise poor soil health
 - Take steps to remediate poor soils
 - Recognise links between vegetation and soils.
- Council was invited to attend the South East Queensland Land for Wildlife Steering Committee meeting on 24 February. A presentation outlining program status in Tweed Shire together with strategies to meet emerging challenges was delivered to delegates and was well received.
- On 12 February 2016 Council hosted a combined natural resource management project steering committee meeting. Delegates from National Parks and Wildlife Service, Office of Environment and Heritage, Far North Coast Weeds, Local Land Services, Tweed Landcare Inc. and Council attended. Committee meetings provide an important forum for reporting project implementation, resolving challenges and sharing

	<p>information. Meeting outcomes build community capacity to manage natural resources and promote effective inter-agency collaboration.</p>
<p>Waterway Health</p>	
 <p>Bush regeneration, upper Tweed River catchment, January 2016.</p>	<ul style="list-style-type: none"> • Nine river health projects were instigated during this quarter: <ul style="list-style-type: none"> ○ Eight projects located within the Tweed River drinking water catchment; ○ One project in upper Rous River catchment. • These projects resulting in: <ul style="list-style-type: none"> ○ 4.7 kilometres of waterways improved ○ 2.1 kilometres of stock exclusion fencing ○ 7.5 hectares of bushland restored
<p>Vegetation Condition</p>	
 <p>Local farmer Greg Silver checking pasture quality on his farm at Cudgera Creek. Involvement in Council's private land conservation programs has helped Greg manage weeds, conserve farm biodiversity and improve water quality. These outcomes have led to improved pasture quality, increased farm productivity and land value.</p>	<ul style="list-style-type: none"> • 34 hectares of habitat will be restored in 28 active Biodiversity Grant projects in the current financial year. • Council's contribution to the Mid Tweed River and Mt Warning connections of HCV project continues to help rehabilitate 60 hectares of high conservation value habitat across five properties. • Two kilometres of riparian habitat were rehabilitated. • Two site action plans were developed outlining management guidelines for six hectares of riparian vegetation. • Under the Land for Wildlife program, an additional seven hectares of habitat was conserved on three properties.

Financial Reporting

River Health Grants:

- \$41,350 budgeted for these projects
- Estimated \$28,800 landowner in kind/ cash contribution
 - Approximately 960 in-kind landowner hours
 - Approximately \$10,000 cash contribution towards materials and labour.

Biodiversity Grants:

- Due to significant landholder interest, the annual budget for Biodiversity Grants was allocated by December 2015. The program is fully expended for the current financial year.

Second Quarter Priorities and Opportunities



Hardwood logs and root balls will be used to stabilise banks on the Oxley River and provide habitat for a range of aquatic and terrestrial species.



Bank erosion, Oxley River. Significant planning during the first quarter has been required prior to rehabilitation in second and third quarters 2016.

River Health Grants:

- Lower Oxley River bank stabilisation project.
 - Five landowners engaged to negotiate works, likely to be staged throughout 2016/2017.
 - Works to include riverbank toe stabilisation using logs and rocks; bank battering; revegetation & stock control.
 - \$250,000 allocated through existing funds.
 - Planning approvals lodged (Review of Environmental Factors & Fisheries Permit).
- Weed control in upper Rous River.
 - Partnership with Tweed Landcare Inc. for strategic weed control on three properties.
 - Council assisting with planning and project delivery along with \$8,400 of River Health Grant funds.



Landholders learning to identify weeds at one of two Land for Wildlife weeds workshops held in 2015. Workshops focussed on assessing weed impacts on native habitat, plant identification and weed control techniques. Weeds workshops proved popular: a total of 57 landholders attended and a third workshop will be scheduled to meet demand. Feedback was excellent.

Biodiversity Grants:

- 28 active projects are expected to continue into the second quarter resulting in restoration of an additional 34 hectares of habitat.

Land for Wildlife:

- The Land for Wildlife Workshop series will continue:
 - An Indigenous Cultural Heritage workshop is scheduled for early May.
 - A biodiversity (fauna) awareness workshop is scheduled for June.
- An application for funding for a new series of workshops was submitted to the Foundation for National Parks and Wildlife.

Backyard Habitat for Wildlife:

- Ongoing engagement and provision of information through the Backyard Habitat for Wildlife online platform
- The program will continue to be promoted at events such as Council's Sustainability Home Expo

World Environment Day

- Council's integrated private land conservation program will be actively promoted at this year's World Environment Day celebrations at Knox Park in June. The NRM Unit is developing its community engagement strategy for the event.

CONCLUSION:

During the reporting period, Council's integrated private land conservation program delivered the following economic, environmental and community benefits:

- Streambank stabilisation and erosion mitigation;
- Improved waterway health and water quality;
- Weed control and improved quality of native habitat;
- Mitigation of threats to threatened flora and fauna;
- Increased area of actively conserved habit;
- Stronger relationships with landholders;
- Ongoing collaboration with key government and other stakeholders such as Office of Environment and Heritage, National Parks and Wildlife Service, Local Land Services and Tweed Landcare Inc.,

- Increased farm productivity for primary producers; and
- Significant funds investment in the local economy.

Council's integrated private land conservation program continues to make a significant strategic contribution to management of the Shire's outstanding biodiversity values. Strong relationships with landholders based on trust, robust technical advice and tailored program delivery enables Council to build community capacity to manage precious natural assets. Cross-agency collaboration helps mobilise resources, aids project planning and provides opportunities to overcome natural resource management challenges. Outcome trends outlined in this report are expected to continue during the next quarter.

COUNCIL IMPLICATIONS:

a. Policy:

River Health Grants v1.0

Tweed Vegetation Management Strategy 2004

b. Budget/Long Term Financial Plan:

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

The River Health Grants program receives approximately \$200,000 per annum for works to enhance the environmental condition of Tweed Shire's waterways. As the source of funding is a rates dividend, the total budget varies annually.

The Biodiversity Grants and Land for Wildlife Programs are funded through the Tweed Vegetation Management Strategy. The programs are allocated \$105,000 and \$5,000 per annum respectively. The Backyard Habitat for Wildlife program is allocated \$2,500 per annum.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Council's integrated private land conservation program engages a wide range of landowners. Engagement methods for programs, projects and specific events include:

- Media releases, articles in the Tweed Link and local print media;
- Information provided on the Environment section of Council's website;
- Face-to-face promotion at annual community events such as the Tweed River Festival, Catchment Catch-up, Home Expo, World Environment Day celebrations, Murwillumbah Agricultural Show and National Tree Day planting activities;
- Coordination, promotion and delivery of Land for Wildlife and other workshops; and
- Promotion via local networks.

Program delivery requires property inspections to assess landholder eligibility, to provide technical advice and to ensure projects are delivered to a high standard within set timeframes and budgets. This engagement method builds strong relationships with landholders and often leads to engagement and participation of neighbours.

Workshops are another powerful capacity-building and engagement tool. Responding directly to the needs of landholders, workshops build landholder skills and knowledge to enable them to more effectively manage the natural assets on their land. Workshops provide opportunities for landholders to network and share experiences. Participant feedback provides an important conduit of information that informs program delivery.

The Natural Resource Management Unit has enlisted assistance from Council's Environmental Education Officer to develop a post-implementation follow-up strategy to report on the extent to which workshops and other events deliver sustained behavioural change.

Communication and engagement methods are regularly assessed to determine their effectiveness.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

14 [CNR-CM] Black Rocks Sports Field Entrance Options

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.2 Conserve native flora and fauna and their habitats
 - 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire
-

SUMMARY OF REPORT:

At its meeting on 17 March 2016, Council resolved:

that the report on Black Rocks Sports Field Entrance Options be deferred for consideration at the next Council meeting."

The revised report is now resubmitted.

Council staff do not believe that it is necessary or appropriate to survey the community on these issues but for Council to instead consider the information contained in this report and to make a decision to bring this matter to a conclusion to provide certainty to the community. This will also ensure the dedication of our limited resources to pursue agreed strategic objectives contained in the Tweed Coast Koala Plan of Management as the best chance of protecting the threatened koala population.

Council staff (including qualified ecologists with a wealth of specific experience in the protection of koalas, bush stone curlews and ospreys, among other threatened species, and recreational planning and service delivery specialists), have made this assessment and the relevant recommendations herein. The cost associated with preparing and delivering the survey has factored strongly in this assessment. The estimated cost of \$10 – 15,000 to implement the survey is not supported as the retention of the site as a sports field and management of issues through the recommendations presented herein is considered a more effective and appropriate use of resources.

The amount of focus, attention and additional resources that have gone into responding to this very localised and specific small piece of land is disproportionate to the overall benefit and value to the environment or the social and economic wellbeing of the Tweed community.

The Federal Endangered Species Commissioner has identified the top 5 causes of mammal extinction as feral cats, foxes, fire, habitat degradation and climate change. Sport and

Recreation Activities and Men's Sheds are not identified as a risk. Further, if Black Rocks Sports Field were closed it would ultimately result in clearing and likely habitat loss at a new location to create a replacement public open space/sports field. Council should also be mindful that it was through development of Black Rocks that the surrounding 102 hectares of koala habitat was dedicated. Council's focus should, therefore, be on directing its resources to the implementation of the Tweed Coast Koala Plan of Management.

A lockable koala and dog proof gate was installed at the entrance to the Black Rocks Sports Field in September 2014. In response to public access, amenity and wildlife protection issues, Council resolved in January 2016 to consider a number of options for modification of the current entry arrangements. Given that an identified threat is vertebrate pests, it is appropriate that management of access to the fields is maintained in the longer term. Further, by retaining the gates it will also assist to sustain the Osprey and Bush Stone Curlew population in the vicinity.

Council staff have undertaken a comprehensive analysis of three options for public access to the Black Rocks Sports Field in order to provide a recommendation to address this resolution.

The option to upgrade the existing gates will most effectively address the range of public access and wildlife management requirements associated with the sports field entry.

This option involves upgrade of the existing vehicle gate to a solar powered, electronically-controlled system and replacement of the existing pedestrian gates with a single gate. Associated landscaping and rationalisation of signage will create a functional and aesthetically-suitable entrance area.

This will result in unrestricted entry and exit during operational hours for the site, whilst providing the most effective protection for wildlife, including koalas. The associated landscaping and signage will create a feature of the sports field entrance, and inform users of the regulatory and interpretive information required to safely and enjoyably use the site.

The recent council workshop discussion regarding the relocation of the sports field (at an estimated cost of over \$10M to the Tweed ratepayers) to another Pottsville location and the subsequent vegetation of the existing Black Rocks Sports Field would provide insignificant return on investment for the protecting the Tweed Coast koala population. The most worthwhile investment, if Council were of the mind to do so, would be to advance and scale up the comprehensive actions within the Council endorsed Tweed Coast Koala Plan of Management.

Council officers are also preparing an operational plan to guide management of the sports field and surrounding bushland to ensure the mutually compatible protection and improvement of significant environmental values and ongoing use as a sports field.

RECOMMENDATION:

That Council:

1. Rescinds the resolution of 21 May 2015 Minute No 283 containing the wording:

"2. Replaces the gates at the entrance to the Black Rocks Sports Field with a koala grid to prevent koalas entering the nearby urban environment. The gates should not be replaced with a koala grid until the study referred to in paragraph 1 is complete."
2. Upgrades the gate at the entrance to the Black Rocks Sports Field to provide a solar-powered electronic, automated vehicle gate. The upgrade will include remodelling of pedestrian access arrangements, landscaping and rationalisation of signage.
3. Notes the advice from officers contained within this report and dispenses with the need for a survey of Pottsville residents to canvass their opinions on this matter.
4. Retains the existing Black Rocks Sports Field for use as a sports field and the currently approved site of the Pottsville Men's Shed.
5. Prepares an operational management plan specifically for Black Rocks Sports Field in consultation with the Office of Environment and Heritage.

REPORT:

History:

The following information is a brief history of the planning process for the Black Rocks Sports Fields.

The Black Rocks subdivision plan was approved around 1993 with around 370 lots equating to 890 people.

The concept included approximately four hectares sports fields.

A Legal Agreement (1994) between Council and the developer established the sports fields in an easterly location within the subdivision.

Rezoning under LEP Amendment No. 8 'Black Rocks Estate' in 2003 allowed for development of the last stages of Black Rocks. This amendment established the area for urban development, sports fields and koala habitat. It relocated the sports fields to the current western position to minimise impacts on existing flora and wildlife habitat. This includes purposefully avoiding the mature vegetation currently used by koalas between the urban area and the sports field.

A legal agreement (2003) between Council and the developer confirmed the dedication of 102 hectares of koala habitat and four hectares of sports fields.

Negotiation between the developer and Council leading to this agreement resulted in Council accepting a significantly lower level of embellishment for the sports fields than required under subdivision guidelines in lieu of the dedication of a large area of koala habitat land.

The sports fields were constructed in current location in 2007.

Background

At Council's 12 December 2013 meeting, the option to install a lockable koala-proof gate at the entrance to the Black Rocks Sports Field access road was referred to Council's Koala Advisory Group for consideration. Advice of the Koala Advisory Group resulted in the following Executive Management Team recommendation being adopted by Council on 10 April 2014.

"1. That:

- a) *Council installs a lockable koala and dog-proof gate and additional fencing, in order to form a continuous exclusion zone, at the entrance to the sports field in accord with the Notice of Motion and previously recommended conditions of consent for the Tennis Court Part V Application.*
- b) *the lockable gate will be closed at dusk daily.*
- c) *the lockable gate will be funded from the Koala Management Plan budget."*

A lockable koala and dog proof gate, along with self-closing pedestrian gates and associated signage, was installed in September 2014.

Council resolved as follows at its 22 January 2015 meeting:

1. *Commissions a study using the methodology contained in the currently exhibited Comprehensive Koala Plan of Management to obtain baseline data on koala numbers in the Black Rocks Sports Field precinct.*
2. *Replaces the gates at the entrance to the Black Rocks Sports Field with a koala grid to prevent koalas entering the nearby urban environment. This should not be undertaken until the study referred to in paragraph 1 is complete with the General Manager being authorised to accept the assistance offered by the Office of Environment and Heritage to complete the study without delay.*
3. *Brings a report to a future Council Meeting with recommended options to address the impacts of "hooning" behaviour on the entrance road to the playing fields."*

Subsequently, at its meeting on 21 May 2015 (Minute No 283) the following amendment to the above was made.

"that Council:

1. *Commissions a study using the methodology contained in the currently exhibited Comprehensive Koala Plan of Management to obtain baseline data on koala numbers in the Black Rocks Sports Field precinct. To complete the study without delay, the General Manager is authorised to accept the assistance offered by the Office of Environment and Heritage by letter dated 19 February 2015.*
2. *Replaces the gates at the entrance to the Black Rocks Sports Field with a koala grid to prevent koalas entering the nearby urban environment. The gates should not be replaced with a koala grid until the study referred to in paragraph 1 is complete.*
3. *Brings a report to a future Council Meeting with recommended options to address the impacts of "hooning" behaviour on the entrance road to the playing fields."*

At the Council meeting of 21 January 2016, the following was 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."*

At the Council meeting of 17 March 2016, the following Notice of Motion was submitted:

Councillor B Longland moves that:

1. *Council conducts a mail survey of all ratepayers of the lower Tweed coast (Postcode 2489) seeking their preferred option regarding the future of the Black Rocks Sports Field at Pottsville.*
2. *The letter to each ratepayer be written in the following terms:*

"There have been calls from some over the past four years for Council to close the Black Rocks Sports Field at Pottsville and re-vegetate the area. The field occupies 4 hectares at the eastern boundary of 271 hectares of the Black Rocks Koala Activity Precinct which, according to a recent study, supports a stable koala population. That habitat forms part of the designated koala activity precincts surrounding Pottsville totalling 922 hectares.

Council has a responsibility to provide adequate green space for outdoor recreational use to support healthy communities. The loss of this playing field will likely impact on access to attractive and useable green space for the expanding population of the Pottsville area. For this reason, Council has resolved to seek the opinion of lower Tweed coast residents and ratepayers on their preferred option regarding the future of the Black Rocks Sports Field.

If it is determined that the Sports Field should be retained, expert advice recommends that the entry to the field be designed to mitigate against the potential for koalas to enter the nearby urban environment. This will involve either a koala grid or a gate at the entrance.

Council values your opinion and thanks you for your input to this process. Please circle your preferred option, sign and return to Council in the reply paid envelope by 1 May 2016.

Option 1- Retain the Sports Field and install an automated gate which will be self-opening during daylight hours and closed in darkness when koalas are most active.

Option 2 - Retain the Sports Field and install a koala grid to prevent koalas entering the urban environment at all times.

Option 3 - Close Black Rocks Sports Field and re-vegetate the area.

Signed

(only one survey form per household)"

3. *The mail-out will be on Council letterhead, include a reply paid envelope with each letter carrying unique identification for reconciliation on return.*
4. *The result of the mail survey is to be reported to the May 2016 Ordinary Meeting of Council.*

The Black Rocks Sports Field is an important community facility that will serve the needs of not only existing and future Black Rocks and Pottsville residents but users from surrounding areas.

Council's Sports Field Strategy recommends that the Black Rocks Sports Fields remain an important part of the sport field network in the southern precinct:

- The strategy states the current amount of sports fields in the southern precinct, including the Black Rocks Sports Fields, is just meeting the current demand.
- It is difficult to identify and develop new land for sports fields. Given the lack of available land and the minimum cost to purchase and develop an alternative four hectare sports field, estimated to be in the order of 10 million dollars, this is not considered to be a feasible or realistic possibility. Further, it could be counter-productive for the koala population as it would likely result in further clearing and habitat loss to create a new field and would direct limited funds that would be better directed towards implementing the Koala Plan of Management.

Options for public access and wildlife protection at Black Rocks Sports Field

Black Rocks Sports Field currently provides dedicated open space for organised sport and informal recreational use. The area is surrounded by significant remnant and regenerating vegetation that provides habitat for threatened species including koala, osprey and bush stone-curlew.

As directed by the 2004 Koala Plan of Management for the area, fauna exclusion fencing was installed on the interface of the urban area and regenerating bushland during the estate's development.

Public access is via a 350m road and pedestrian footpath. Since site establishment, vehicle access has included periods of unrestricted access, vehicle exclusion and day time access only. Pedestrian access has remained unrestricted at all times.

This report discusses three options for public access to the Black Rocks Sports Field. A brief description of each option is provided below, followed by a summary table outlining the suitability of each option for addressing the main public access and wildlife protection issues.



Figure 1 - Black Rocks estate and sports field with red line showing location of fauna exclusion fencing

Option 1: Retain existing gates (current situation)

Currently, a lockable koala and dog-proof gate is located across the vehicle access road. A system of dual, non-lockable, self-closing koala and dog-proof gates are provided across the pedestrian footpath. The vehicle and pedestrian gates are constructed from galvanised steel and chain mesh, in the style of the existing koala exclusion fencing, with solid sheeting along the base.

The pedestrian gates provide 24-hour pedestrian access and the vehicle gates are opened at 7.30am and closed at 5.30pm daily by Council staff, with unrestricted vehicle access available during these hours.

When gates are closed, the system forms an effective barrier to koala, other wildlife and roaming dog movement into and out of the sports field area.

Issues of concern that have been noted with the current situation include visual amenity, the potential impact to koalas of unrestricted day time vehicle access and some instances of users' vehicles not being able to exit the site.



Figure 2 - Existing vehicle entrance gate with pedestrian access to the left

Option 2: Remove existing gate and replace with a koala grid

A koala-proof grid is based on the design of a basic cattle grid, with the modification of the grid surface to consist of steel pipes of circular cross section, rather than the square cross section used in standard cattle grids. The grid would be recessed into the pavement surface in the current vehicle gate location and span the pavement width of approximately six metres. The existing vehicle gates would be removed.

A koala grid will provide unlimited vehicle access to the sports field at all hours, and a self-closing pedestrian gate will allow 24-hour pedestrian access. A grid is a potentially hazardous crossing for pedestrians and bicycle riders, should they choose to use the road rather than the footpath to access the sports field. Existing koala exclusion fencing would require some modification to adjoin the grid on both sides and create an effective exclusion zone.

Koala grids have been demonstrated to be effective at restricting koala movement, however are known to be traversable by dogs and are likely to be traversable by other wildlife and therefore are not a control measure that best addresses the threat of vertebrate pests at this site. The primary application of koala grids has been on high-speed rural roads and private driveways.



Figure 3 - Koala grid at rural driveway entrance

Option 3: Upgrade existing gates

Upgrade of the existing vehicle gate would include the following:

- installation of a solar powered electronic swing-arm and in-ground sensor (pressure-plate) mechanism for automated opening and closing
- replacement of existing chain mesh with black, plastic-coated mesh and repainting of supporting posts and metal sheeting to improve visual amenity

These upgrades will facilitate vehicle-activated gate opening on entry during daylight hours and exit at specified hours via in ground sensor loop and light beam. The opening mechanism is programmable such that opening times are able to be adjusted seasonally (eg. for extended opening hours during daylight savings) and in response to operational requirements. This will remove the requirement and associated cost for staff to open and close the gate each day. This will also allow for an additional exit time 'allowance' to ensure that no vehicles are prevented from leaving the site. Allowing for exit for an additional one hour beyond the specified closing time is recommended for this purpose.

Variations on this approach were investigated including construction of a new gate and installation of a sliding vehicle gate. These options would provide further amenity value but due to the significant additional cost, suitability for the site and maintenance requirements, have not been included in this analysis.

Upgrading the existing gate addresses relevant public access and wildlife protection issues and offers the additional benefit of the opportunity to reuse existing materials.

This option would also include removal and redesign of the existing dual pedestrian gate structure, in order to improve the function of the self-closing mechanism, improve ease of use by pedestrians, and improve visual amenity. A single, self-closing gate would be installed in-line with fencing, creating a more streamlined look to the entrance.

This option also includes rationalising the current entry signage and plantings on the either side of the gate entry to screen the fence

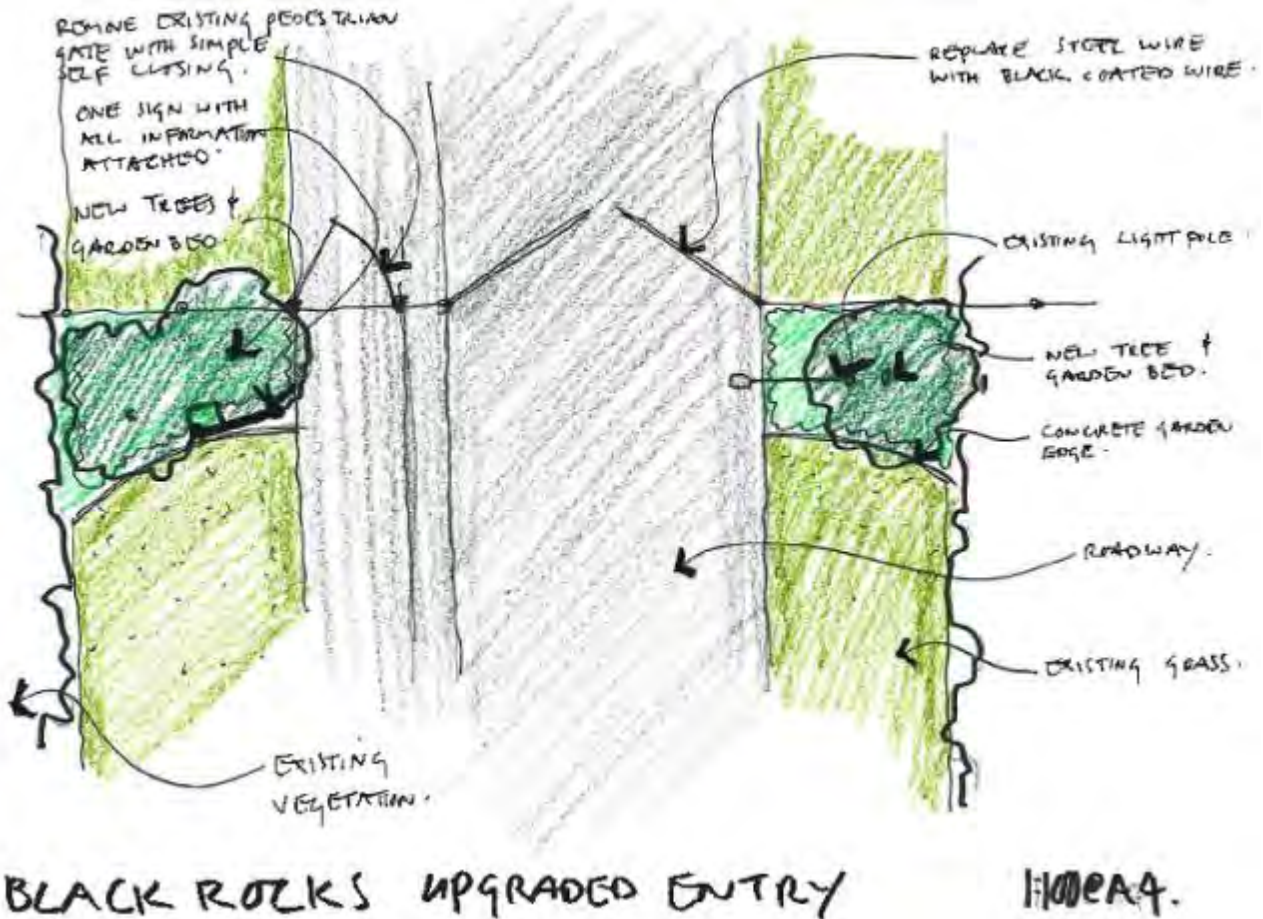


Figure 4 - Concept plan for option 3

	Option 1 Retain existing gates	Option 2 Remove existing gates, replace with grid	Option 3 Upgrade existing gates
Cost			
Initial cost	\$5,000 – installation of existing gate	\$10,500 – supply and install grid	\$9,000 – supply and install solar powered gate closing mechanism \$2,000 – replace chain wire and double gate entry
Maintenance cost (annual)	\$1,100 – operational (opening and closing) Minimal ongoing maintenance	\$800	\$800
Wildlife protection issues			
Koalas entering urban area	Issue not addressed during daylight hours. Issue addressed during night time hours.	Issue addressed.	Issue addressed.
Dog attack due to roaming domestic dogs	Roaming dog access prevented at night.	Issue not addressed.	Issue addressed. Roaming dog access prevented day and night.
Vehicle strike due to night time access	Issue addressed. Night time vehicle access prevented.	Issue not addressed.	Issue addressed. Night time vehicle access prevented.
Vehicle access for sports field users (day time)	Available during day time hours.	Available during day time hours	Available during day time hours. Programmable to respond to daylight saving.
Public access issues			
Pedestrian access	Available 24/7 via gated footpath.	Available 24/7 via footpath. Potential for pedestrian injury if they choose to cross the grid on foot or bicycle.	Available 24/7 via gated footpath.
Safety (risk of locking vehicles in)	Minor issues subject to effective management of gate opening.	Issue addressed.	Issue addressed - no restriction on exit.
Visual amenity	Some issues with amenity of the existing gate have been noted to date.	Some improvement to visual amenity anticipated.	Significant improvement to visual amenity anticipated.
Overall assessment (number of issues appropriately addressed by each option)			
Issues addressed	3	3	7
Issues partially addressed	3	2	0
Issues not addressed	1	2	0

Table 1: Issues analysis for public access options

Other issues

- potential risk to wildlife due to domestic dogs being brought on to the site
- disturbance to koalas and other wildlife due to a range of activities on sports field (including model aircraft and paragliders)
- risk of dog attack to koalas and wildlife from wild dogs
- risk of vehicle strike to koalas and other wildlife during the day
- the requirement for adequately-resourced compliance to assist in managing restricted activities on the sports field.

These issues are not able to be addressed through modification of the sports field entry arrangements alone. Operational planning and compliance is the appropriate mechanism for management of these issues.

Council officers are currently developing an operational plan for the Black Rocks precinct. The precinct is defined as the sports field, access road and adjoining bushland (coinciding with pre-existing restoration zones of the Pottsville Wetland Restoration Plan). The aim of the operational plan is to guide management of the precinct to ensure the protection and improvement of significant environmental values and use as a sports field.

The plan is being developed collaboratively by relevant professional ecology, recreation, communications and compliance staff. This reflects the multi-disciplinary approach required for the management of the site. The plan will address habitat management, threatened species management, landscaping, signage, appropriate activities and use, and monitoring and reporting. This will include providing a plan to address key issues including vertebrate pest control, enforcement and compliance and public education.

Eviron Cemetery Gate

The installation of the solar powered automatic gates at the Eviron cemetery was completed in February 2016. While the installation has only been in place for five weeks, it is proving successful at this stage.





Figure 5 - Solar powered self-opening gates installed at the Eviron cemetery

OPTION ANALYSIS:

The option to upgrade the existing gates (Option 3) will most effectively address the range of public access and wildlife management requirements associated with the sports field entry without redirecting funds away from implementation of Council's Koala Plan of Management. This option involves upgrade of the existing vehicle gate to a solar powered, electronically-controlled system and replacement of the existing pedestrian gates with a single gate. Associated landscaping and rationalisation of signage will create a functional and aesthetically-suitable entrance area.

This will result in unrestricted entry and exit during operational hours for the site, with the ability to modify opening hours to suit operational requirements whilst providing the most effective protection for wildlife, including koalas. The associated landscaping and signage will create a feature of the sports field entrance, and inform users of the regulatory and interpretive information required to safely and enjoyably use the site.

Options 1 and 2 do not fully address the range of public access and wildlife protection issues that have been identified to date. The current approach is considered to negatively impact the visual amenity of the site, requires daily opening and closing of the gate and does not prevent roaming domestic dogs from accessing the site during the day. Installation of a grid similarly increases the likelihood of dogs accessing the site at all hours, increases the risk to koalas from vehicles at night and presents a potential hazard to pedestrians and cyclists.

CONCLUSION:

Council resolved to consider options for addressing public access and wildlife protection issues associated with the entrance to the Black Rocks sports field. Three options were examined for their relative ability to address issues of wildlife protection and public access to the sports field: 1 - retain existing arrangements, 2 - remove the existing vehicle gate and replace it with a koala grid, and 3 - upgrade the existing vehicle gate to an electronically-controlled system.

It is recommended that upgrading of the vehicle and pedestrian gates to a solar powered, electronically-controlled system, along with associated rationalisation of signage and landscaping, is the most effective option to manage both wildlife protection and public access issues associated with the sports field entrance.

Further, it is the officer's advice not to proceed with a survey of the Pottsville population as it is considered not viable to relocate the sports field to an alternative location.

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable.

b. Budget/Long Term Financial Plan:

The recommended option has an estimated cost of \$11,000. This work can be funded jointly through the Koala Plan of Management implementation budget and the Parks and Recreation Services operational budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Inform - We will keep you informed.

By improving the existing regulatory and interpretive signage, users of the site will be more effectively informed as to the values and acceptable uses.

It is recommended that a media release and article in the Tweed Link are published to inform the community of the outcome of consideration of this report. A fact sheet will be prepared for distribution via letterbox drop to the local area to explain the decision and rationale. The consideration of this report responds to community interest expressed in reconciling the public access and wildlife protection issues at this site.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

15 [CNR-CM] Annual Report - Year One Implementation Tweed Coast Comprehensive Koala Plan of Management

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.2 Conserve native flora and fauna and their habitats
 - 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire
-

SUMMARY OF REPORT:

Council adopted the Tweed Coast Comprehensive Koala Plan of Management as a strategy of Council in February 2015. The adopted plan includes a five year works program incorporating the 45 actions identified in the plan.

This report details the overall action status at the end of the first year (February 2015 – February 2016) of implementation and specific outcomes against each of the plan theme areas.

Very significant progress has been made toward the implementation of the works program in its first year. This has been assisted to date by the concurrent delivery of the Tweed Byron Koala Connections. Koala Connections is a joint project with Byron Shire Council funded through the Australian Government's Biodiversity Fund.

Some key outcomes include the planting of 12 hectares of new habitat comprising 20,573 trees and winning the 2015 Local Government NSW Excellence in the Environment Policies, Planning and Decision Making Award.

A major body of work remains to be delivered which will continue to be implemented through Council's annual budget allocation and securing external funding where and when it becomes available. In addition to the scheduled five yearly plan review and reporting on population reassessments, annual updates as per this report will be provided to Council.

RECOMMENDATION:

That Council receives and notes the outcomes and status of the first year of implementation of the works program for the Tweed Coast Comprehensive Koala Plan of Management.

REPORT:

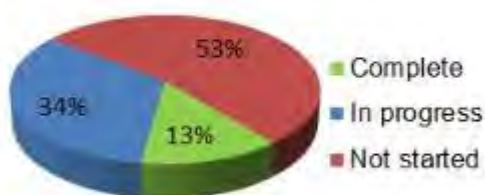
Council adopted the Tweed Coast Comprehensive Koala Plan of Management as a strategy of Council in February 2015. The adopted plan includes a five year works program incorporating the 45 actions identified in the plan.

This report details the overall action status at the end of the first year (February 2015 – February 2016) of implementation and specific outcomes against each of the plan theme areas. Implementation of the plan has benefited greatly from the Tweed Byron Koala Connections project. Koala Connections is a joint project with Byron Shire Council funded through the Australian Government's Biodiversity Fund. Concurrent delivery of this project has resulted in numerous actions with significant progress at time of adoption of the plan. There are also ongoing benefits resulting from preparatory work already completed through the Koala Connections project.

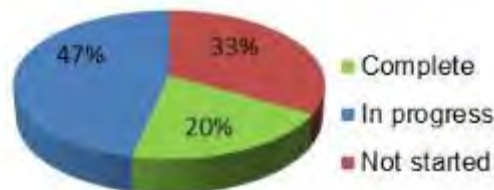
The complete implementation of all plan actions, in particular meeting the targets for the creation of new koala habitat, remain subject to securing relevant external funding support.

Overall action implementation status

All actions (Years 1 - 5)



Year 1 actions



General plan implementation actions



- A suite of actions associated with commencement of the plan including publishing relevant materials, delivery of two staff training sessions and incorporating mapping to Council's GIS system have been completed.
- Establishment of a Koala Management Committee has been intentionally delayed to align with the term of a new Council as per Council resolution of February 2016.
- Relevant development provisions of the plan are fully integrated to the ecological referral process and used to inform relevant land use decisions. This includes all scales of proposals from individual tree preservation order applications to large scale urban release area master plan development.

Koala habitat rehabilitation



Photo: Tanya Fountain

- Development of a habitat restoration program to prioritise restoration and revegetation works is in progress. Comparable work undertaken to inform investment through Koala Connections provides significant benefit with regard to literature analysis, landholder relationships and cost benefit analysis.
- The Tweed Byron Koala Connections project has resulted in significant habitat restoration within the KPOM area since commencement in July 2013. This includes:
 - 20,573 trees planted including 12,373 koala food trees
 - 12 ha of new habitat (towards 20 year KPOM target of an additional 200 ha)
 - 102 ha existing habitat under active restoration to improve habitat condition
 - Very high (~90%) establishment success as evaluated by standardised monitoring
 - Koalas, including back young, using planted trees at three sites.
- An additional 1,700 trees will be planted prior to June 2016 through additional funding received from the NSW Office of Environment and Heritage.
- Council has contributed to development of a statewide koala recovery program to inform prioritisation of NSW government investment in threatened species through the *Saving our Species* program.
- Council submitted a NSW Environmental Trust grant application to implement additional koala habitat restoration and community engagement actions at Pottsville Wetland. These grants are due to be announced in March 2016.

Reducing koala road mortality



- Ongoing traffic monitoring and maintenance of Clothiers Creek 'koala road' measures. Monitoring to date indicates an improving trend with regard to the proportion of vehicles travelling at or below the speed limit.
- Ongoing monitoring and reporting of koala use of the Pacific Highway fauna overpass near the Pottsville interchange. Investigation and reporting of koala road death near the overpass in August 2015.
- Development of relevant actions for inclusion in Pottsville Road – Coronation Avenue upgrade. This project is due to commence construction in April 2016.
- Sharing and dissemination of koala road actions and outcomes at a national scale through response to enquiries and presentations at conferences and forums.

Reducing the risk of dog attack



- Remote camera monitoring throughout the Southern Koala Management Area of the KPOM has been continued and used to inform wild dog control efforts.
- Two highly successful wild dog control programs implemented with subsequent monitoring showing low wild dog activity after control.
- Mapping and analysis commenced to identify high risk areas for conflict between domestic dogs and koalas.
- Review of off-leash areas has been initiated through the development of Council's Open Space Strategy.

Fire management



- *Tweed Coast Koala Fire Management Plan, Hazard Reduction Burn Guidelines for Koala Habitat on the Tweed Coast and Wildfire Response Procedure* prepared. Final consultation with stakeholders underway and publication scheduled for April 2016.
- Council is an active stakeholder and contributor to the Northern Rivers Fire and Biodiversity Consortium. This includes the role of key contact for koala and fire related issues and actions.
- Ongoing liaison with NSW RFS Operations Manager, Brigade Captains and Far North Coast Bush Fire Management Committee.
- Staff trained and accredited by NSW RFS as *Bushfire Fighter* to enable participation and support in fire management and incident response.
- Collaboration, technical and operational support for NSW NPWS in planning hazard reduction burn in koala habitat at Hastings Point.

Koala care and welfare



Photo: Friends of the Koala Inc.

- Annual financial contribution of \$8000 provided to support key koala welfare organisations - Friends of the Koala Inc. and Tweed Valley Wildlife Carers.
- Initial meeting with key stakeholders held to identify and explore options to collaborate on koala population recovery assistance. Further investigation underway to consider options for additional soft release sites, food tree plantations, data management and tracking of released animals.

Community awareness and engagement



Members of the community planting group, established in conjunction with Team Koala, celebrate the planting of the 50,000 tree. Photo: Justin Mallee



- Ongoing facilitation and support for community involvement in tree planting and site maintenance in conjunction with Team Koala.
- The plan was awarded the 2015 Local Government NSW Excellence in the Environment Policies, Planning and Decision Making Award.
- Development and distribution at relevant events of education materials including 'Top 5 things you can do' fridge magnet
- Publication of relevant information and news on Council website www.tweed.nsw.gov.au/koalas
- Council's overall koala recovery initiatives recognised through successful selection as a finalist for implementation of the Koala Connections project in the 2015 UN World Environment Day Awards and 2015 Banksia Awards
- Tweed Byron Koala Connections Forum scheduled for May 2016 to present lessons learned and outcomes. To include presentation on the role of KPOMs as an integrated framework for koala recovery.

Monitoring, reporting and review



- Reassessment of koala activity throughout the Southern Koala Management Area complete, report prepared and presented to Council (December 2015)
- Collection, vetting, collation and submission of koala sightings data to NSW BioNet Wildlife Atlas.
- Opportunities to contribute and collaborate on research projects underway including:
 - Qld University of Technology and South East Qld Councils - Unmanned Aerial Vehicle (drone) Koala Survey
 - University of Queensland, Southern Cross University, Friends of the Koala Inc and Northern Rivers Councils -Australian Research Council Linkage Grant

Issues and challenges

The concurrent delivery of the Tweed Byron Koala Connections program has provided significant support to the implementation of the KPOM works program to date. The Koala Connections project will be complete in June 2016 and so available resourcing will revert to the annual Council budget allocation. Whilst many actions of the KPOM can be achieved within this budget, additional funding is required to achieve the habitat restoration targets of the plan. Opportunities to secure this funding through grants programs and other partnerships will continue to be sought.

The year one actions that remain not started are predominantly dependent on other actions (such as the finalisation of the 'E-zone' review) or are multi-year actions that will form part of the year two priorities.

Year 2 priority actions

Many actions in the works program are ongoing such as securing external funding, liaison with key stakeholders, koala care and welfare, community awareness and habitat restoration. These actions will remain in progress and form the bulk of works in year two. In addition, the following specific actions will be completed during this period:

- Finalisation, publication and distribution of the habitat restoration program to prioritise restoration and revegetation of strategic areas within the KPOM area

- Preparation of a community awareness strategy to actively increase awareness of koala management issues
- Reassessment of the koala population in the Tweed Heads Koala Management Area
- Preparation and implementation of a wild dog management strategy in the form of Pest Management Operational Plans for Council managed bushland
- Complete analysis and mapping of high risk areas within the KPOM area for conflict between domestic dogs and koalas
- Improve domestic dog management in high priority areas, including Council bushland reserves such as Pottsville Wetlands through designation as Wildlife Protection Areas under the Companion Animals Act.
- Implementation of the Tweed Coast Koala Fire Management Plan and Hazard Reduction Burn Guidelines
- Qld University of Technology, Tweed Shire Council and South East Qld Councils Research Project - Unmanned Aerial Vehicle (drone) Koala Survey
- Establish a Koala Management Committee to advise and oversee implementation of the plan

CONCLUSION:

Highly significant progress has been made toward the implementation of the KPOM works program in its first year. This has been assisted to date by the concurrent delivery of Tweed Byron Koala Connections. A major body of work remains to be delivered which will continue to be implemented through Council's annual budget allocation and securing external funding where and when it becomes available. In addition to the scheduled five yearly plan review and reporting on population reassessments, annual updates as per this report will be provided to Council.

COUNCIL IMPLICATIONS:

a. Policy:

Tweed Coast Comprehensive Koala Plan of Management

b. Budget/Long Term Financial Plan:

The following budget advice is provided in relation to expenditure and balance remaining at the time of writing this report:

<u>Koala Management Plan</u>		<u>Koala Connections</u>	
2015/16 Actual	\$102,506	2015/16 Actual	\$242,523
2015/16 Budget	\$316,345	2015/16 Budget	\$419,084
2016/17 Budget	\$176,000	2016/17 Budget	0

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

The framework for reporting on implementation of the works program is detailed in the plan and includes an overall five yearly review and reporting on scheduled population reassessments. Annual updates as per this report will also be provided and subsequently made available to the general community on Councils website. Significant milestones and achievements are routinely publicised through the Tweed Link and media releases.

There have been extensive involvement and collaboration with private landholders and community groups in achieving the excellent outcomes to date. This ongoing engagement is a critical factor for the success of the Tweed Coast Comprehensive Koala Plan of Management.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

16 [CNR-CM] Design and Construction of Office and Research Facilities at Tweed Regional Museum, Kennedy Drive, Tweed Heads West

SUBMITTED BY: Community and Cultural Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Demolition of the RSL Hall, part of the Tweed Regional Museum complex at Kennedy Drive Tweed Heads West, was approved by Council on 19 November 2015, subject to planning consent. Appropriate consent has been obtained and tenders called for this work. Demolition is scheduled for completion before the end of June 2016.

Office, work space and amenities previously accommodated in the RSL Hall will be lost as a result of demolition, putting significant pressure on the remaining space available in the adjacent Court House building. The Court House offers insufficient space to house all functions required at the site, including equipment and resources supporting the activities of the Tweed Heads Historical Society under the *Museum Service Agreement 2016-2017* (executed in December 2015).

The provision of appropriate office and research accommodation at the Museum site at Tweed Heads has been scoped to concept design stage and costed. The scale, concept and purpose of the proposed building qualifies as exempt development under Schedule 1 of the NSW State Environmental Planning Policy (Infrastructure) 2007 as a portable office.

Planning constraints impacting on final building design and location have been identified and are being worked through by Council staff to arrive at a final design. Sufficient funds to support design, construction and fit out of proposed office and research accommodation have been identified within existing budgets.

RECOMMENDATION:

That Council:

- 1. Notes the proposed planning, design and construction of office accommodation at the Tweed Regional Museum site at Kennedy Drive, Tweed Heads West as exempt development under Schedule 1 of the NSW State Environmental Planning Policy (Infrastructure) 2007.**
-

2. **Notes sufficient funds have been identified and included in the March Quarterly Budget Review.**
3. **Proceeds with the Request for Offer phase of this project.**
4. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (c) **information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

REPORT:

Background

In 2014 significant deterioration of the RSL Hall at Kennedy Drive, which contains significant amounts of asbestos, necessitated its closure to the public, staff and volunteers (June 2014).

Office, work space and amenities previously accommodated in the RSL Hall will be lost as a result of demolition, putting significant pressure on the remaining space available in the adjacent Court House. The Court House offers insufficient space to house resources and equipment necessary for the Tweed Heads Historical Society to undertake research and other activities as part of their partnership with Council under the *Museum Service Agreement 2016-2017* (executed in 2015).

Under the Museum Service Agreement Council has committed to provide resources including accommodation at each Museum site, to support research activities and to provide office accommodation for partner Historical Societies.

Current situation

The provision of appropriate accommodation at the Museum site at Tweed Heads has been scoped to concept design stage and costed. The scale, concept and purpose of the proposed building qualifies as exempt development under Schedule 1 of the NSW State Environmental Planning Policy (Infrastructure) 2007 as a portable office.

Planning constraints impacting on final building design and location have been identified and are being worked through by Council staff. Sufficient funds to support design, construction and fit out of the proposed office and research accommodation have been identified within existing budgets. Preliminary project schedules anticipate design and construction will be complete by the end of 2016.

OPTIONS:

1. Notes that construction of office accommodation at the Tweed Regional Museum site at Kennedy Drive, Tweed Heads West is being pursued as exempt development under Schedule 1 of the NSW State Environmental Planning Policy (Infrastructure) 2007 (ISEPP), and that sufficient funds have been identified within existing budgets to meet associated costs.
2. Not support construction of office accommodation at the Tweed Regional Museum site at Kennedy Drive, Tweed Heads West.

CONCLUSION:

Demolition of the RSL Hall, part of the Tweed Regional Museum site at Kennedy Drive, Tweed Heads West represents a loss of office, work space and amenities previously accommodated in the RSL Hall, putting significant pressure on the remaining space available in the adjacent Court House. Construction of proposed replacement office and research accommodation has been scoped and is being pursued as exempt development under Schedule 1 of the ISEPP. Sufficient funds to support design, construction and fit out of the proposed building have been identified within existing budgets.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Estimated costs as contained within the Confidential Attachment have been identified and included in the March 2016 Quarterly Budget Review.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Extensive consultation with members of the Museum Advisory Committee (MAC) and the Tweed Heads Historical Society have been undertaken during 2015 in relation to Museum facilities and resources as part of the review of the 2004 Memorandum of Understanding and development of a new Museum Service Agreement 2016-2017. Extensive correspondence between Council officers and the Tweed Heads Historical Society, together with face to face briefings have also taken place. Council staff will continue to work with the Tweed Heads Historical Society to resolve design of proposed office accommodation and associated scheduling and logistics.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Supplementary Information (ECM 4004944)

17 [CNR-CM] Les Burger Field Upgrade

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 Community Strategic Plan (2013-2017) contains an initiative to prepare a Community Safety Plan. The need for a Community Safety Plan reflected Council's then role in facilitating community safety initiatives through the Tweed Heads-Coolangatta Community Safety Committee in partnership with City of Gold Coast officers. However, a revision of the Coolangatta-Tweed Community Safety Action Plan when lodged with the NSW Attorney General's Department (AGD) was not endorsed therefore Council was ineligible to access funding for crime related initiatives from the AGD. Subsequently the Committee disbanded in 2012. This report seeks to repurpose funding for the Community Safety Plan to enhance the informal youth recreation space at Les Burger Field which reflects community safety initiatives identified by young people in the Youth Strategy and Action Plan (2013-2017).

RECOMMENDATION:

That Council:

1. **Endorses the Community Safety Plan as identified in the Delivery Program (2013-2017) and Operational Plan 2015-2016 Strategies being:**

"P2.1.1.12 Community Safety Plan

P2.1.1.13 Implementation of the Community Safety Plan"

will not be prepared and therefore removed from the 2013-2017 Delivery Program and Operational Plan 2015-2016.

2. **Revotes funding for the Community Safety Plan towards the Les Burger Field informal youth recreation space upgrade.**

REPORT:

The *Community Strategic Plan 2013/2023* contains the following strategy:

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.

In response to above strategy, the *Delivery Program 2013-2017* has the following key performance indicators:

P2.1.1.12 Community Safety Plan

P2.1.1.13 Implementation of the Community Safety Plan

The target date identified for the completion of the Community Safety Plan is 2015/2016 with implementation commencing in 2016/2017.

The imperative to prepare a Community Safety Plan reflected Council's then role in facilitating community safety initiatives. Historically Council took a lead role in preparing community safety plans, jointly hosting the Tweed Heads-Coolangatta Community Safety Committee (Committee) with City of Gold Coast officers. The purpose of the Committee was to deliver on actions of the Coolangatta-Tweed Community Safety Action Plan (2007). However, a revision of the plan in 2008 when lodged with the NSW Attorney General's Department (AGD) was not endorsed therefore Council was ineligible to access funding for crime related initiatives from the AGD. Subsequently the Committee disbanded in 2012.

In late 2014, through contact made with the Northern Rivers Regional Organisation of Councils by NSW Department of Justice, Council officers followed up on an opportunity to discuss community safety initiatives and the possibility of funding for a regional Community Safety Officer that could be shared across participating Councils. To date, there has been nothing forthcoming from these discussions and Council does not have dedicated staff resources to support the implementation of a Crime Prevention Strategy. Instead, it is proposed that funding allocated towards the preparation of a Crime Prevention Strategy is reallocated to community safety initiatives in keeping with other strategic priorities identified by Council.

One such priority is the provision of physical infrastructure that members of the community feel safe to access and enjoy. The *Youth Strategy and Action Plan (2013-2017)* (Youth Strategy) identified that free outdoor spaces with a range of activities (multi-purpose courts, skate elements, hand ball walls, tiered seating and Wi-Fi/power outlets etc.) will be important to keep young people safe, active and healthy. A number of strategic actions were included in the Youth Strategy to make improvements to public open space used by young people. In particular:

Strategic Outcome 2 - Young People Feel Proud of where they live with Access to Quality Places and Spaces

13. Prepare Les Burger Field Master plan to incorporate an accessible informal youth recreation space.

14. Seek grant funding to construct informal youth recreation space as part of Les Burger Field Master Plan.

Les Burger Field, Bogangar informal youth recreation space was identified in the Youth Strategy as an important space to enhance because it is centrally located on the Tweed Coast between Pottsville and Kingscliff.

Commencing in December 2015, Cabarita Youth Service entered into a license with Council to re-locate the organisation to office space in the Les Burger Field Clubhouse. The youth service operates a daily out-of-school hour activity program, including weekends and school holidays. Positioning the youth service at Les Burger Field reflects recommendations in the *Youth Facilities Plan (2013)* which describes best practice in community facility design as providing a range of different spaces and functions in one building.

The following information was provided by Cabarita Youth Service for the period January 2015 to January 2016.

- 217 young people registered with the agency. Additionally there have been young people receiving 'one-off' support that have not registered. It is not a requirement that young people register to access the service.
- Of these 217 young people, there were 118 males and 99 females; 35 or 16% identified as Aboriginal or Torres Strait Islander. The young people ranged in age from: 9 to 11 years (70); 12 to 13 years (59); 14 to 15 years (54); 16 to 17 years (21); and 17 years and over (13).
- Most young people accessed the service to engage in a youth centre based activity or participate in a planned excursion. All activities are supervised by service staff and trained volunteers. In addition, the youth worker supported ten young people to find employment ranging from casual to permanent positions. The service offers free sport training with eight young people attending regular boxing classes; three young people have moved up to amateur competition level.
- Several young people are engaged with the service in a voluntary capacity to assist workers with activities such as fund raising, band/jam nights, and assisting with youth service daily operations.

Anecdotal evidence from local retail businesses is that crime such as shoplifting, vandalism and graffiti instances have decreased over the previous 12 months. The Woolworths Manager (Cabarita Beach) specifically states that she believed this was a direct result of increased activities offered by Cabarita Youth Service during this period and that the service provides young people with food. Tweed Coast Depot staff advised that litter around the skate park has decreased since the youth service opened. The general community including schools (Kingscliff High and Bogangar Public), parents and businesses are very supportive of Cabarita Youth Service.

Improving the Les Burger Field informal youth recreation space for young people will complement the diversionary youth activities occurring at the site. The proposed concept plans for the upgrade of Les Burger Field informal youth recreation space which include adding a half hard court area adjoining the existing skate park have been prepared and are ready for further community input (Attachment 1).

OPTIONS:

1. That Council notes a Community Safety Plan as specified in the Community Strategic Plan (2013-2023) will not be prepared.
2. That Council revotes funding for the Community Safety Plan to the Les Burger Field informal youth recreation space upgrade.
3. The Council does not revoke funding for the Community Safety Plan to the Les Burger Field informal youth recreation space upgrade and identifies other priorities.

CONCLUSION:

The Youth Facilities Plan (2013) defines a youth facility as “a building or space that can be used by young people for recreational, social, sporting, educational, cultural or training purposes.” In developing the Youth Strategy, one of the recurring themes to emerge was that young people often did not feel safe in public spaces that were not being activated. The Les Burger Field informal youth recreation space upgrade provides an opportunity to add value by co-locating the proposed half court with existing ‘youth’ infrastructure and the youth service that operates regular diversionary activities for young people to alleviate boredom and mitigate anti-social behaviour.

COUNCIL IMPLICATIONS:

a. Policy:

Youth v1.0.

b. Budget/Long Term Financial Plan:

The Community Safety Plan A2391 currently has an allocated budget of \$56,559 and in the 2016/2017 budget a further \$12,924 is proposed which will bring funding for that line item to \$69,483. The Les Burger Field informal youth recreation space upgrade is estimated to cost \$75,530. The funding shortfall of \$6,047 will be drawn from the Youth Strategy A1629 program budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Council staff has been meeting since August 2015 to discuss the proposed informal youth recreation space at Les Burger Field, Bogangar. In November 2015 staff met with representatives of the Tweed Coast Raiders Junior Rugby League Sport Club to gauge support for the proposal. The proposal received in-principal support subject to further consultation when the concept plans are available for review.

The concept plans will be taken to further meetings with Tweed Coast Raiders Junior Rugby League Sport Club and Tweed Coast Touch Association representatives subject to Council’s endorsement of the proposal and funding.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Les Burger Field Informal Youth Recreation Space Upgrade
Concept Plans (ECM 4012282)

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

SUBMITTED BY: Community and Cultural Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

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

Council resolved to award contract RFP2015-062 Construction of Knox Park Youth Precinct to VFG Skateparks (ABN 51 656 509 153) for the amount of \$789,575.27 (exclusive of GST) at the Council Meeting held 18 June 2015.

Contract works commenced on 29 June 2015 and contract variations are required to be tabled to Council as per the requirements of the Amendment to Council Contract Variation Resolution resolved at Council Meeting held Thursday 20 November 2014.

RECOMMENDATION:

That in respect to Contract RFP2015-062 Construction of Knox Park Youth Precinct:

1. Council notes approved Variations 01 to 14 for the total amount of \$47,768.86 (exclusive of GST).
2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

REPORT:

Council resolved to award contract RFP2015-062 Construction of Knox Park Youth Precinct to VFG Skateparks (ABN 51 656 509 153) for the amount of \$789,575.27 (exclusive of GST) at the Council Meeting held 18 June 2015.

Contract works commenced on 29 June 2015 and contract variations are required to be tabled to Council as per the requirements of the Amendment to Council Contract Variation Resolution resolved at Council Meeting held Thursday 20 November 2014.

A list of approved and final variations are provided in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret

OPTIONS:

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

CONCLUSION:

It is recommended that in respect to Contract RFP2015-062 Construction of Knox Park Youth Precinct:

1. Council notes Approved Variations 01 to 14 for the total amount of \$47,768.86 (exclusive of GST) detailed in Attachment 1.
2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

COUNCIL IMPLICATIONS:

a. Policy:

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

b. Budget/Long Term Financial Plan:

The project has funding allocated from the Recreation Services Unit budget and from Federal Government Grants confirmed through applications by Recreation Services Unit.

- Variations for electrical works are funded by Community and Cultural Services Unit.

- Variations relating to earthworks are funded from Recreation Services Unit.

c. Legal:
Nil.

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Summary of Variations (ECM 4014199)

REPORTS FROM THE ACTING DIRECTOR ENGINEERING

19 [E-CM] RFO2016018 2015/2016 Asphalt Rejuvenation Program

SUBMITTED BY: Roads and Stormwater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Request for Offer RFO2016018 2015/2016 Asphalt Rejuvenation Program was called to procure a suitably qualified and experienced contractor to undertake the 2015/2016 asphalt rejuvenation program at various locations throughout the Shire totalling approximately 115,700 square metres.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 9 March 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 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 RFO2016018 2015/2016 Asphalt Rejuvenation Program:

1. Council awards the contract to BMR Quarries Pty Ltd T/A Roadwork Industries (ABN- 98 112 732 797, ACN- 112 732 797) for the amount of \$178,829.18 (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

Request for Offer RFO2016018 2015/2016 Asphalt Rejuvenation Program was called to procure a suitably qualified and experienced contractor to undertake the 2015/2016 asphalt rejuvenation program at various locations throughout the Shire totalling approximately 115,700 square metres.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 9 March 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, Offers were officially advertised for RFO2016018 2015/2016 Asphalt Rejuvenation Program on Tuesday 16 February 2016 in the Sydney Morning Herald. The offer was also advertised in the Brisbane Courier Mail and Tweed Link.

Offer Submissions

As per the requirements of the Local Government Regulation 2005, Offer submissions closed at 4.00pm (local time) on Wednesday 9 March 2016 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Four (4) submissions were recorded at the Tender Box opening and their details are as follows:

Bidder	ABN
BMR Quarries Pty Ltd T/A Roadwork Industries	98 112 732 797
Downer EDI Works Pty Ltd	66 008 709 608
Fulton Hogan Industries Pty Ltd	54 000 538 689
SRS Roads Pty Ltd	16 064 662 148

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

Evaluation Criteria	Document Reference	Weighting (%)
Assessed Offer Price (as adjusted)	Schedule 3	50
Experience and Capability	Schedules 4 & 5	20
Methodology & Work Program	Schedule 6	10
Management Systems- WHS, Environmental and Quality	Schedule 7	10
Local Content	Schedule 11	10
	Total	100

An 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.

The Offer Evaluation Panel consisting of a Contracts Engineer and the Senior Engineer - Assets & Maintenance, Roads & Stormwater 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 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:

That Council:

1. Accepts the Offer for RFO2016018 from BMR Quarries Pty Ltd T/A Roadwork Industries (ABN- 98 112 732 797, ACN- 112 732 797) for \$178,829.18 (Exclusive of GST)
2. Accepts an alternative Bidder for RFO2016018.

CONCLUSION:

Council awards the Contract RFP2016018 to BMR Quarries Pty Ltd T/A Roadwork Industries (ABN- 98 112 732 797, ACN- 112 732 797) for \$178,829.18 (Exclusive of GST) as detailed in the offer evaluation report confidential **Attachment 1** for the 2015/2016 Asphalt Rejuvenation Program.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6

In accordance with Local Government (General) Regulations 2005.

b. Budget/Long Term Financial Plan:

Road Resurfacing program. Budget group EO10-300

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2016018 Offer Evaluation Report (ECM4005683).

(Confidential) Attachment 2. RFO2016018 Offer Evaluation Score Sheet (ECM4005740).

20 [E-CM] RFO2016029 Supply, Construction, Testing and Commissioning of Sewer Pipeline and Associated Works adjacent to Glen Ayr Drive Banora Point (SEW55)

SUBMITTED BY: Water and Wastewater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Request For Offer RF2016029 Supply, Construction, Testing and Commissioning of Sewer Pipeline and Associated Works adjacent to Glen Ayr Drive Banora Point (SEW55) was called to engage a suitable qualified and experienced Contractor to provide all plant, labour and materials to construct the sewer pipelines and associated works.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 23 March 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 RFO2016029 Supply, Construction, Testing and Commissioning of Sewer Pipeline and Associated Works adjacent to Glen Ayr Drive Banora Point (SEW55):

- 1. Council awards the contract to Civil Logic Pty Ltd (ABN- 81 168 035 498, ACN- 168 035 498) for the amount of \$153,245.63 (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**

Request For Offer RF2016029 Supply, Construction, Testing and Commissioning of Sewer Pipeline and Associated Works adjacent to Glen Ayr Drive Banora Point (SEW55) was called to engage a suitable qualified and experienced Contractor to provide all plant, labour and materials to construct the sewer pipelines and associated works.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 23 March 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, offers were officially advertised for RFO2016029 Supply, Construction, Testing and Commissioning of Sewer Pipeline and Associated Works adjacent to Glen Ayr Drive Banora Point (SEW55) on Tuesday 1 March 2016 in the Sydney Morning Herald. The offer was also advertised in the Brisbane Courier Mail, Gold Coast Bulletin and the Tweed Link.

Offer Addendums

There was one (1) Notice to Bidders issued before close of Offer:

Addendum No.1 issued to advise Bidders that Schedule 3 Quantities and Prices Item 2.5 is deleted from the Contract.

Offer Submissions

As per the requirements of the Local Government Regulation 2005, Offer submissions closed at 4.00pm (local time) on Wednesday 23 March 2016 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Six (6) submissions were recorded at the Tender Box opening and their details are as follows:

Bidder	ABN
BD Plumbing and Roofing Pty Ltd	68 605 343 851
Bellrise Investments Pty Ltd	72 094 394 260
Civil Logic Pty Ltd	81 168 035 498
Demacs Constructions (Aust) Pty Ltd	20 092 182 726
Ledonne Construction Pty Ltd	68 003 117 717
O'Leary Drainage and Civil Pty Ltd	79 149 261 245

An 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 as per the approved Offer Evaluation Plan dated 16 March 2016 that included the evaluation criteria reproduced in the following table:

Evaluation Criteria	Document Reference	Weighting (%)
Assessed Offer Price (as adjusted)	Schedule 3	65
Relevant Experience and Capability	Schedules 4, 5 & 8	20
Management Systems (WH&S, Quality and Environmental)	Schedule 7	5
Local Content	Schedule 11	10
	Total	100

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

The Offer Evaluation Panel consisting of Engineer- Projects, Water and Wastewater; Senior Engineer - Capital Works, Water and Wastewater and a Contracts Engineer 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 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:

That Council:

1. Accepts the Offer for RFO2016029 from Civil Logic Pty Ltd (ABN- 81 168 035 498, ACN- 168 035 498) for \$153,245.63 (Exclusive of GST).
2. Accepts an alternative Bidder for RFO2016029.

CONCLUSION:

Council awards the Contract RFP2016029 to Civil Logic Pty Ltd (ABN- 81 168 035 498, ACN- 168 035 498) for \$151,109.26 (Exclusive of GST) as detailed in the offer evaluation report confidential **Attachment 1** for the RFO2016029 Supply, Construction, Testing and Commissioning of Sewer Pipeline and Associated Works adjacent to Glen Ayr Drive Banora Point (SEW55).

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6.

In accordance with Local Government (General) Regulations 2005.

b. Budget/Long Term Financial Plan:

Funds are available from the 2015/16 Sewer fund.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2016029 Offer Evaluation Report (ECM 4014578).

(Confidential) Attachment 2. RFO2016029 Offer Evaluation Scoresheet (ECM 4014516).

21 [E-CM] RFO2015167 Supply of One (1) Truck Mounted Elevated Work Platform

SUBMITTED BY: Infrastructure Delivery

FILE REFERENCE: RFO2015167

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 RFO2015167 for the supply of One (1) Truck Mounted Elevated Work Platform was called to supply Council operations with a replacement for a unit that was accident damaged, assessed and determined to be 'damaged beyond economical repair' by Council's insurers 'Zurich'.

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 RFO2015167 for the Supply of One (1) Truck Mounted Elevated Work platform:

1. **Council awards the contract to Gold Coast Isuzu (Option No5 – Isuzu Chassis, 'ALTEC TA45S' Elevated Work Platform) (ABN 47010210723, ACN 010210723) for the amount of \$298,165 (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 RFO2015167 for the supply of One (1) Truck Mounted Elevated Work platform was called to supply Council operations with a replacement for a unit that was accident damaged, assessed and determined to be 'damaged beyond economical repair' by Council's insurers 'Zurich'.

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.

Offer Advertising

As per the requirements of the Local Government Regulation 2005, Offers were officially advertised for RFO2015167 Supply of One (1) Truck Mounted Elevated Work Platform on 22 December 2015 in the Sydney Morning Herald. The offer document was also advertised in the Brisbane Courier Mail, the Gold Coast Bulletin, the Tweed Link, and also on Council's Tenders website.

Offer Addendums

There was no Notice to Bidders issued before close of Offer.

Offer Submissions

Eleven (11) Offers were recorded at the Tender Box opening and their details are as follows:

Bidder	Submissions	ABN
Aerial Access Pty Ltd	1	93 069766310
Gold Coast Isuzu	4	47 010210723
GMJ Equipment Pty Ltd	2	66 005749431
Redmond Gary Australia Pty Ltd	1	39 070053584
Australian Crane and Machinery	1	71 111382784
Telescopic Towers Pty Ltd	1	87 163002088
Niftylift Australia	1	32 050197218

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 (Normalised Offer Price)	Section 18	40
Operational Evaluation	Section 18	25
Maintenance Evaluation	Section 18	10
Operator Evaluation	Section 18	15
Local Content	Section 18	10
	Total	100

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

The Offer Evaluation Panel consisting of the following who conducted the Offer assessment

Position
Operations Coordinator Plant and Materials
Manager Infrastructure Delivery
Fleet Plant Maintenance Technician
Council Elevated Work Platform Operator No1
Council Elevated Work Platform Operator No2

A copy of the Offer Evaluation Plan 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 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:

That Council:

1. Accepts the recommendation to award the contract to Gold Coast Isuzu – Option No5 – Isuzu Chassis, Altec TA45S Elevated Work Platform or
2. Awards the contract to another bidder, or
3. Does not proceed with the contract and advises the bidders of the reasons for not proceeding.

CONCLUSION:

The Offer submitted by Gold Coast Isuzu for the supply of an Isuzu Chassis with an 'ALTEC' Elevated Work Platform attached, presents the best value to Council

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

Budget provision included in 2015/16 allocation for Fleet 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 (ECM3995740)

(Confidential) Attachment 2. Offer Evaluation Scoring Sheet (ECM3998252)

22 [E-CM] Strategic Business Plan, Long Term Financial Plans and Development Servicing Plans for Water Supply and Sewerage Services.

SUBMITTED BY: Water and Wastewater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.2 Provision of a secure, high quality and reliable drinking water supply services which meets health and environmental requirements and projected demand
 - 2.3.3 Provision of high quality and reliable wastewater services which meets health and environmental requirements and projected demand
-

SUMMARY OF REPORT:

There is a requirement for Council to review and update its Strategic Business Plans, Long Term Financial Plans and Development Servicing Plans for water supply and sewerage services.

Due to reduced growth forecasts and demand management measures significant changes have had to be made to existing works programs for water supply and sewerage services. The capital works program to service all development underpins these three Plans.

Now that the capital works programs and assessment of existing capacity have been undertaken draft Long Term Financial Plans and Development Servicing Plans for water supply and sewerage can be prepared. When prepared the draft plans are to be workshopped with Council for Council to determine a balance between typical residential bill (TRB) and Developer Charges. The draft Plans will then be subject to audit and be subject to public exhibition prior to being able to be adopted by Council. This will take a minimum of five (5) months resulting in the adoption of the Plans, potentially in the next term of Council.

The Long Term Financial Plans can then be finalised prior to completing the Strategic Business Plans.

RECOMMENDATION:

That Council notes the delay in preparation of the Capital Works Program for the Water and Supply and Sewerage Services and therefore the delay in funding the Development Servicing Plans and Strategic Business Plans.

REPORT:

Council's Strategic Business Plans, Long Term Financial Plans and Development Servicing Plans for water supply and sewerage service require review. The cycle of review as promulgated by the Office of Water is:

Strategic Business Plan	8 years
Long Term Financial Plan	4 years
Development Servicing Plans every	5 to 6 years

Further, on 11 December 2014 Council, in response to risks imposed by the Water Industry Competition Act resolved in part to:

"Develop a long term financial plan based on an affordable capital works program to service all development."

Because of the interdependency of the three Plans, especially the Long Term Financial Plans and the Development Servicing Plans Council is undertaking a review of all three.

Council has engaged a consultant, Hydrosphere, to undertake the review of the existing and preparation of new Long Term Financial Plans and Development Servicing Plans for Water Supply and Sewerage Services.

Long Term Financial Plans

Within the Long Term Financial Plans there are two primary components of revenue (charges to the users and developer charges). There are four primary areas of expenditure (capital works for growth, capital works for asset renewal, capital works for upgrading and operation, maintenance and administration (OMA)). The Long Term Financial Plans seek to be sustainable where there is a balance between revenue and expenditure while limiting financial risk to Council.

Expenditure

In preparation for this work Council has undertaken modelling of water and sewerage infrastructure to determine the works required to service future growth. The modelling was based on estimates of growth prepared by ID Consult. New modelling was required as forecast growth rates have fallen significantly since the previous forecasts. From this modelling a long term (30 year) capital works programs for water supply and sewerage to service all development (including Cobaki and Kings Forest) have been prepared.

In conjunction with this work, Council has assessed its water and sewerage assets based on age, and where data is available, condition, design life and replacement cost. From this assessment draft renewals programs have been prepared. Those renewals programs were then subject to field validation. A capital works program for renewals has subsequently been finalised.

Capital works for upgrading are works which upgrade assets without providing additional capacity. They are required to meet changes in operating licence conditions or legislation and associated government requirements. Over a 30 year period they cannot be accurately forecast but estimates have been prepared for the purposes of the Long Term Financial Plans.

OMA is forecast based on past expenditure and adjusted for:

- Present fixed costs
- Growth in variable costs due to population growth (which has been reduced)
- Estimated increases in costs over inflation (e.g. imported materials, chemicals)
- Inflation

Revenue

Revenue is primarily derived from developer charges and charges levied on users being access charges and usage charges referred to as typical residential bill (TRB). The mix of these charges is in part guided by the Office of Water (75% of charge in TRB from usage) and is to be determined by Council. This then sets developer charges and price paths for water supply and sewerage services.

In general terms it is intended to determine and advise Council of the true capital cost of development per equivalent tenement (ET). The costs will include the cost of all works required for growth and the value of existing assets already constructed to cater for growth. The costs will be analysed using an equivalent annualised annuity methodology as required by Government.

Knowing the true cost of development, Council can be advised on the impact on TRB if developer charges are set below the true cost of development. Council will then be in a position to determine the level (if any) at which development is to be subsidised (reducing Developer Charges) by existing and future TRB's.

Long Term Financial Plans and Development Servicing Plans for water supply and sewerage service can then be drafted.

Development Servicing Plans

The Development Servicing Plans are prepared to reflect population growth, the infrastructure to be constructed to service that growth and the capacity within existing assets to service that growth.

In respect to water, previous Development Servicing Plans have been prepared reflecting a higher growth than that which presently exists and is now predicted. With reduced growth rates the capital works required for growth are being re-determined from system modelling and the capacity within existing assets available for growth also needs to be re-determined. Of particular significance is the capacity in trunk mains, reservoirs and Bray Park Water Treatment Plant which were provided to meet a projected growth which has not yet occurred. This results in significant capacity in existing assets which has not been taken up and is still available to service growth.

A similar situation has occurred in respect to sewerage services. In this case the issues of capacity available for growth are more centred on wastewater treatment plants.

The assessment of the measurement for growth related infrastructure has delayed the preparation of the Development Servicing Plans and Long Term Financial Plans.

Steps to Progress Long Term Financial Plans and Development Servicing Plans

The three capital works programs have been prepared as well as the OMA. A consultant, Hydrosphere, has been engaged to:

- Determine the true cost of development
- Draft the Long Term Financial Plans
- Draft the Development Servicing Plans

The draft plans are to be workshopped with Council to determine the balance between TRB and Developer Charges after consideration of the true cost of development. On completion of the workshops the Plans can be amended as required by Council.

The Office of Water then requires the plans to be audited by an auditor approved by the Office of Water. It is estimated this step will take approximately 4 weeks.

Thereafter the Plans will be reported to Council and recommended that they are placed on public exhibition for a period of 30 working days (6 weeks). Further, at least 10 days before public exhibition Council must inform various parties such as the Housing Industry Association and particular developers of the exhibition (2 weeks).

Subject to any concerns raised through the exhibition process the Plans could then be adopted by Council.

The program, as now determined by government Guidelines and Council means that from the completion of the workshop on balancing Developer Charges and TRB to when the new Developer Charges can be adopted by Council is a minimum of five (5) months and probably greater depending on any amendments required and the timing of Council workshops and meetings.

OPTIONS:

This is a status report advising Council of the progress made to date and the delays to the development of the Strategic Business Plan documents.

CONCLUSION:

Due to reduced growth forecasts significant changes have had to be made to existing works programs for water supply and sewerage services. This has delayed the preparation of capital works programs to service development.

The capacity of existing assets to service growth here also required reassessment. This has also delayed the preparation of capital works programs to service development.

Now that the capital works programs and assessment of existing capacity has been undertaken draft Long Term Financial Plans and Development Servicing Plans for water supply and sewerage can be prepared. When prepared the draft plans are to be workshopped with Council for Council to determine a balance between TRB and Developer Charges. The draft Plans will then be subject to audit and be subject to public exhibition prior to being able to be adopted by Council. This will take a minimum of five (5) months resulting in the adoption of the Plans, potentially in the next term of Council.

The Long Term Financial Plans need to be completed before the Strategic Business Plan can be completed.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

This report only refers to the timetable for developing of the Long Term Financial Plan and Development Servicing Plans for Water Supply and Sewerage Services.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

23 [E-CM] Dual Reticulation and Other Recycle Water Schemes

SUBMITTED BY: Water and Wastewater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.2	Provision of a secure, high quality and reliable drinking water supply services which meets health and environmental requirements and projected demand

SUMMARY OF REPORT:

On 10 December 2015 Council resolved that:

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

A high level review of a number of recycled water schemes has been undertaken and the drivers for the schemes have been found to include:

- Removal of nutrients from waterways
- Reduction in demand from existing water supplies
- Policy adopted by Council
- Policy adopted by Government (Recycling target set by Government) (Victoria)
- Fulfilling an agreement with community
- Demonstration schemes that did not go ahead
- Opportunistic (effluent pipework adjacent to existing houses) that did not go ahead
- Supporting industry
- Supporting agriculture
- Improving public amenity (irrigation of playing fields etc)

In the majority of dual reticulation cases it is now considered that dual reticulation was not the best option to achieve the outcome desired.

Prior to consideration of a recycled water scheme there needs to be clear definition of the objective to be fulfilled, and careful consideration of whether the option of a recycled water scheme is the best option to fulfil that objective and whether the community is willing to pay for the proposed scheme.

RECOMMENDATION:

That Council receives and notes this report dealing with Dual Reticulation and Other Recycle Water Schemes.

REPORT:

On 10 December 2015 Council resolved that:

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

A number of dual reticulation schemes and other recycled water schemes were identified. For each scheme the "driver" or the sought benefit for the scheme was identified. Where possible discussions were held with parties involved with the schemes to determine the future direction of the schemes.

DUAL RETICULATION SCHEMES REVIEWED

- Rouse Hill (Sydney Water)
- Hoxton Park (Sydney Water)
- Pimpama Coomera (Gold Coast City Council)
- South West Rocks (Kempsey Shire Council)
- Port Macquarie (PMH Council)
- Yamba/Iluka (Clarence Valley Council)
- South East Water (Vic)
- Perradenya (Rous Water)
- Ballina Heights (Ballina Shire Council)

Drivers for Dual Reticulation Schemes

Of the dual reticulation schemes reviewed the "drivers" or the sought benefits for the schemes were:

- Removal of nutrients from waterways (3)
- Reduction in demand from existing water supplies (1)
- Policy adopted by Council (1)
- Policy adopted by Government (Recycling target set by Government / (Victoria) (1)
- Fulfilling an agreement with community (1)
- Demonstration schemes that did not go ahead (1)
- Opportunistic (effluent pipework adjacent to existing houses) that did not go ahead (1)

Cost of Dual Reticulation Schemes

Of the schemes that did go ahead, typically, the cost of treatment of the wastewater more than doubled.

Capital costs for the implementation of the schemes (due to the provision of a 3rd set of pipes, pumping and storage facilities) were between 2 and 10 times, and in addition to, the cost of provision of water.

Operation and maintenance costs for complete schemes were typically twice, and in addition to, the cost of provision of water due to the requirement for additional treatment and

additional pumping. Only in one case, South West Rocks where the driver was to reduce the demand from existing water supplies and hence allow the continuation of development at South West Rocks without the requirement for major water supply augmentation, was the provision of dual reticulation considered cost effective. The scheme is yet to be completed.

Efficacy of Dual Reticulation Schemes

The efficacy of the schemes was discussed with the proponents of the schemes. In general the initial planning for the schemes greatly overestimated the level of use of recycled water and reduction in use of potable water.

At Hoxton Park it was estimated the average daily use of recycled water would be 300L/lot. Advice given by Sydney Water was that actual use of water delivered through the "3rd pipe" is below 150L/lot. Press reports indicate the system has yet to be charged with recycled water.

At Pimpama Coomera it was estimated the average daily use of recycled water would be 464L/lot. Actual use is 117L/lot. It was estimated reticulated water usage would fall to 165L/lot. Actual usage is 365L/lot.

The dual reticulation schemes have not achieved the level of reuse or reduction in water consumption planned.

Review of Operating Schemes

Discussions were held with the proponents of the schemes to determine the future of the schemes and given hindsight would the same decisions be made. The most striking example is the decision by Gold Coast Water to decommission the Pimpama Coomera Scheme as it was not considered the most cost effective way to achieve the outcome of reduced nutrient discharge into sensitive receiving environments. Treated wastewater is to be discharged at the Nerang River Seaway.

In discussions with other proponents it was suggested that to achieve the outcomes sought by the implementation of present dual reticulation other options may have been preferable. As an example it was suggested that in lieu of a dual reticulation scheme based on treating wastewater treatment plant effluent, sewer mining may have been preferable. Similarly Gold Coast Water is now planning for some irrigation of agricultural land with the remaining effluent discharged through the Nerang River Seaway.

Port Macquarie Hastings Council is reconsidering their decision to provide dual reticulation in new development areas.

Ballina Shire Council are continuing with dual reticulation to meet the commitment made to the community but it is noted that the cost of dual reticulation is significantly greater than other options for water supply and wastewater management. The cost of the dual reticulation will have to be supported by cross subsidies.

OTHER REUSE SCHEMES

Virginia Recycled Water Scheme

The Virginia Recycled Water Scheme provides up to 18 gigalitres of water to market gardeners in Virginia, South Australia, north of Adelaide. There is planning to expand the scheme to include Willunga Basin and McLaren Vale and Angle Vale. The water is used to irrigate fruit and vegetable crops.

The driver for the schemes appears to be the declining availability of both ground water and surface water and hence risk to food production in what is primarily a "food bowl" for South Australia.

The scheme is being expanded.

Werribee Irrigation Schemes

The Werribee Irrigation District is an important vegetable growing area on the western fringe of metropolitan Melbourne. The scheme was designed to assist in overcoming water shortages due to drought and to secure water for greater production in the future for over 400 growers producing lettuces, broccoli, cabbages and many other vegetables for local consumption and export.

More than \$20 million was invested in additional water treatment at Melbourne Water's Western Treatment Plant, a connecting pipeline into the Werribee Irrigation District, environmental investigations and approvals, and the operating arrangements for the scheme. Growers received the first deliveries of Class A recycled water under the scheme in January 2005.

Western Corridor Recycled Water Scheme

The Western Corridor Recycled Water Scheme, a recycled water project, is located in the South East region of Queensland in Australia. The scheme that is managed by WaterSecure is a key part of the SEQ Water Grid constructed by the Queensland Government in response to population growth, climate change and severe drought.

The scheme involved the construction of three advanced water treatment plants and a network of pipelines measuring more than 200 kilometres in length. The system has the capacity to provide water to other industrial users including power stations, agricultural users and to supplement drinking water supplies in Wivenhoe Dam.

Since June 2013 the Scheme has been placed in care and maintenance mode.

Northern Territory

In the Northern Territory recycled water is used on a limited basis in Darwin, Pine Creek, Katherine and Alice Springs. However, the demand for recycled water from large irrigation customers is increasing. Benefits include the potential to reduce watering costs and potable water use, and extended watering during dry periods. Recycled water can be reused for watering public sports playing fields, golf courses, tree lots, pastures and public areas.

Others

There are a range of small "opportunistic" schemes such as golf course, playing field, or agricultural land irrigation where irrigated properties are close to existing infrastructure eg. next to a wastewater treatment plant.

Wannen Water provides recycled water to agricultural land for irrigation of crops and pastures.

Barwon Water provides recycled water for the irrigation of golf courses, sporting grounds, public open spaces, vineyards, hydroponic tomatoes, potatoes and other crops, turf and flower farms, dust suppression for road works and major construction works.

The Clarence Recycled Water Scheme provides for the replacement of fresh water resources with recycled water for agricultural use. The scheme provides up to 2,700 megalitres of recycled water to around 100 Tasmanian growers. The scheme is to be extended to the Coal River district for horticulture and agricultural production. The scheme was initiated in part due to the extended drought conditions in Tasmania.

North Canberra Water Reuse Scheme, Southwell Park Water Mining Project and Lower Molonglo Water Quality Control Centre provide water for irrigation of playing fields and agriculture.

Sydney Water - Blue Scope Steel. Recycled water is used to cool the plant and equipment, and for environmental purposes such as reducing dust from roads, trucks and stockpiles.

The Fairfield Water Treatment Plant treats wastewater by ultrafiltration and reverse osmosis to a very high quality suitable for irrigation and industrial use. Customers include Marubeni Australia Power Services, Sydney Turf Club (which manages Rosehill race course), Boral Australian Gypsum, Visy Paper, Lyondell Basell Australia and Shell Refining (Australia).

Condong Sugar Mill is provided with recycled water from the Murwillumbah Wastewater treatment plant. The provision of the wastewater is subsidised by Council and gives surety of supply to the mill.

CONCLUSION:

There is a wide variety of recycled water schemes and projects across Australia. In general they have been created to fulfil needs or satisfy "drivers" such as:

- Removal of nutrients from environmentally sensitive water ways
- Provide water security and support agriculture
- Provide water security to industry
- Drought proof a region

In general, irrigation of playing fields and some agricultural enterprises has been opportunistic. For large agricultural projects specific schemes have been built. In a number of cases the drivers have been policy decisions of Government even though the schemes have poor cost benefit, that is the cost of provision of recycled water is much greater than the cost of water from reticulated supplies.

In only one case which is continuing (South West Rocks) has the driver been to reduce demand on water supplies.

In the consideration of both dual reticulation and recycled water schemes within Tweed Shire, consideration should be given to:

- What is the objective to be fulfilled?
 - Limitations on ability to discharge recycled water
 - Limitations on water supply
 - Support of industry, agriculture, sporting venues etc, and/or
 - Improved amenity of open space
- What options are available to fulfil the objective?
- What is the best option to fulfil the objective?
- What will the community pay for?

It should also be noted that on 21 January 2016 Council 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".

In response to that resolution it is proposed to review the efficacy of Council's demand management measures, identify further demand management measures which include reuse and dual reticulation and analyse those measures for consideration by Council.

COUNCIL IMPLICATIONS:

a. Policy:

Nil.

b. Budget/Long Term Financial Plan:

Nil.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

24 [E-CM] Tweed Heads Bus and Taxi Shelters

SUBMITTED BY: Roads and Stormwater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.2	Promote the provision of cost effective public transport for all-persons access

SUMMARY OF REPORT:

Following Councillor enquiries, the Roads and Stormwater Unit has reviewed the condition of three bus and taxi shelters located in Wharf Street, Tweed Heads. While recent repairs to these shelters have maintained their serviceability, it is agreed that their design is dated given extensive streetscaping and redevelopment work in the precinct, and that the structures are nearing the end of their useful lives.

Various options for replacement of the shelters have been explored. All options have significant cost, given the size of the shelters to be replaced. There is no current budget allocation for this project, so external funding sources need to be explored.

RECOMMENDATION:

That:

- 1. Council applies for up to \$300,000 in grant funding under an applicable Government public transport program for up to three replacement bus / taxi shelters in Wharf Street Tweed Heads.**
- 2. Subject to successful grant funding, Request for Offers be called for the supply and installation of up to three replacement shelters, with designs similar to recently installed bus shelters in Griffith Street Coolangatta, and incorporating advertising panels.**

REPORT:

This report is provided in response to Councillor enquiries, and a request to consider bus shelter upgrades in Tweed Heads for future budgets. While the focus of the initial request was the bus shelter on the corner of Wharf and Bay Street in front of the Ultima Development, there are two other shelters nearby in front of Tweed Centro on Wharf Street, one servicing buses, the other taxis, which are of similar age, condition and design. These have also been considered in this report.

Shelter locations:



Google Street View of shelters:

SHELTER 1 - in front of Ultima development



SHELTER 2 - in front of Tweed Centro Mall



SHELTER 3 - taxi rank opposite Centro



These shelters were all provided as part of the streetscaping of this precinct in the 1990s, and while still serviceable, these structures are nearing the end of their useful lives. Given the recent revamped streetscaping works in Bay and Wharf Street, and the pending completion of the Ultima development, it is agreed that this design is now dated and in need of replacement. However there is currently no budget to do so.

Approximately \$15,000 per year has been spent on the subject shelters over the last 3 years repairing roofing, replacing stormwater guttering, and repainting.

OPTIONS:

Three options for replacement shelters have been explored.

Option 1 - Installation of Tweed Standard Advertising Shelters by Contractor

Council contracts out routine maintenance of bus shelters (i.e. cleaning, graffiti removal) to Sidewinder. In return, Sidewinder holds advertising rights on the shelters. This contract requires Sidewinder to provide/replace a number of old style bus shelters with a new design (see below), which incorporates an advertising panel and low maintenance elements.



Tweed "Standard" Shelter with advertising panel.

The 3 subject shelters are included in the Sidewinder maintenance contract, however advertising panels have been retrofitted to two of the shelters which is not an ideal design outcome. A preliminary quote has been provided by Sidewinder to replace the 3 shelters with their standard advertising shelter.

Sidewinder has quoted on the removal of the old structures, replacement of the ground slabs, and as the 3 subject shelters are much longer than the standard, installation of several standard shelters next to each other to provide the required seating capacity. This equates to 14 x 4.5m new shelters, at a total cost of \$200,000.

Advantages - Design is consistent with other shelters around the Shire, lowest time and cost to install and maintain due to contractual arrangement with Sidewinder.

Disadvantages - Concerns about appearance of stacked bus shelters (may be able to work further with Sidewinder to address design)

Option 2 - Installation of Gold Coast Style Shelters

Recently Gold Coast City Council has installed replacement bus shelters in Griffith Street Coolangatta. These are a contemporary, low maintenance design which would overcome the design limitations identified in Option 1.

The company responsible, Gossi Park and Street Furniture, supplied and installed a 12m long bus shelter in Griffith Street for \$55,000 (see photo below). Their initial estimate to replace the three Tweed Heads shelters is:

SHELTER 1 (20m) - \$90,000

SHELTER 2 (27m) - \$130,000

SHELTER 3 (18m) - \$83,000

TOTAL = \$303,000

In this Option, the three shelters would be tendered out to this and similar companies, to provide a desired final design and formal quotation.

Advantages - Minimal design required for high quality, low maintenance shelters. Consistent cross-border appearance (subject to Request for Offer process), could incorporate advertising panels and therefore be maintained by Sidewinder (subject to renegotiation).

Disadvantages - Higher cost than Option 1.



Option 3 - Design and Installation of 3 New Shelters

The final option considered was developed in collaboration with our in-house Urban Designer to develop a contemporary concept design for replacement shelters.

Estimated cost = \$500,000.

Advantages - Provides the highest quality streetscaping outcome. This design may be able to include features such as Wi-Fi, phone charging stations, drinking fountains and bicycle facilities to promote public transport as a modal option, and broaden the shelters' use as street furniture in the CBD.

Disadvantages - Highest cost, longest lead time to finalise design and seek quotations, longest construction time.



CONCLUSION:

It is acknowledged that while the existing bus and taxi shelters in Wharf Street are still serviceable, they appear dated, and are nearing the end of their useful lives. Due to the size of these shelters, replacement costs will be high, and this is not currently budgeted. It is considered that Option 2 provides the best balance of cost and urban design outcome. As the replacement works will be subject to competitive tender, there will be opportunities to refine design and price, and value add to the shelters with additional facilities for users (e.g. bike racks). It is recommended that Council officers utilise future grant funding opportunities to obtain the necessary budget to replace one or more of these shelters over the coming years.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

There are no existing budgets that would pay for the above shelter replacement options. \$63,718 was allocated to bus shelter maintenance in the 2015/16 budget. Section 94 funds are not available for bus shelter maintenance or replacement.

Therefore if the replacement were to go ahead, Council would have to either gain grant funding under a government public transport program (such as the Country Passenger Transport Infrastructure Grants Scheme - CPTIGS), or reallocate significant funds in future budgets.

In the Roads and Stormwater area, a budget reallocation would likely impact on the road rehabilitation program. Future road programs will be prioritised based on recent condition assessment of road assets, to ensure best value for money. At present, and as borne out of the "Fit for the Future" asset criteria, Council needs to direct more funding into road asset renewal. Ad hoc replacement decisions and budget reallocations will run the risk of these assets not being renewed at the optimal time.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

25 [E-CM] Renaming of Bogong Street, Terranora

SUBMITTED BY: Design

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:

Council at its meeting of 17 September 2015 resolved to seek written submissions from the Aboriginal Advisory Committee for the renaming of Bogong Street at Terranora as gazetted on 22 August 2014.

The Aboriginal Advisory Committee (AAC) has recommended that Darro Road be proposed for the road renaming. The name is associated with Mount Tarrawyra from the Bundjalun-Yugambeh dialect chain word 'darrau' meaning stone. The AAC has selected the cultural name 'darrau' with the phonetically correct spelling of 'Darro'.

It is recommended that Council advertises its intention to rename ***Bogong Street*** to ***Darro Road*** seeking public submissions or objections to the proposal.

RECOMMENDATION:

That Council:-

1. Publicises its intention to rename "***Bogong Street***" to "***Darro Road***" allowing one month for submissions or objections to the proposal;
2. Submits the proposal through the Land and Property Information's Comprehensive Property Addressing portal for approval by the relevant authorities under the provisions of the Roads (General) Regulation 2000.

REPORT:

Council at its meeting of 17 September 2015 resolved to seek written submissions from the Aboriginal Advisory Committee for the renaming of Bogong Street at Terranora as gazetted on 22 August 2014.

The Aboriginal Advisory Committee has recommended that Darro Road be proposed for the road renaming. The name is associated with Mount Tarrowyra from the Bundjalun-Yugambeh dialect chain word 'darrau' meaning stone. The AAC has selected the cultural name 'darrau' with the phonetically correct spelling of 'Darro'.

OPTIONS:

The process of renaming Bogong Street at Terranora complies with and has been progressed in accordance with Councils Policy - Naming of Streets and Roads.

CONCLUSION:

It is recommended that Council advertises its intention to rename ***Bogong Street*** to ***Darro Road*** seeking public submissions or objections to the proposal.

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.

Council has consulted with the Aboriginal Advisory Committee after a request from same to rename the road to an alternate Aboriginal Mount range that falls within the local dialect.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

26 [E-CM] Naming of Private Access Road - Nunderi

SUBMITTED BY: Design

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The New South Wales Addressing Policy was developed by Land and Property Information (LPI) and the Geographical Names Board (GNB) through the Comprehensive Property Addressing System (CPAS) program and adopted in October 2014 with the intention for it to apply to all address data produced in NSW from November 2014.

Council has been requested by LPI to ensure that all addressing information within the Shire is correct and in the cases where there is a conflict with the NSW Addressing Policy, rectified.

LPI has contacted Council and advised that the current addressing of 179/1-10 Clothiers Creek Road is inconsistent with the NSW Addressing Policy and requested that it be amended to comply.

The properties in question all obtain access from Clothiers Creek Road, Nunderi via a right of carriageway over Lot 15 in DP 826343 which has been unofficially named by the residents as Boyd Street.

To allow Council to bring the property addresses into line with the NSW Addressing Policy it was proposed to the residents that the right of carriageway from which they obtain access be officially named and street numbers allocated from same. No obligation to maintain the private road is passed to Council as a result of providing a gazetted road name.

In compliance with the NSW Addressing Policy it is recommended that Council advertise its intention to name the private road within Lot 15 DP 826343 as Nunderi Lane, Nunderi and advise all associated land owners and relevant authorities.

RECOMMENDATION:

That Council:

- 1. Publicise its intention to name the private road within Lot 15 DP 826343 as "Nunderi Lane" allowing one month for submissions and objections to the name; and**
- 2. Notifies the relevant authorities under the provisions of the Road (General) Regulation 2008.**

REPORT:

The New South Wales Addressing Policy was developed by Land and Property Information (LPI) and the Geographical Names Board (GNB) through the Comprehensive Property Addressing System (CPAS) program and adopted in October 2014 with the intention for it to apply to all address data produced in NSW from November 2014.

Council has been requested by LPI to ensure that all addressing information within the Shire is correct and in the cases where there is a conflict with the NSW Addressing Policy, rectified.

It should be noted that Council's policy on Naming of Streets and Roads and its policy on Addressing – Urban and Rural comply with the NSW Addressing Policy.

LPI has contacted Council and advised that the current addressing of 179/1-10 Clothiers Creek Road is inconsistent with the NSW Addressing Policy and requested that it be amended to comply. No obligation to maintain the private road is passed to Council as a result of providing a gazetted road name.

The properties in question all obtain access from Clothiers Creek Road, Nunderi via a right of carriageway over Lot 15 in DP 826343 which has been unofficially named by the residents as Boyd Street. Refer to Diagram 1.

Diagram 1 – Aerial view of properties accessing from Clothiers Creek Road, Nunderi via a right of carriageway.



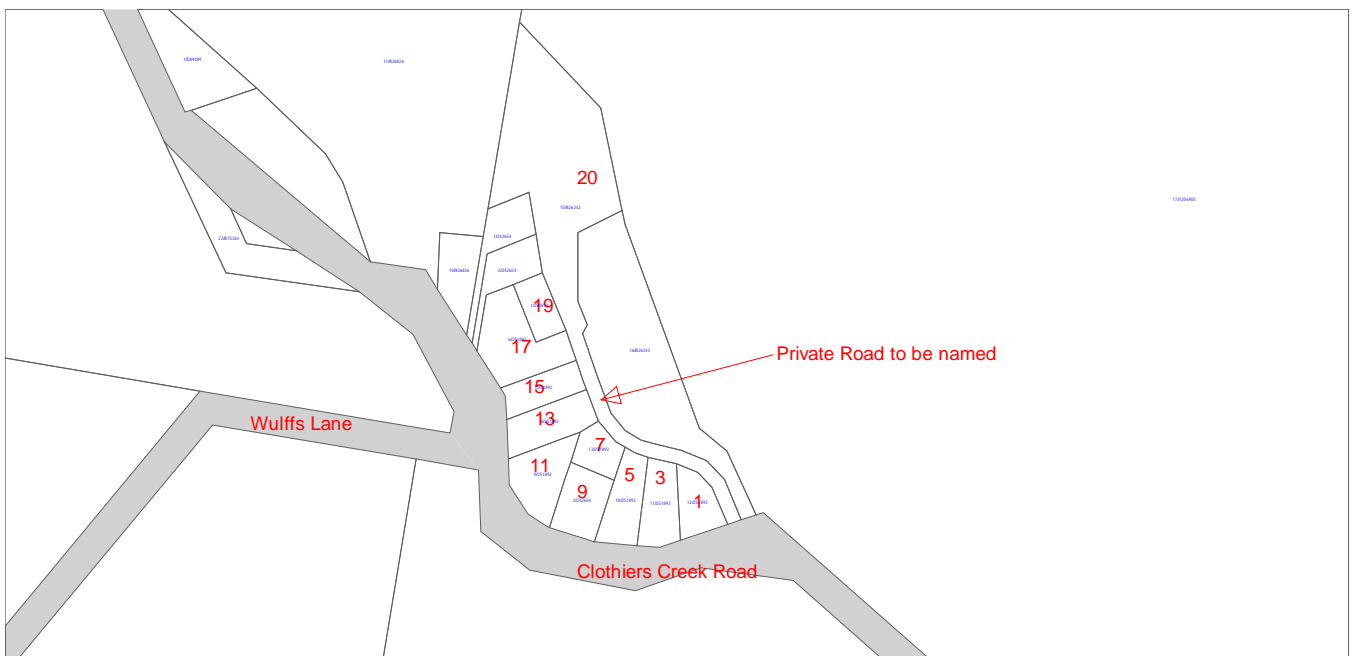
Shown below is a table of the affected properties and the addressing currently allocated to each property:

Lot 12 DP 251892	179-1 Clothiers Creek Road, Nunderi
Lot 11 DP 251892	179-2 Clothiers Creek Road, Nunderi
Lot 10 DP 251892	179-3 Clothiers Creek Road, Nunderi
Lot 13 DP 251892	179-4 Clothiers Creek Road, Nunderi
Lot 3 DP 242654	179-5 Clothiers Creek Road, Nunderi
Lot 9 DP 251892	179-6 Clothiers Creek Road, Nunderi
Lot 8 DP 251892	179-7 Clothiers Creek Road, Nunderi
Lot 7 DP 251892	179-8 Clothiers Creek Road, Nunderi
Lot 6 DP 251892	179-9 Clothiers Creek Road, Nunderi
Lot 1 DP 380814	179-10 Clothiers Creek Road, Nunderi
Lot 15 DP 826343	179 Clothiers Creek Road, Nunderi

To add to the confusion surrounding this style of addressing some of the owners/residents have allocated their own street number off Boyd Street, Nunderi – for example 179-8 Clothiers Creek Road is the officially allocated address however the owner uses 8 Boyd Street, Nunderi.

To allow Council to bring the property addresses into line with the NSW Addressing Policy it was proposed to the residents that the right of carriageway from which they obtain access be officially named and street numbers allocated from same. Please refer to Diagram 2.

Diagram 2 – showing the private road proposed to be named and associated street numbers to be allocated.



In keeping with the NSW Addressing Policy (and Council's Policies on Addressing – Rural and Urban and Naming of Streets and Roads) the road name must be unique and not a duplication of any other road name within the Shire. Unfortunately Boyd Street does not comply as there is a Boyd Street at Tweed Heads and a Boyds Lane at Dulguigan.

The owner of Lot 15 DP 826343, over which the right of carriageway has been created, has agreed with the naming of the private road and provided a submission that it be named "Nunderi Lane", Nunderi which is in keeping with the thematic scheme of the area.

One owner telephoned to query the naming and the implications it would have upon his property and was satisfied that the naming of the road was a positive move and confirmed that he was supportive of the newly proposed road name being "Nunderi Lane".

A third owner provided a written response acknowledging that the addressing and road name had caused confusion in the past and that they would welcome a resolution to the problem by having the road officially named and addressed. A suggestion for a road name was offered as "Sugarview Road".

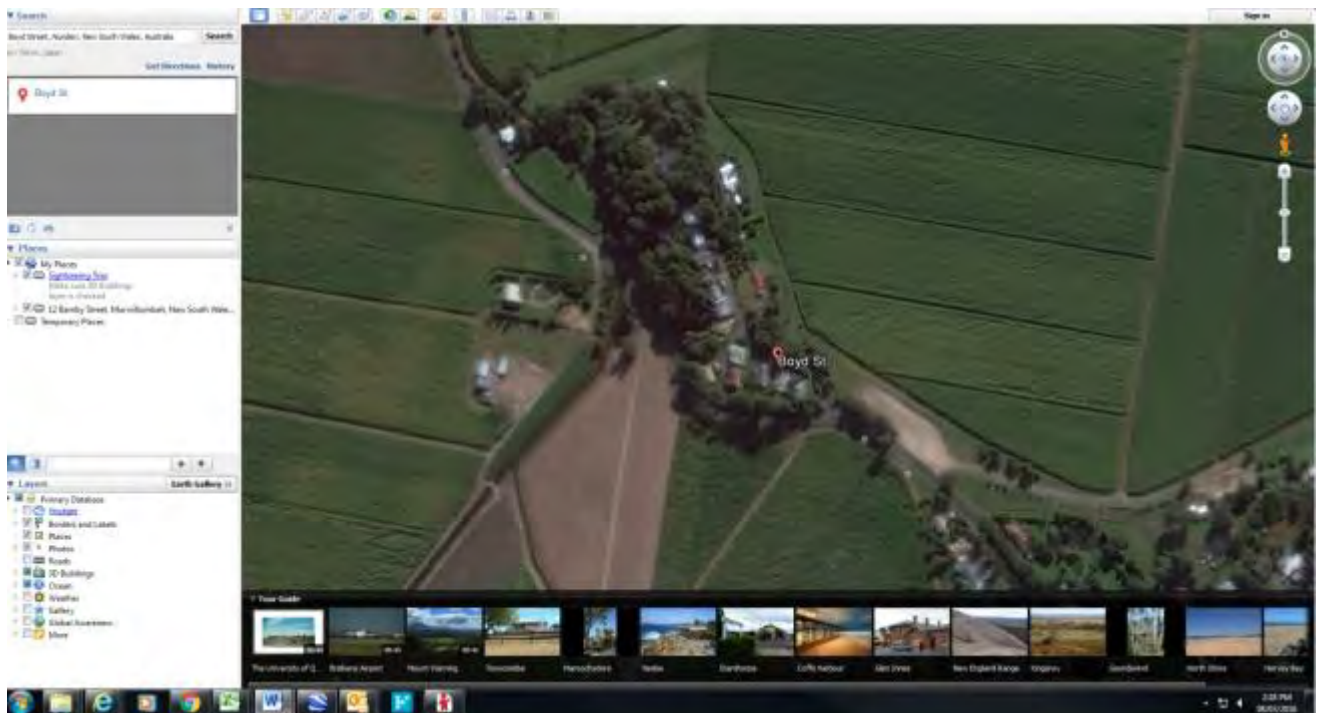
Four (4) property owners however objected to the naming of the road and requested that the road name remain Boyd Street, Nunderi and that all properties be addressed off it. This however is not an available option for the reasons noted above.

All objections received were identical letters which noted that Tweed Shire assigned the name of Boyd Street to the private road in the 1980s however no evidence of this was located within Council records.

It was also noted that the name of Boyd Street was used in circumstances such as inter alia for emergency services and deliveries. All emergency services and Australia Post derive their address information from the national database known as GURAS which is collated by LPI from information obtained from Council. LPI has confirmed that it does not note any of these properties with a Boyd Street, Nunderi address and all are currently noted as 179 and 179/1-10 Clothiers Creek Road. Australia Post has also confirmed that all properties are currently noted in their system as 179 and 179/1-10 Clothiers Creek Road, Nunderi. This being the case if any emergency services were called and the address was quoted as Boyd Street they would only locate those streets in Tweed Heads and Dulguigan leading to potentially disastrous consequences.

The name Boyd Street, Nunderi can however be found on Google maps (See Diagram 3). Unfortunately Council has no control over the information provided by this group and has noted many inconsistencies and errors over the years with regard to street names and addresses provided by them.

Diagram 3 – Extract from Google Earth incorrectly showing Boyd Street, Nunderi.



The objections do however note that there has been a history of confusion over the addresses associated with this road with Government Departments and the likes of Telstra.

The remaining four (4) land owners/tenants did not respond to the proposal and as such it can be assumed that they do not oppose the official naming of the right of carriageway.

OPTIONS:

In order to comply with the NSW Addressing Policy, Council is obliged to provide consistent and unambiguous street addressing. To enable this to occur Council is required to name the private road within Lot 15 DP 826343 and address each individual property accordingly. The naming of the private road does not imply an obligation on Council to provide any maintenance works.

CONCLUSION:

In compliance with the NSW Addressing Policy, it is recommended that Council advertise its intention to name the private road within Lot 15 DP 826343 as “Nunderi Lane”, Nunderi and advise all associated land owners and relevant authorities.

COUNCIL IMPLICATIONS:

a. Policy:

Naming of Streets and Roads v1.2.
New South Wales Address Policy.

b. Budget/Long Term Financial Plan:

No future budget implications

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

The naming of the lane will be advertised with a submission period and all emergency service providers shall be notified of the proposal.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|---------------|---|
| Attachment 1. | Email from Land Property Information (ECM 3983025). |
| Attachment 2. | Email from Australia Post (ECM 3983151). |
| Attachment 3. | Email from Cameron and Sahra Raward (ECM 3958687). |
| Attachment 4. | Letter from Katherine Doyle (ECM 3982543). |
| Attachment 5. | Letter from Bruce Harvey (ECM 3982551). |
| Attachment 6. | Letter from Kelvin and Suzanne Cook (ECM 3987326). |
| Attachment 7. | Letter from Heidi and John Lawson (ECM 3987423). |
| Attachment 8. | Letter from John O'Connor (ECM 3984875). |
-

27 [E-CM] Road Closure Application - Wabba Road, Cudgera Creek

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

An application for the closure of Wabba Road at Cudgera Creek has been received. This road reserve partially contains a formed access to a dwelling. More significantly, the road reserve was resumed and dedicated for access to Mooball National Park by gazettal in 1922.

The dedicated road reserve forms the western boundary of Lot 1 DP 551265 and contains some steep and heavily vegetated terrain, so the formed access track is located, in parts, outside the road reserve and within Lot 1.

Wabba Road has been used by horse and bicycle riders, bushwalkers and runners to access Mooball National Park over an extended period. These persons have entered Lot 1, with or without the consent of the landowner, where the physical formation of the track directed them, as well as traversing over old banana tracks within Lot 1, well away from the road reserve.

The landowner, and applicant, initially allowed access over the land to horse riders and bicycle riders, however, as such use escalated over time, the landowner no longer wished to allow these people to traverse the property, and has installed a sign at the entrance to the land and placed an electric fence across the old banana track.

The landowner has expressed concern to Council about the expectation of unimpeded access by these users to the National Park, and has lodged the application to close the road.

The application was received in early 2016 and it was decided to advertise the intention to close the road prior to Council determining the application. The notice provides Council the benefit of being aware of the public response to the application, as part of their consideration of the road closure application.

RECOMMENDATION:

That:

- 1. Council approves the road closure of Wabba Road for the all or part of the length of the road reserve subject to the creation of a Right of Carriageway for the benefit of the Office and Environment & Heritage over Lot 1 DP 551265 and the creation and dedication of an alternate road reserve to provide a non-vehicular public access to the Mooball National Park for walking, cycling and horse riding enthusiasts;**
- 2. Council endorses the progress of this road closure application in accordance with the following steps:**
 - (a) In the event that the applicant agrees with Item 1 and to progress the application, that the application proceeds to NSW Trade and Investment Crown Lands;**
 - (b) The approval by Crown Lands of the application following a further submission period;**
 - (c) A plan of survey to effect the road closure and alternate right of access to the boundary of the Mooball National Park being registered and the title of the closed road being transferred to the applicant.**
- 3. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because they contain:-**
 - (a) personnel matters concerning particular individuals (other than councillors).**

REPORT:

An application for the closure of Wabba Road at Cudgera Creek has been received. This road reserve partially contains a formed access to a dwelling. More significantly, the road reserve was resumed and dedicated for access to Mooball National Park by gazettal in 1922.

The dedicated road reserve forms the western boundary of Lot 1 DP 551265 and contains some steep and heavily vegetated terrain, so the formed access track is located, in parts, outside the road reserve and within Lot 1 (Refer to Figure 2).

Bicycle riders, bushwalkers and runners have accessed Mooball National Park over an extended period. These persons have entered Lot 1, with or without the consent of the landowner, where the physical formation of the track directed them, as well as traversing over old banana tracks within Lot 1, well away from the road reserve (Refer to Figure 4).

The landowner, and applicant, initially allowed access over the land to horse riders and bicycle riders, however, as such use escalated over time, the landowner no longer wished to allow these people to traverse the property, and has installed a sign at the entrance to the property and placed an electric fence across the old banana track (Refer to Figure 3).

The landowner has expressed concern to Council about the expectation of unimpeded access by these users to the National Park, and has lodged the application to close the road.

In March 2015 a media article about this issue included comments from interest groups stating that the access to the National Park (within private land) was cut off by the landowner. The use of Wabba Road then became the focus of these interest groups and correspondence to Council and to State Government ministers followed. Unfortunately, the information provided by the interest groups to the Council and State Government failed to indicate that they had used the tracks within Lot 1 or acknowledge that the property owner had a legal right to refuse entry over the property.

Council's position in replying to inquiries from State Government representatives was that Council was unwilling to direct the owner to allow access to the horse riders and bike riders over her land.

The application to close Wabba Road was received in early 2016 and it was decided to advertise the intention to close the road prior to Council determining the application. The notice provides Council the benefit of being aware of the public response to the application, as part of their consideration of that application.

A notice was published in the Tweed Link on 16 February 2016 and submissions were invited, with a 28 day submission period which expired on 15 March 2016.

Overview of Submissions Received

At the close of business on 15 March, 2016 there were a total of 244 submissions, these were comprised of 212 submissions as signatures on a pro-forma letter, 32 written submissions from individuals or interest groups and an on line petition which attracted 42 comments (the petition was lodged claiming there were 68 comments, however, this is not supported by Council). The petition comments are not included in the total number of

submissions, as they are generally comments indicating that they would like to use Wabba Road to access Mooball National Park, and some are only comments that they agree with a previous comment.

The majority of the submissions received were 212 signed pro-forma letters, where 87 came from residents of the Tweed Local Government Area (LGA), 32 came from areas outside of Tweed LGA but within NSW and mostly neighbouring areas eg Mullumbimby, and the remaining 93 pro-forma's came from residents in Queensland. A copy of the pro-forma letter is shown below in Figure 1:

TWEED SHIRE COUNCIL
RECEIVED
DATE - 9 MAR 2016

8-March 2016

Mr Troy Green
General Manager
Tweed Shire Council
PO Box 816
Murwillumbah NSW 2484

Dear Mr Green

RE: Objection to proposed closure of Wabba Road and access to Mooball National Park

The preservation of access to National Parks in the Tweed Shire is important to me and I object to the proposed closure of this access road for the following reasons:

1. Mooball National Park has great potential for local tourism in the rural villages of Mooball, Burringbar and Stokers Siding as part of an integrated nature trail network for bush walkers, horse riders and mountain bikers
2. The closure of Wabba Road is in direct conflict Council's Rural Villages Strategy, which aims to promote opportunities for tourism, recreation and events in Tweed's rural villages
3. It is common sense to maintain several entry points into a National Park when there is a growing population and the need for outdoor recreation opportunities for both locals and tourists.

I urge the Council to preserve this public right of way for our enjoyment today and for future generations of residents and visitors to the Tweed Shire.

Yours sincerely

Name: _____

Address: _____

Email/Phone: _____

Figure 1

Of the 32 written submissions from individuals or interest groups, 20 were from residents of Tweed LGA and the 12 remaining written submissions were from Queensland or provided no address.

Common Issues

As can be seen from the pro-forma letter, the following issues were raised:

1. Continued use of Wabba Road for horse riders, bushwalkers and mountain bike riders to access Mooball National Park as a tourism incentive;
2. Closure of Wabba Road is in conflict with Rural Villages Strategy which aims to promote opportunities for recreation, tourism in Tweed's rural villages;
3. Maintaining multiple entry points into the Mooball National Park for recreation purposes.

Other issues raised and statements made in the written submissions included:

4. Wabba Road is part of a network of trails for horse riders and mountain bike riders, which includes links between Burringbar, Cudgera Creek;
5. Wabba Road is known as an established public access to the National Park;
6. There are few public walking trails in the Tweed Valley;
7. Cooradilla Road is not a safe entry to Mooball National Park, as riders can only get to this access from Tweed Valley Way;
8. Active recreation should be encouraged and supported in the Tweed;
9. The application does not meet the criteria in Council's "Road Closure & Purchase Policy".

Response

Public Access to Mooball National Park

Wabba Road is an unformed public road which partially contains a gravel track providing access to the dwelling of the applicant and Mooball National Park. The topography of the road corridor is steep and as a result, the track formation meanders out of the road reserve corridor, and onto the land owned by the applicant.

Some submissions note that there is a sign at the bottom of the track at Cudgera Creek Road stating "Private Property No Trespassing". A survey of the track clearly shows that within metres of the intersection, the formed track is outside the road reserve corridor, and within the private property of the applicant. Figure 2 is the plan showing where the formed track is located, clearly showing that it is not totally within the road reserve corridor. The terrain is very steep and it was obviously less practical to form the track within the road reserve throughout its length.

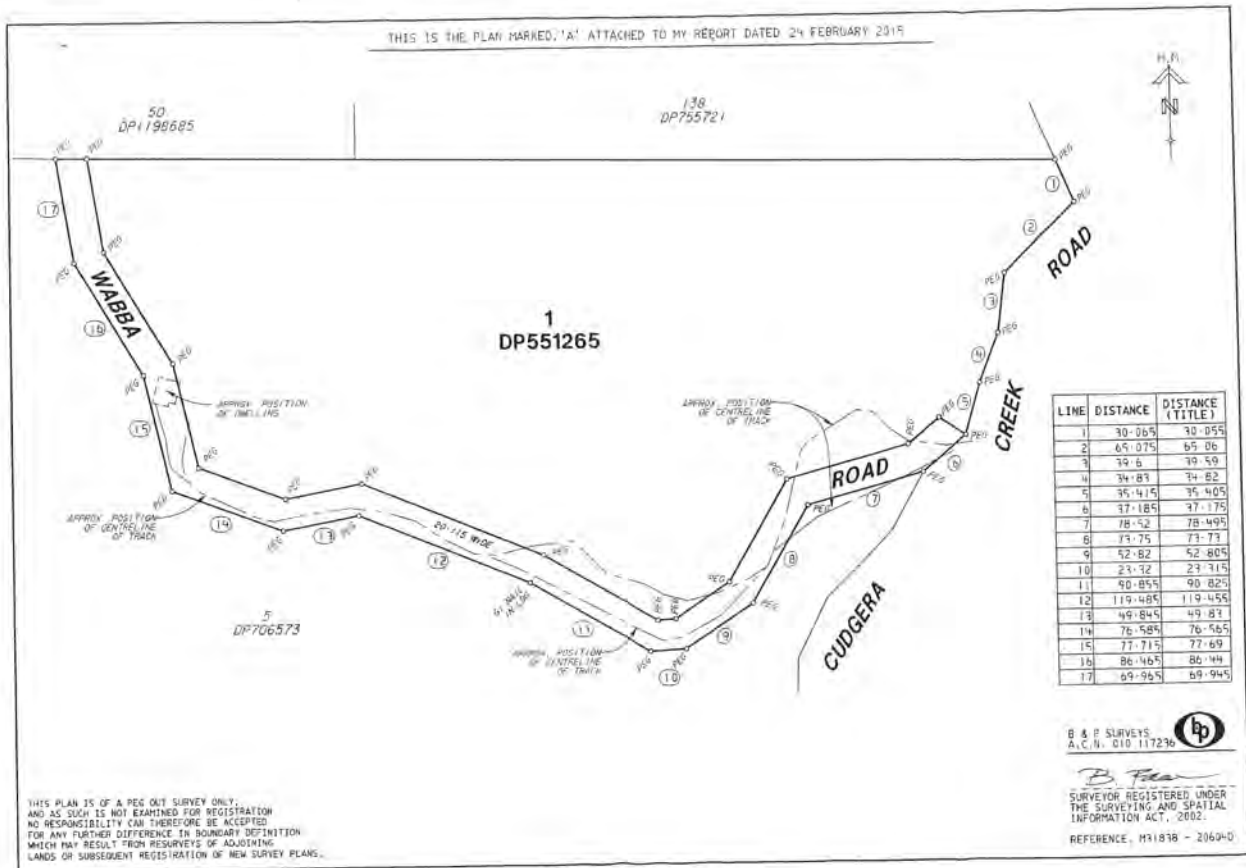


Figure 2 - plan of track and road reserve

Figure 3 below is a photo showing the location of the "Private Property No Trespassing" sign as well as illustrating the steepness of the road reserve, immediately behind the sign.



Figure 3

The early correspondence from March 2015 clearly states that horse riders and bicycle riders accessed the National Park through Lot 1, near the tree line and away from the dwelling, see the aerial photo below in Figure 4, which clearly show the banana tracks over the land:



Figure 4

Anecdotal advice is that the horse riders' and bike riders' used the banana tracks to avoid disturbing the landowner. It is clear that such use had to occur only with the consent of the landowner, and when such consent was withdrawn, the response by these users, in particular horse riders, was through correspondence to Council and the State Government representatives, demanding the right to use Wabba Road.

Council responded to the horse riders to the effect that it could not direct the landowner to provide access to the National Park over private property, knowing that the riders would need to use the formed track within and outside Wabba Road, and that the continued use of the banana tracks was at the landowner's discretion.

Multiple Entry Points to and from Mooball National Park

One of the issues raised is that it was preferable for there to be multiple entry points to allow users to go through the National Park, rather than having to back track. This argument has merit in that a visitor would see a greater area of the National Park in a single visit.

Also noted was that Wabba Road provides the only southern access point to the National Park. Wabba Road was resumed and dedicated at the same time as Tuckeroo Road, to provide access to the Mooball State Forest, as it was then known, therefore theoretically providing multiple access points.

Further, there are other roads that end at the National Park, see the plan below, showing that Harwood Road, Howard's Road and Tuckeroo Road, all provide a southern access to the National Park. However these roads all physically terminate at the park boundary and there are no connecting tracks within the park shown on the topographical maps commonly used by park users.

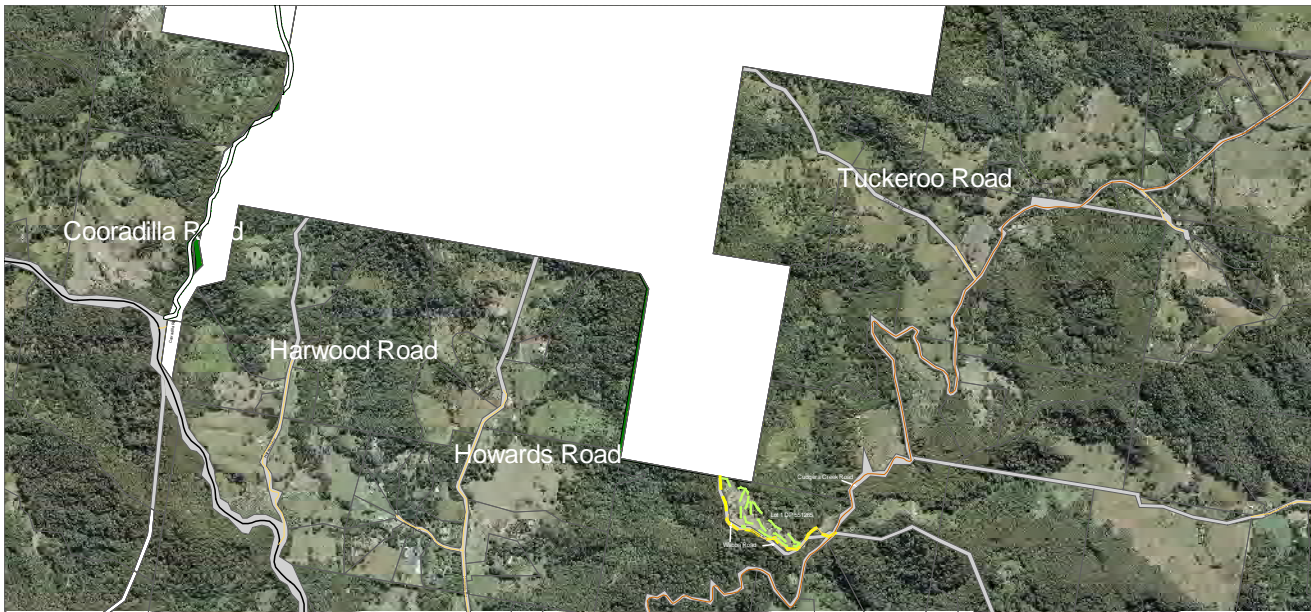


Figure 5

Rural Village Strategy and Trail Network

Comments were made citing the recently adopted Rural Village Strategy, the pro-forma letters claim that the road closure *"is in direct conflict Council's (sic) Rural Villages Strategy, which aims to promote opportunities for tourism, recreation and events in Tweed's rural villages"*.

An individual submission referred to specific actions identified in the plan that related to the creation of a network of off road walking and cycling tracks, notably Action 4.37 which is to:

"Create additional off road walking and cycling tracks, in partnership with the local community and Council. The tracks would form a part of the future Integrated Trail Network, and would encourage a reduction in local vehicular traffic, promote safe, healthy activity and enhance the sense of community through more frequent casual interactions".

Notably, at 5.1 of the Strategy, which details the actions of the strategy and where it is to be applied, Action 4.37 is to be applied in Uki. A review of the strategy does not directly reference Wabba Road, and more specifically fails to include it as a potential or integral part of the Integrated Trail Network.

There has been interest from the public, and Destination Tweed, together with outdoor enthusiasts to develop trails for walking, bike riding and horse riding over the last ten or so years. A submission from Destination Tweed sets down a considered argument for the inclusion of Wabba Road as a walking/riding trail as part of a visitor experience in the Tweed, the letter is shown below in Figure 6:



Mr Troy Green,
General Manager,
Tweed Shire Council,
PO Box 816,
Murwillumbah, NSW 2484

10 March 2016

Dear Troy,

RE: PROPOSED CLOSURE OF WABBA ROAD

Destination Tweed is aware of the fact that the road in question runs in extremely close proximity to the adjacent landholder's house and that part of a building may encroach on the road reserve. We are also aware that this has been an ongoing source of distress to both the landholder and those wishing to access Mooball NP.

Nevertheless, for the reasons outlined below, maintaining access into the Park from Cudgera Creek Road is considered to be a critical link in creating a Shire wide integrated trails network.

Our recommendation is that a decision is postponed to permit Council time to explore alternative access options and opportunities with the landholder, NPWS and Destination Tweed.

Mooball NP Strategic Location

The Park is strategically positioned to provide a trail linkage between the coastal strip and the hinterland. For example, this is particularly true with respect to the 24 km proposed section of Rail Trail for the Tweed. As a stand-alone tourism experience it can be anticipated to take a family perhaps a half-day to traverse the full length of the trail – for many a day trip.

It is DT and the state of NSW tourism objective to increase overnight visitation, the true opportunity is to link the proposed rail trail to an integrated network of other trail experiences within the Tweed Shire. The Wabba Road facilitates easily accessible and interesting side trip opportunities to assist converting a day trip into overnight stays. The linkages from Burringbar via Cudgera Creek Road across to Pottsville and the coastal cycleway, with a side trip into Mooball NP will offer a more holistic visitor experience.

Also importantly, the Park provides opportunity for mountain biking, as part of a range of intra- and inter-regional routes – providing connectivity options between the coast and hinterland and linkages to the proposed Rail Trail. There is potential for inclusion in guided tours. Horse riding is also permitted through the Park. Suitable access off Cudgera Creek Road is a significant factor in maximising route options and recreational opportunities.

Visitor Nature Based Experience Development

Despite the fact that there many kilometres of management trails theoretically available for recreational users of National Parks in the Tweed, it cannot be automatically assumed that these are either easily accessible, or can meet visitor and recreational user needs and expectations.

For the majority of visitors who, research has shown, will want an easily accessible walk or cycle in the bush for anything from a half hour to a half day with the opportunity to appreciate the environment and scenic viewpoints - options are limited. Currently the only two formally promoted options are the short Lyrebird Track in Wollumbin NP and the walk down to Byrill Creek at Cutters Camp in Mebbin NP.

However, Destination Tweed research has identified opportunities in Mooball NP that can meet visitor experience criteria:

- The Wabba-Baranbali Road sections of the Park provide opportunities for an accessible two hour walk with views, in an environment suited to visitors wanting an easy nature based walk.
- This is an area of high scenic amenity in close proximity to coastal resorts. The park encompasses one of the largest lowland rainforest remnants between the predominantly cleared Tweed and Brunswick Valleys. Features include: mountain, coastal and sea views and vegetation including palm trees, grass trees, flooded gums, rainforest gullies, elkhorns, and staghorns.

Please don't hesitate to contact me if you have any queries.



Yours Sincerely
Bill Tatchell
CEO

Figure 6

The pivotal issue of the statements made above, is that the co-operation of the landowner is a basic and fundamental nexus which is necessary for these actions to succeed.

Further, there is no facility for growth in usage of Wabba Road or Cudgera Creek Road. Cudgera Creek Road is managed as a low usage rural road and its winding alignment and narrow width makes it hazardous for use by larger vehicles such as horse floats and trucks, and offering limited sight distance to horse or bicycle riders. Nor is there sufficient space for safe parking for horse trailers where Wabba Road meets Cudgera Creek Road.

Cooradilla Road Access

Statements about the safety of Wabba Road as an access, and the lack of safety of accessing the National Park via Cooradilla Road were raised in submissions, and by early letters in 2015.

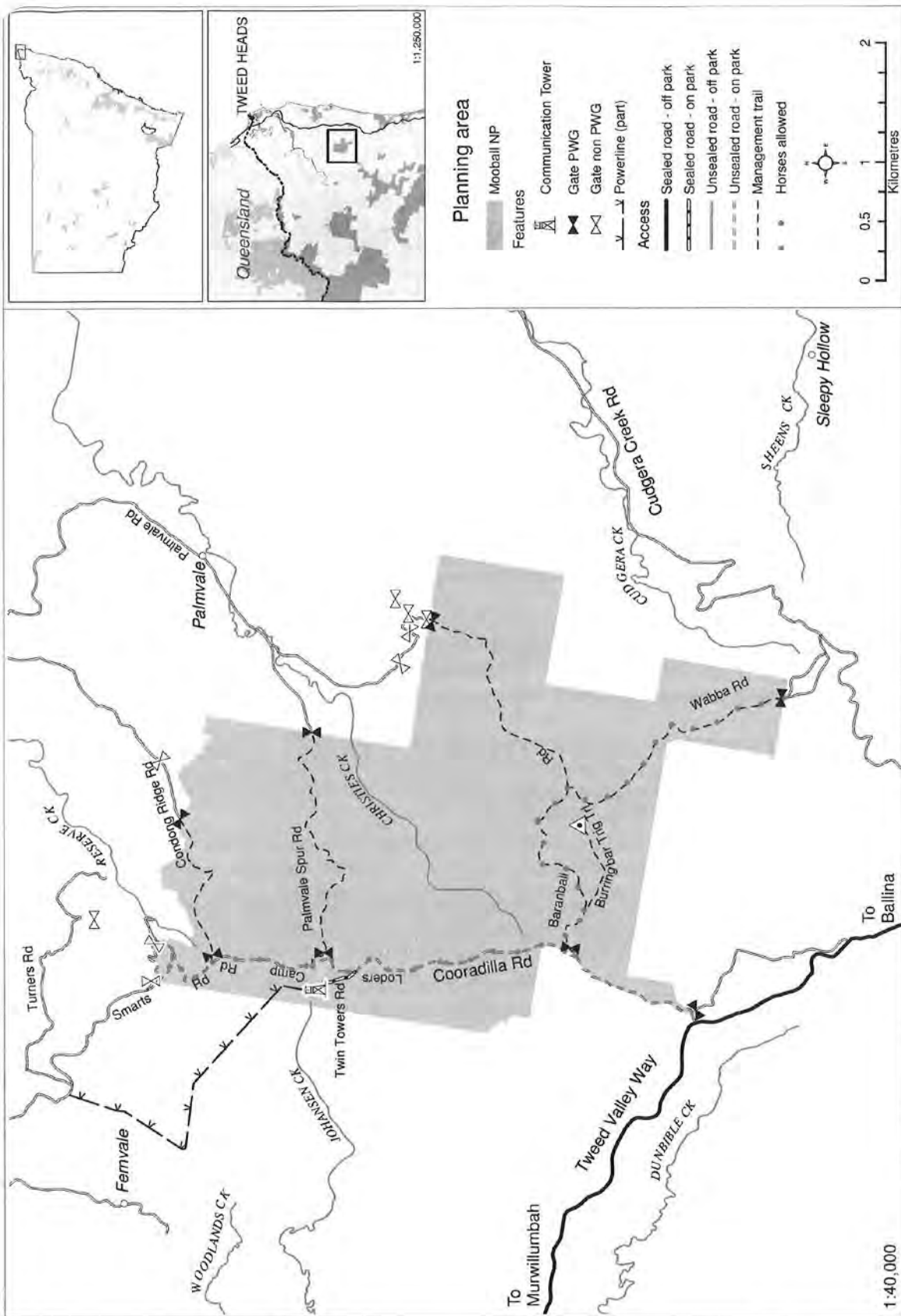
A review of the Plan of Management ("PoM") for Mooball National Park indicates that access is to be from Cooradilla Road, Section 6 of the PoM, Management Strategies and Actions provides at 6.4 , under the title "Current Situation" that:

"Public vehicle access in the park is restricted to Cooradilla - Loders Camp Roads."

The PoM management response is:

- "6.4.1. Allow horse riding on designated roads and trails only (see Map). Limit horse riding to a group of ten or less horses. Commercial horse riding, overnight camping and campfires will not be permitted.
- 6.4.2. Erect appropriate regulatory signage at the park boundary and on management trails as necessary. Undertake law enforcement as necessary where illegal access warrants"

The map is shown below:



Mooball National Park: Plan of Management

Figure 7

Photos of the Cooradilla Road and Wabba Road boundary signage are shown below:



Figure 8A - Cooradilla Road entry signage



Figure 8B - Wabba Road entry signage

At the boundary of the National Park at Wabba Road, there is a gate, see Figure 9 below:



Figure 9

It can be construed from these images and the PoM that access to the national park from Wabba Road is not encouraged by Office of Environment and Heritage ("OEH").

Cooradilla Road, notwithstanding that is accessed off Tweed Valley Way, provides sufficient car parking for horse trailers and vehicles.

OEH provided a submission to Council in response to the public notice. The Office objected to the closure of Wabba Road on the basis that the "road reserve provides legal and practical access to the southern section of the Mooball NP". The Office advised that "OEH would be willing to lift this objection should an easement be created over the road reserve" a copy of the OEH letter and proposed easement terms are provided below, in Figure 10:





Office of
Environment
& Heritage



Your reference: Wabba Road - Burringbar
Our reference: DOC16/116255
Contact: George Barrott-Brown
02 6841 0950

Tweed Shire Council
PO Box 816
Murwillumbah NSW 2484

14 March 2016

Dear Vanessa

**Roads Act 1993 ROAD CLOSING PROPOSAL
Wabba Road - Burringbar, Mooball National Park (NP)**

I refer to your email to the Office of Environment and Heritage (OEH) dated 3 March 2016 regarding the above mentioned proposed road closure application. OEH has assessed this closure under the OEH Crown Road Closure Guidelines and the outcome is discussed below:

OEH **objects** to the closure of the road reserve shown in purple on the attached map (Appendix 1). This road reserve provides legal and practical access to the southern section of the Mooball NP. The road reserve contains a well-formed track used by OEH for routine park management and public access from the adjoining Cudgera Creek Road. Wabba Road contains an extension of fire trails within the park, classified as Essential on the BFCC Fire Trail Register. Secure access to the park is essential for routine management and non-emergency fire mitigation.

OEH would be willing to lift this objection should an easement be created over the road reserve. Our preference is for a NPWS Standard Easement for Access as set out in Appendix 2, however OEH is happy to discuss the type of easement with the land holders.

The OEH contact person for this matter is George Barrott-Brown, who is available on 02 6841 0950. Would you please provide a copy of this letter to the applicant so that they can contact OEH if they wish to discuss this matter further?

OEH requests that DPI-Lands notify us in writing if an easement is registered on the certificate of title for this road reserve and that DPI-Lands also supplies OEH with a copy of the transfer granting easement and the easement plan for our records. OEH maintains a spatial record of all easements benefitting the Minister Administering the NPW Act.

If you have any questions regarding this matter please contact me.

Yours sincerely

Louise Harcombe
Land Information Officer (Roads)
Reserve Establishment Team
National Parks & Wildlife Service
Office of Environment & Heritage
CC: Roads.newcastle@crowland.nsw.gov.au

PO Box 1020, DUBBO NSW 2830
92 Macquarie St DUBBO NSW 2830
Tel: (02) 6841 0950 Fax: (02) 6881 6941
ABN 30 641 387 271
www.environment.nsw.gov.au

Figure 10

Appendix 2

TERMS OF EASEMENT FOR ACCESS

1. Terms of Right of Access referred to in the Plan

- 1.1 Subject to the conditions set out in this easement, the owner of the Lot Burdened ("Grantor") grants to the Authority Benefited, and any Authorised Person (collectively, "Grantee") the right to go, pass and re-pass at all times over those parts of the Lot Burdened marked as the easement site on the Plan ("Easement Site"):
- (a) on foot or bicycle; and
 - (b) with or without animals; and
 - (c) with or without vehicles, including four-wheel-drive vehicles; and
 - (d) by any other reasonable means.
- 1.2 The Grantee may do anything reasonably necessary for passing across the Lot Burdened, including:
- (a) entering the Lot Burdened, and
 - (b) taking anything on to the Lot Burdened, and
 - (c) carrying out work within the Easement Site, such as constructing, upgrading, placing, repairing or maintaining trafficable surfaces or structures.
- 1.3 The Authority Benefited will be responsible for regulating the Grantee's use of the Easement Site and will use its best endeavours to ensure that it is used only for access, and for this purpose may erect signage setting out any limitations and conditions on the use of the Easement Site.
- 1.4 In exercising the rights granted under this easement, the Grantee must:-
- (a) only use the easement for lawful purposes and with due care to ensure public safety;
 - (b) not unreasonably interfere with the use and enjoyment of the Lot Burdened;
 - (c) cause as little inconvenience as practicable to the Grantor and any persons on the Lot Burdened; and
 - (d) ensure all work is done properly.
- 1.5 The Easement Site is to be maintained, at a minimum, in the condition it was at the time of the grant of the easement. Subject to this:
- (a) all construction, maintenance and repair work undertaken with respect to use of the Easement Site by the Grantee is at the cost of the Grantee; and
 - (b) all maintenance and repair work undertaken with respect to use of the Easement Site by the Grantor is at the cost of the Grantor.
- 1.6 The Grantee will exercise the rights granted under this easement at their own risk and the Grantee hereby releases the Grantor from, and against, all actions, claims, demands, and liabilities which may arise in respect of any accident or damage to property or death or injury to any person entering upon the Easement Site or the Lot Burdened in pursuance of the rights granted under this easement, except to the extent that such accident, damage, death or injury is caused by the wilful or negligent act or omission of the Grantor or the Grantor's employees, officers, agents, contractors or visitors.
- 1.7 For the purposes of this easement "Authority Benefited" means the Minister administering the *National Parks and Wildlife Act 1974*, its successors and assigns.
- 1.8 For the purposes of this easement "Authorised Person" means any person authorised to use the Easement Site by the Authority Benefited.

Figure 10

It is unclear as to whether an "Authorised Person" referred to in 1.8 of the Terms of the Easement for Access provided by OEH would include members of the public, verbal advice from an officer of OEH indicated that access for members of the public is also sought, however, no written confirmation to that effect has been received at the time of writing this report.

Should it be assumed that the proposed easement be extended to members of the public, then at 1.5 of the Terms of the Easement it provides that the "Grantee" being National Parks and any Authorise Person, must maintain the easement site in the condition that it was in when the easement was granted. Following the reasoning, then this obligation is to be fulfilled by National Parks together with any members of the public they authorise to use the easement site. This would be a difficult obligation to enforce by OEH or the landowner.

Koala Connections Project

The land owner was involved in the Koala connections project in June 2013 to enhance habitat and connectivity for koalas through tree planting and weed control, while improving the amenity of the property. Bush regeneration contractors prepared the site for koala habitat tree planting and supplied 350 plants for planting in the central section of the property to the north (down slope) of the existing farm track – a total area of approximately 1550m² (Refer to Figure 10). Weed control was also undertaken in the surrounding planting zone for an area of approximately 10,000m². The land owner was required to provide the land for planting, access to water from the dam and to maintain the plantings and on-ground works to the best of her ability.

This commitment to the Project is viewed by the landowner as a significant reason to not allow riders to use the old banana tracks, as they are located close to the area of koala habitat tree planting.

Figure 11 – Extract from the Land owner and Tweed Shire Council Agreement and works schedule as executed.



Figure 11

Road Closure and Purchase Policy

A few submissions noted that the road closure was not consistent with this policy, citing the following:

The policy provides that "applications for closure and purchase of public roads and Crown public roads will not normally be considered in the following circumstances:

- "Roads capable of providing physical access to other roads, public and private properties, public and Crown reserves, public utility installations, railways and the like. In the case of access to private properties closure will be considered if a suitable alternate road is dedicated as public road or if a right of carriageway is created over an existing road/track or new road/track to be created.
- Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows."

In conformity with these principles, the closure of Wabba Road could be supported if a 'suitable alternate road' could be dedicated. Recently, the applicant has verbally expressed

a willingness to provide an alternate road should Wabba Road closure be approved by Council.

Such an alternate road could allow pedestrian, cycle and equestrian use but not vehicular use.

The option of closing part and opening an alternate road reserve in a preferred location to facilitate the above is an option that could be further explored with the landowner, but could only progress with the consent and agreement of the landowner.

The fundamental issue to be considered is the right of the landowner to determine how the property is to be used, the right of ownership also brings with it the right to exclude all others at all or any time. The submissions received have failed to consider this fundamental property right and have demanded that Council, acting as roads authority, refuse the application to close the road to allow the public to use the road reserve and to enter private land to access the national park.

This becomes a difficult matter to determine because an approval to close the road and sell it to the applicant remains that, an approval by Council only, until the applicant exercises a discretion to proceed with the subsequent actions of the road closure process.

The decision that is to be made at this point is whether Council objects to or approves the application progressing to the State Government for assessment and further public consultation by the State Government.

It is to be reiterated that the notice published in the Tweed Link in February was not part of the statutory road closure process, but a preliminary step taken to inform Council of public opinion to assist them in their consideration of the road closure application.

Before the application is sent to the State Government, a further application fee is to be paid by the landowner, if no fee is paid, the approval from Council has no effect on the status quo.

Dwelling within the Road Reserve

Several submissions have mentioned that the applicant's dwelling is located on the road reserve, and suggested that Council utilise the illegality of the dwelling as leverage to negotiate an alternative route through the applicant's land.

Council shall not exercise any leverage as proposed because the actions required to formalise the location of the house within the road reserve can only commence with the closure of the road reserve upon which it sits, followed by planning applications, to be lodged by the applicant, to deal with the status of the dwelling. Council as the consent authority deals with such applications.

Council as the roads authority under the Roads Act 1993 is the authority considering the road closure application, measuring it against the policy and the merits of submissions received.

Council acknowledges that prior to any planning measures being taken, it would require the road to be closed. Any decision to approve the closing of the road has to measure the

public interest, which is not to be measured by the volume or temerity of the public voice expressed in the submissions received relating to this road closure.

The public interest test here is the obligation of Council to undertake its tasks in a transparent and measured manner taking all circumstances into account without favour and in accordance with the relevant statutory obligations as a roads authority.

The decision to be made by Council need only meet the public interest test, and not be directed to meet the expectations of any person.

OPTIONS:

1. That Council approves the road closure for the total length of the road reserve of Wabba Road; or
2. That Council approves the road closure for the total length of the road reserve subject to the creation of a Right of Carriageway as proposed by OEH to provide access to the Mooball National Park by them; or
3. That Council approves the road closure of all or part of the road reserve containing the access to the dwelling subject to the dedication of an alternate route from the point of closure to the boundary of the Mooball National Park for non-vehicular access and a Right of Carriageway for OEH over the existing track to provide access to the Mooball National Park; or
4. To refuse the application for road closure.

CONCLUSION:

Option 1: This option will facilitate the closure of the road reserve and a popular access to the Mooball National Park from the south. The arguments raised by the submissions indicated that this is the only access from the south, however, as noted earlier in the report, there are other road reserves that can be explored. This would be the least popular option in the opinion of the interest groups who lodged submissions. This option may be perceived as not being in accordance with Council's policy.

Option 2: This option addresses the requirement from OEH to provide a Right of Carriageway for Authorised Persons and would be acceptable to the landowner, who has advised Council that there would be no objection to allowing OEH continued access to the national park. Further, the proposed terms of the easement requires OEH to maintain and repair the access, which is a fair and reasonable requirement. This option does not provide appropriate public access to the National Park.

Option 3: The same benefits as set out above in Option 2 applies for Option 3. Additionally, access for pedestrians, cyclists and equestrian use is provided. This option would facilitate the landowner addressing the dwelling on the road reserve, as well as providing an alternate and preferred route for OEH to access the National Park. Again, this option requires the approval of the landowner, at own cost.

Option 4: Refusal of the road closure application retains the status quo and does not facilitate any capacity for the dwelling in the road reserve to be addressed. This also leaves no certainty for the recreational users in seeking access to the National Park.

It can be argued that the public interest test can be met by Council by adopting Option 3, which generates a compromise between the interests of the landowner and the OEH, as well as the recreational users. The owner can address the dwelling on the road reserve, and has the capacity to direct all users of an alternate location of the road to a preferred location, which could, no doubt be the location that would generate the least interference with the landowner's enjoyment of the land.

It is strongly recommended that should Council agree with this reasoning, that any resolution includes the approval to be subject to the prospective users contributing to the cost of forming an alternate track and signage, and if necessary fencing, should the landowner agree to this option.

COUNCIL IMPLICATIONS:

a. Policy:

Road Closures and Private Purchase v1.2.

b. Budget/Long Term Financial Plan:

As the road reserve is not formed, there will be no income derived from the disposal of this road, if the road closure application is approved. The income will pass to Crown Lands. The cost of maintaining access to the National Park would fall on to the users and not Council.

c. Legal:

The approval for the road closure facilitates the legalisation of the dwelling within the land owned, as well as providing the landowner with formal approval for the dwelling.

d. Communication/Engagement:

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

This application will be advertised again as part of the road closure process, as well as being an open report to ensure that those people who had shown their interest by the lodgement of submission can pursue the outcome of this application.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Written submissions from individuals and interest groups (ECM 4007503).

(Confidential) Attachment 2. Letter from Gwen Rayner (ECM 3989415).

28 [E-CM] Crown Acquisition of Road at Fingal Head and Pottsville

SUBMITTED BY: Design

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Tweed Coast Holiday Parks Business Plan adopted on 16 November 2010 by the Tweed Coast Holiday Parks Reserves Trust set down planned improvements for the coastal holiday parks in the Tweed local government area.

Development applications have been lodged and as part of the design process, survey work has been undertaken.

The surveys have revealed that two of the holiday parks, Pottsville South and Fingal Head have long standing encroachments onto adjacent road reserves. Further, the Rovers Surf Life Saving Club has its clubhouse within the Fingal Head Holiday Park, and it is intended to subdivide the land where the clubhouse stands and to add it to the adjacent reserve R1001008 for Public Recreation and Coastal Environmental Protection, so that the activities of the Club are within an appropriate reservation.

To address the encroachments, Department of Primary Industries Lands ("DPI Lands") have issued notification that it will compulsorily acquire the affected areas of road reserve so they can be added to the Crown land estate.

Section 206 of the Roads Act 1993 provides that where the Crown acquires road from a roads authority, compensation is limited to the costs to the roads authority for any formation of the road and any other infrastructure within the acquired lands, as there are no road formations or infrastructure, this will be a nil compensation acquisition.

As the acquisitions will address long standing encroachments, without impacting the physical use of the road reserves, it is recommended that Council consents to the acquisitions without compensation being payable in this instance.

RECOMMENDATION:

That Council:

- 1. Approves the acquisition by Department of Primary Industries Lands of Lot 2 DP 1174045 at Fingal Head under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 at nil compensation pursuant to section 206 of the Roads Act 1993 for addition to Reserve 1001012 Caravan Park;**
- 2. Approves the acquisition by Department of Primary Industries Lands of Lot 1 DP 1174058 at Pottsville under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 at nil compensation pursuant to section 206 of the Roads Act 1993 for addition to Reserve 1001016 Caravan Park; and**
- 3. Executes all necessary documentation under the Common Seal of Council.**

REPORT:

The Tweed Coast Holiday Parks Business Plan adopted on 16 November 2010 by the Tweed Coast Holiday Parks Reserves Trust set down planned improvements for the coastal holiday parks in the Tweed local government area.

Development applications have been lodged and as part of the design process, survey work has been undertaken.

The surveys have revealed that two of the holiday parks, Pottsville South and Fingal Head have long standing encroachments onto adjacent road reserves.

See the aerial photographs below showing the encroachments:



Figure 1 - Fingal Head Holiday Park



Figure 2: excerpt from Figure 1 showing the Rovers clubhouse within the holiday park



Figure 3: Pottsville South Holiday Park

Plans creating the lots to be acquired have been registered and the areas to be acquired are shown yellow in Figures 4 and 5 below:

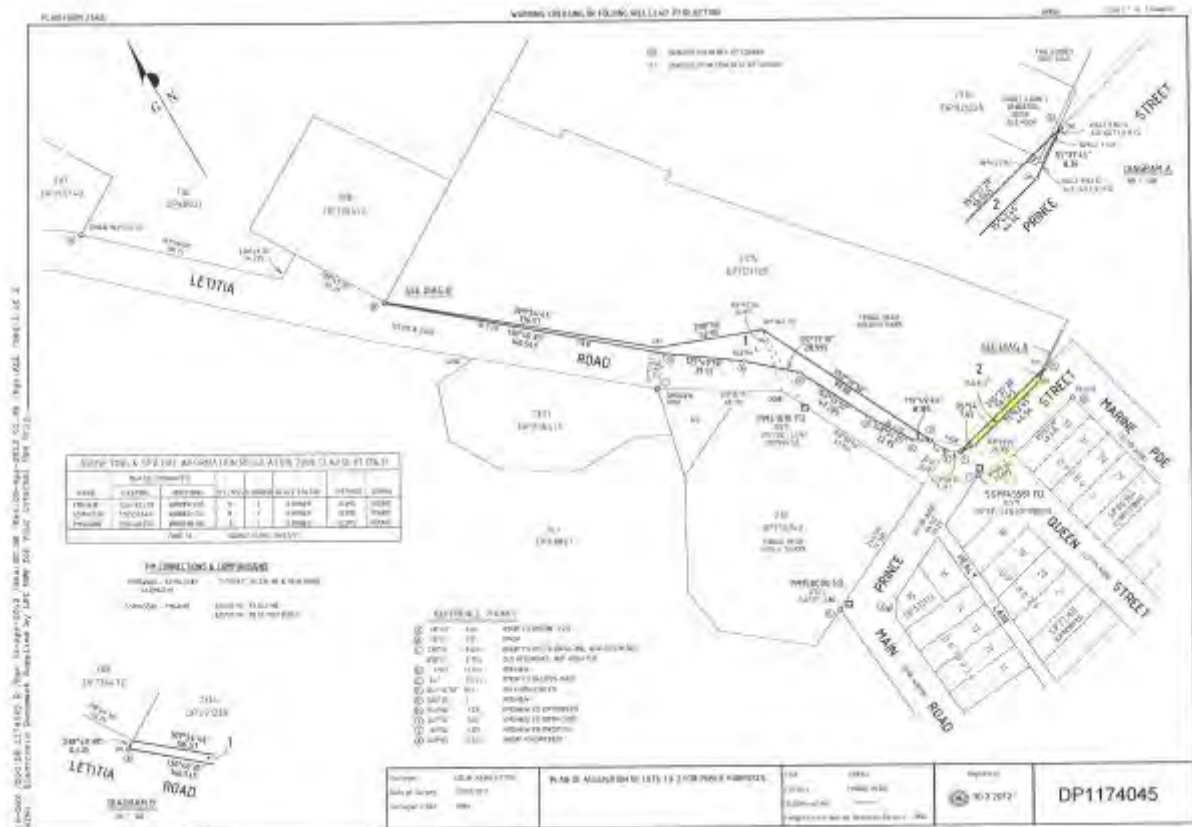


Figure 4: Plan showing Lot 2 at Fingal Head

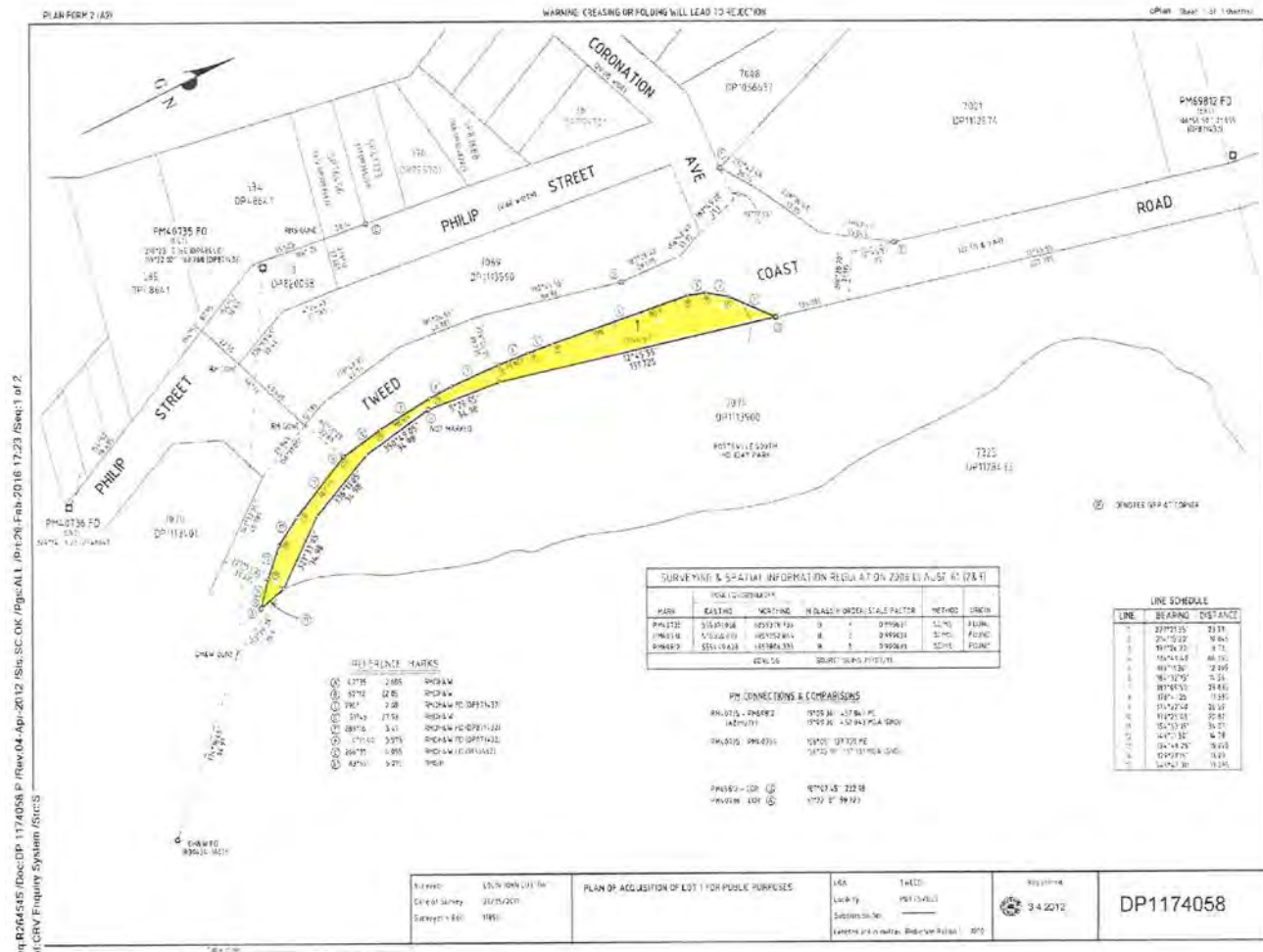


Figure 5: Plan showing the area of acquisition at Pottsville

The clubhouse for the Rovers Surf Life Saving Club is within the Fingal Head Holiday Park, at its south-eastern corner, as shown outlined in the Figure 2. It is intended to subdivide the land (Lot 7314 DP 1121228) where the clubhouse stands and to add it to the adjacent parcel (Lot 7011 DP 1065741) within the Crown reserve R1001008 for Public Recreation and Coastal Environmental Protection, so that the activities of the Club are within an appropriate reservation.

This subdivision, when completed, will allow Council to exercise the new authorisation from the Minister for Lands to allow Councils to issue leases to surf lifesaving clubs directly where they are located on a reserve for public recreation.

To address the encroachments, DPI Lands have issued notification to Council, as the roads authority and owner of the road reserves, that it will compulsorily acquire the affected areas of road reserve so they can be added to the Crown land estate.

Lot 2 in DP 1174045, at Fingal Head is to be acquired. Lot 1 in DP1174045 will be acquired as and when the Fingal Head Holiday Park is developed.

Lot 1 in DP 1174058 at Pottsville is to be acquired.

A copy of the DPI Lands letter dated 29 February 2016 is attached to this report.

Section 206 of the Roads Act 1993 provides that where the Crown acquires road from a roads authority, compensation is limited to the costs to the roads authority for any formation of the road and any other infrastructure within the acquired lands, as there is no road formation, nor infrastructure, this will be a nil compensation acquisition.

As the acquisitions will address long standing encroachments, without impacting the physical use of the road reserves, it is recommended that Council consent to the acquisitions without the payment of compensation in this instance.

OPTIONS:

1. To consent to the acquisition of road reserve to remedy historical encroachments by the Holiday Parks; or
2. To not consent to the acquisition of road reserves.

CONCLUSION:

Council, as the roads authority, will not receive any compensation for these acquisitions, however, as a Trustee of Crown Land, there will be no financial burden placed on the Tweed Coast Holiday Parks Trust to address the historical anomalies.

The acquisitions will also facilitate the creation of a suitable tenure for the Rovers clubhouse, which has experienced difficulties due to it being located within the holiday park, which did not fall within the Crown land tenure statutory framework. When the acquisition and subdivision for the Fingal Head Holiday Park is completed, Council will be in a position to exercise the new authorisation granted by the Minister to issue leases directly to the Rovers Club.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

There will be no compensation payable pursuant to s206 of the Roads Act, as there is no infrastructure or formation of the road within the road reserve to be acquired

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

There will be public notification of the acquisition as part of the acquisition process.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Letter from Department of Primary Industries Lands dated
29 February 2016 (ECM 3973616).

29 [E-CM] RFO2016042 Coronation Avenue Pottsville Asphalt Pavement Reconstruction Works

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:

Request for Offer RFO2016042 Coronation Avenue Asphalt Pavement Reconstruction Works from Seabreeze Boulevard east to Chainage 315 was called to engage a suitably qualified and experienced Asphalt Contractor to provide all plant, labour and materials to carry out asphalt pavement reconstruction works comprising of deep lift and asphalt resurfacing works.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 13 April 2016 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

A final Report to Council will be prepared and tabled at the Council Meeting scheduled for 21 April 2016.

RECOMMENDATION:

That in respect to Contract RFO2016042 Coronation Avenue Asphalt Pavement Reconstruction Works from Seabreeze Boulevard east to Chainage 315, Council notes this interim report and that an addendum late report will be provided at the Meeting held 21 April 2016.

REPORT:

Request for Offer RFO2016042 Coronation Avenue Asphalt Pavement Reconstruction Works from Seabreeze Boulevard east to Chainage 315 was called to engage a suitably qualified and experienced Asphalt Contractor to provide all plant, labour and materials to carry out asphalt pavement reconstruction works comprising of deep lift and asphalt resurfacing works.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on Wednesday 13 April 2016 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

A final Report to Council will be prepared and tabled at the Council Meeting scheduled for 21 April 2016.

OPTIONS:

Nil.

CONCLUSION:

That in respect to Contract RFO2016042 Coronation Avenue Asphalt Pavement Reconstruction Works from Seabreeze Boulevard east to Chainage 315:

Council notes this interim report and that a full report will be provided as part of the agenda for the Meeting held 21 April 2016.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6

In accordance with Local Government (General) Regulations 2005.

b. Budget/Long Term Financial Plan:

Funded from 2015/2016 roads budget 2.4.3.35.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

30 [CS-CM] Integrated Planning and Reporting Framework - 2013/2017 Delivery Program, 2016/2017 Operational Plan and Resourcing Strategy

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The 2013/2017 Delivery Program incorporating the Draft 2016/2017 Operational Plan is provided for public comment. Principal activities listed in the Delivery Program are linked to long-term strategies in the Community Strategic Plan as well as linkages to the Resourcing Strategy and Budget for the next financial year.

The 2013/2023 Resourcing Strategy has been reviewed and updated to ensure all principle activities listed in the Delivery Program are fully resourced.

RECOMMENDATION:

That the Delivery Program 2013/2017 incorporating amendments made by the Draft Operational Plan 2016/2017, Draft Revenue Policy and Statement 2016/2017, Operational Plan Budget 2016/2017 and Fees and Charges 2016/2017, be placed on public exhibition from 26 April to 24 May 2016 inviting submissions, in accordance with Sections 404 and 405 of the *Local Government Act 1993*.

REPORT:

The 2013/2023 Community Strategic Plan was adopted by Council on 21 March 2013.

To support the implementation of the 2013/2023 Community Strategic Plan Council has reviewed the 2013/2017 Resourcing Strategy which includes the 2013/2023 Long Term Financial Plan, the 2013/2023 Asset Management Planning and the 2013/2017 Workforce Management Plan.

The 2013/2017 Delivery Program has been updated to incorporate amendments identified by the Draft Operational Plan 2016/2017. Principal activities in the Delivery Program must respond to objectives in the 2013/2023 Community Strategic Plan with clear linkages to the Resourcing Strategy.

The Draft Operational Plan 2016/2017 and Draft Revenue Policy and Statement 2016/2017, the Operational Plan Budget 2016/2017 and Draft Fees and Charges 2016/2017 together with an amended 2013/2017 Delivery Program must be placed on public exhibition inviting submissions, in accordance with Sections 404 and 405 of the *Local Government Act 1993* for at least 28 days. Council must adopt all Plans by 1 July 2016 in accordance with section 405(1) of the *Local Government Act 1993*.

Delivery Program and Operational Plan

The 2013/2017 Delivery Program has been amended to include the Draft Operational Plan 2016/2017.

Consultation

The 2013/2017 Delivery Program and Draft Operational Plan 2016/2017 will be placed on public exhibition from 26 April to 24 May 2016 with access to all documents via printed copies, on request, or from the Tweed Shire Council internet site.

Public consultation will also include several meetings with relevant peak community organisations. Council will convene these meetings towards the end of the public exhibition period to allow for community groups time to review the Draft documentation prior to attending.

2013/2023 Resourcing Strategy

The Resourcing Strategy 2013/2023 is attached to this report and incorporates the Workforce Management Plan, an overview of Asset Management Planning and the outcomes of the Long Term Financial Plan.

While the Community Strategic Plan highlights all the objectives and aspirations of the community, the Resourcing Strategy focuses in detail on matters that are the direct responsibility of Council.

2013/2017 Workforce Management Plan

The 2013/2017 Workforce Management Plan enables Council to plan its future workforce needs to deliver agreed goals and to meet the current and future service and operational needs of the Shire. It also ensures Council is appropriately staffed to handle the changes

and challenges that will be faced over the four years of the Delivery Program and more generally over the ten years of the Community Strategic Plan.

The 2013/2017 Workforce Management Plan focuses on minimising employment costs whilst ensuring Council has the right people in the right place at the right time with the right skills to meet the community's desired needs and its operational objectives and has been updated to reflect the harmonisation requirements of Workplace Health and Safety and provides greater detail in relation to Equal Employment Opportunity principles.

2013/2023 Asset Management Planning

The 2013/2023 Asset Management Planning component of the Resourcing Strategy has seen the development of an Asset Management Policy, Asset Management Strategy and Asset Management Plans for the following categories that were adopted in June 2011, and are based on the categories of:

- Transport
- Drainage
- Fleet
- Buildings
- Open Space
- Wastewater and Water

The Asset Management Plans for Transport, Drainage, Buildings and Open Space are scheduled to be updated in June 2016.

2013/2023 Long Term Financial Plan

The 2013/2023 Long Term Financial Plan forecasts the financial capacity of Council to meet the objectives adopted in the Community Strategic Plan.

Estimates, projections and assumptions have been used to develop a picture of how Council's finances will progress over each of the next 10 years by quantifying revenue growth, expenditure commitments, and funding capacity.

It also serves to measure to what extent Council is able to finance its asset management commitments as determined in the various Asset Management Plans.

The Long Term Financial Plan has been amended to incorporate resolutions of Council that have a long term financial impact on the budget.

Draft Revenue Policy and Statement

The Draft Operational Plan 2016/2017 includes a statement of the council's revenue policy for the year. The Draft Revenue Policy and Statement 2016/2017 including separable parts detailing the proposed Draft Fees and Charges and Draft Budget for 2016/2017 are attached to this report and available for community submissions.

The Draft Revenue Policy and Statement 2016/2017 has been prepared to conform to the requirements as prescribed within the Local Government (General) Regulations and embodies all the rates, special rates, annual charges, interest on unpaid accounts and

proposed fees and charges to be applied by council during 2016/2017. The General Fund Rate increase is based upon the IPART approved 1.8% increase for 2016/2017.

2016/2017 Proposed Rating Structure

The 2016/2017 rating structure is proposed as follows:

Item	2015/2016 \$	2016/2017 based on allowed Ordinary Rate increase 1.8%	\$ variation	% variation
Ordinary Rate				
Residential*	990.00	1,007.80	17.80	1.80%
Business*	1,088.35	1,107.90	19.55	1.80%
Farmland*	990.00	1,007.80	17.80	1.80%
Sewerage Charge	782.00	805.45	23.45	3.00%
Water Access Charge	158.50	166.45	7.95	5.02%
Domestic Waste Service Charge	185.10	190.60	5.50	2.97%
Domestic Waste Management Charge	62.40	64.30	1.90	3.04%
Waste Minimisation and Recycling Charge	67.80	69.80	2.00	2.95%
Landfill Management Charge	50.40	51.90	1.50	2.98%
Total Residential (minimum rate)	2,296.20	2,356.30	60.10	2.62%

IPART application for Special Rate – Cobaki LEDA Manorstead

Council has prepared, with input from LEDA Manorstead Pty Ltd, a Special Rate Variation (SRV) to the independent Pricing and Regulatory Tribunal (IPART) to fund the long term maintenance and management of environmental protection lands within LEDA's Cobaki development. The proposed Special Rate Variation is aimed at raising an additional \$550,000 in 2016/17 and indexed with annual rate pegging in subsequent years. This will equate to a 0.97% above rate pegging increase. The proposed on-going Special Rate is to be levied solely on properties associated with the Cobaki subdivision and all funds raised from the special rate levy will be allocated to the management of the environmental protection land within the development.

If approved the special rate will be applicable for the 2016/2017 rating year and be calculated through a rate-in-the dollar methodology.

Domestic Waste Management

The domestic waste management charge represents the reasonable cost of providing garbage and recycling services to residents and is in accordance with Sections 496 and 504 of the *Local Government Act*.

In 2009 the NSW State Government introduced a Waste and Environment Levy, aimed at increasing the price of disposing waste to landfill in an effort to promote recycling. The NSW Waste Avoidance and Resource Recovery (WARR) Act 2001 identifies a target of 66% diversion from landfill for domestic waste.

The Domestic Waste Charges proposed for 2016/2017 are:

	2016/2017
Domestic Waste Management Charge	\$64.30
Domestic Waste Service Charge	\$190.60
Recycling Charge	\$69.80

Water Supply and Sewerage Pricing Pressures

The supply of Water and Sewerage services are continuing to be impacted by a number of pricing pressures including:

- Financing costs of loans for growth related capital works.
- Slow recoupment of Section 64 development charges.
- Increased operational costs related to ongoing increases in electricity costs and embedded flow on effects.
- Increased operational costs related to chemicals and other inputs.
- Increases in operational costs associated with significant increases in the quantity and sophistication of plant and equipment now required to be used.
- Increased compliance costs in relation to additional legislation requiring the development and implementation of numerous management plans and the associated extensive reporting. This has been significant in the following areas:
 - Environmental compliance
 - Work Health and Safety
 - Drinking Water Quality.
 - Effluent Recycling
 - Bio-solids Reuse
 - Asset Management
 - Risk Management
- The very significant increase in reporting requirements, to provide for transparency, accountability and to demonstrate actual performance against numerous criteria, across the spectrum of activities, have and are continuing to require further significant investment in the development, implementation, and maintenance of various systems and process along with increased staff and associated training requirements to support these requirements.

Despite these cost pressures Council has reduced its treatment cost for water from \$82 to \$80 per property and its pumping costs for water from \$45 to \$36 per property. Similarly pumping costs for sewerage have been reduced. These measures combined with some deferral of capital works have allowed council to reduce the rate of increase of water and sewerage charges for the 2016/2017 financial year and beyond.

Water Cost Pressures

As part of the NSW DPI Water's Best Practice Pricing Guidelines there is a requirement that the income received from volumetric charges be a minimum of 75% of the combined access

and volumetric income, for residential assessments. This is intended to send a stronger water conservation signal through pricing to consumers.

The increase in access and volumetric charge rates have been calculated to maintain the minimum 75% requirement, as well as cater for increased regulatory compliance related to water quality and reporting; growth, ageing infrastructure and the associated increases in operational and treatment costs.

2016/2017 Water Charges

Water Access (S501) and Volumetric Charges (S502) proposed to apply from 1 July 2016 are:

- Residential assessments – an annual access charge of \$166.45
- Business assessments - an annual access charge based on residential assessment 20mm access charge, multiplied by the ratio of meter size cross sectional area.
- Volumetric charge of \$2.85/kL for non-residential assessments.
- Volumetric charge of \$2.85/kL for residential assessments for each kL up to and including 300kL per annum.
- Excess volumetric charge of \$4.25/kL for residential assessments for each kL in excess of 300kL per annum consumption.
- The above volumetric charges relate to the reading period from 1 July 2016 to 30 June 2017.
- Bulk water sales from standpipes for use within the shire will be charged at \$4.25/kL in 2016/2017. Use outside the shire will be charged at \$8.50/kL in 2016/2017, being twice the Residential Properties High Consumption Charge.
- Vacant properties rated for water are subject to an access charge of \$166.45.
- Unpaid accounts are subject to interest charges applicable calculated from the due date.

It is estimated that the notional yield from access charges will be \$6,415,032.27 and \$21,050,000 from the volumetric charge.

Sewer Cost Pressures

Due to increased regulatory compliance related to recycled water quality and reporting; growth, ageing infrastructure and the associated increases in operational and treatment costs, the sewerage access charge will continue to increase on an annual basis.

The sewerage usage charge was implemented to manage and control sewerage trade waste discharges to the public sewer system and to recover council's additional costs in the transportation, treatment and disposal of trade waste discharges.

2016/2017 Sewerage Charges

Sewerage charges (S501) proposed to apply from 1 July 2016 are:

Residential Assessments

- Residential assessments – an annual access charge of \$805.45.

- Vacant properties rated for sewer are subject to an annual access charge of \$805.45.
- Unpaid accounts are subject to interest charges applicable calculated from the due date.

It is proposed the residential access charge will rise by \$50.00 per year, as shown in the table below, to cater for increased regulatory compliance impacts, growth and the associated increases in operational costs.

Sewerage Access Charge (\$501)	2012/2013	2014/2015	2014/2015	2015/2016	2016/2017
Sewerage Access Charge	\$650.00	\$691.00	\$732.00	\$782.00	\$832.00

It is estimated that the notional yield from access charges will be \$29,528,255.49.

Draft Budget 2016/2017

The 2016/2017 draft budget has been formulated using the following assumptions:-

Item	Indexation
Employee costs	3.10%
Materials and Contracts	2.75%
Electricity costs	2.0% (excluding street lighting)
Insurance	2.00%
Rates	Approx 1.8% for Minimum rate

Capital works expenditure includes:

Category	Amount \$
Transport – (including Kennedy Drive – Limosa Ave to Cobaki Bridge)	\$16,954,000
Drainage	\$1,100,000
Water infrastructure	\$9,128,000
Wastewater infrastructure	\$6,950,000

Other items funded:

Item	Amount \$
Tweed Heads Library Expansion	\$1,818,000
Council Elections	\$475,000

Items considered but unable to be funded:

Item	Amount \$
Vertebrate Animal Management Plan	\$30,000
Knox Park Public Toilets – additional funding requirement	\$200,000
Bus Shelter Lighting	\$20,000

OPTIONS:

Council is required to place the Draft Delivery Program and associated documentation on public exhibition, inviting submissions prior to the formal adoption of these documents.

CONCLUSION:

That the 2013/2017 Delivery Program and supporting Resourcing Strategy as amended by the Draft Operational Plan 2016/2017, Draft Revenue Policy and Statement 2016/2017, Operational Plan Budget 2016/2017 and Fees and Charges 2016/2017, be placed on public exhibition inviting submissions, in accordance with Sections 404 and 405 of the Local Government Act 1993.

COUNCIL IMPLICATIONS:

a. Policy:

Public exhibition inviting submissions is required in accordance with Sections 404 and 405 of the Local Government Act.

b. Budget/Long Term Financial Plan:

All operations, services and infrastructure projects have been identified and costed within the Draft Budget 2016/2017.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed. All plans will be placed on public exhibition from 26 April to 24 May 2016 with submissions welcome. Meetings with relevant peak community organisations will be conducted towards mid-May.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.	Draft Delivery Program 2013/2017 and Draft Operational Plan 2016/2017 (ECM 4017703).
Attachment 2.	Draft Revenue Policy and Statement 2016/2017, Part A (ECM 4015492).
Attachment 3.	Draft Budget 2016/2017, Part B (ECM 4017464).
Attachment 4.	Draft Fees and Charges 2016/2017 Revenue Policy, Part C (ECM 4015518).
Attachment 5.	Draft Resourcing Strategy, Supporting the 2013/2023 Community Strategic Plan (ECM 4015494).

31 [CS-CM] Call for Motions - 2016 Australian Local Government Association - General Assembly

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 2016 National General Assembly of Local Government will be held in Canberra between 19 and 22 June 2016 and motions are being called for submission to the Australian Local Government Association Board by 22 April 2016.

The theme of the 2016 National General Assembly is 'Partners in an Innovative and Prosperous Australia' and while motions are being encouraged in response to this theme, motions that are relevant to the work of local government nationally are also able to be submitted.

At the 2015 National General Assembly, Council submitted five motions with varying outcomes. Following a Councillor Workshop held 24 March 2016 it was considered that two of these motions will again be submitted for consideration at the 2016 National General Assembly as they are still significant matters.

RECOMMENDATION:

That Council submits the following Proposed Motions for consideration at the 2016 Australian Local Government Association National General Assembly:

- 1. Submitted 2015**
The National General Assembly calls on ALGA National Executive to prioritise and increase its political representation to the Commonwealth Government and Federal Treasurer, to reinstate indexing of the Financial Assistance Grants (FAGS).
- 2. Submitted 2015**
Tweed Shire Council calls on the ALGA National Executive, for political representation to the NSW State Government, to continue its current level of funding of the Pensioner Rebate Subsidy.

3. That the Australian Local Government Association through suitable political representation lobby the Federal and State Governments to consider instituting into the appropriate taxation systems a 'Booking Tax' on online accommodation booking services like Airbnb, in a similar method to the levying of the Hospitality Tax currently being applied in the United States of America.
4. That the Australian Local Government Association lobby both the Federal and State Governments to consider providing an amendment to the Income Tax Assessment Act whereby a private land owner with capacity in their home to let a bedroom or perhaps a granny flat would be exempt from both capital gains tax and land tax provisions should the bedroom or granny flat be let to a person deemed in housing crisis by Centrelink.

Obligations on the property owner would be to register their property with Centrelink and the appropriate Office of State Revenue as available for affordable accommodation and rents payable should be capped and set by a Government body based upon locality.

Localities could be broadly set in four subcategories as follows:

- i. CBD and inner suburbs
- ii. Outer metropolitan suburbs
- iii. Regional city centres
- iv. Rural

Rents payable to the property owner could be made directly by Centrelink in lieu of rental assistance paid directly to the client. This would ensure that the funds were directed to address the accommodation needs as opposed to other expenditure.

5. That the Australian Local Government Association continue dialogue with the Commonwealth Government in requesting that a Constitutional Referendum be conducted to include Local Government as a recognised tier of Government within the Constitution of Australia.
6. That the Australian Local Government Association on a six monthly basis provides a status update to all member councils on the current situation of each motion considered at the previous National General Assembly.

REPORT:

A Councillor Workshop on the submission of appropriate motions to the 2016 National General Assembly (NGA) was held on Thursday 24 March 2016.

To be eligible for inclusion in the NGA Business Papers, and then debate on the floor of the NGA, motions must following the following principles:

1. Be relevant to the work of local government nationally;
2. Be consistent with the themes of the NGA;
3. Complement or build on the policy objectives of your state and territory local government association;
4. Propose a clear action and outcome; and
5. Not be advanced on behalf of external third parties which may seek to use the NGA to apply pressure to Board members, to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of local government.

At the 2015 National General Assembly, Council submitted five motions with varying outcomes and following the Councillor Workshop two of these motions will again be submitted for consideration at the 2016 National General Assembly.

The following motions are tabled for the consideration by Council and it is noted that the motions are to be submitted no later than 22 April 2016.

Proposed Motions

1. Submitted 2015
The National General Assembly calls on ALGA National Executive to prioritise and increase its political representation to the Commonwealth Government and Federal Treasurer, to reinstate indexing of the Financial Assistance Grants (FAGS).
2. Submitted 2015
Tweed Shire Council calls on the ALGA National Executive, for political representation to the NSW State Government, to continue its current level of funding of the Pensioner Rebate Subsidy.
3. *That the Australian Local Government Association through suitable political representation lobby the Federal and State Governments to consider instituting into the appropriate taxation systems a 'Booking Tax' on online accommodation booking services like Airbnb, in a similar method to the levying of the Hospitality Tax currently being applied in the United States of America.*
4. *That the Australian Local Government Association lobby both the Federal and State Governments to consider providing an amendment to the Income Tax Assessment Act whereby a private land owner with capacity in their home to let a bedroom or perhaps a granny flat would be exempt from both capital gains tax and land tax provisions should the bedroom or granny flat be let to a person deemed in housing crisis by Centrelink.*

Obligations on the property owner would be to register their property with Centrelink and the appropriate Office of State Revenue as available for affordable accommodation and rents payable should be capped and set by a Government body based upon locality.

Localities could be broadly set in four subcategories as follows:

- i. CBD and inner suburbs*
- ii. Outer metropolitan suburbs*
- iii. Regional city centres*
- iv. Rural*

Rents payable to the property owner could be made directly by Centrelink in lieu of rental assistance paid directly to the client. This would ensure that the funds were directed to address the accommodation needs as opposed to other expenditure.

- 5. That the Australian Local Government Association continue dialogue with the Commonwealth Government in requesting that a Constitutional Referendum be conducted to include Local Government as a recognised tier of Government within the Constitution of Australia.*
- 6. That the Australian Local Government Association on a six monthly basis provides a status update to all member councils on the current situation of each motion considered at the previous National General Assembly.*

OPTIONS:

Council can add further motions if it deems that they are suitable for submission.

CONCLUSION:

The proposed motions be submitted for consideration of being admitted to the agenda for discussion at the 2016 Australian Local Government Association National General Assembly.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Budget considerations may flow from the implementation of the motions.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

A Workshop was conducted with Councillors on Thursday 24 March 2016 to frame the appropriate motions for submission to the General Assembly.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

32 [CS-CM] 2016 Cooly Rocks On - Request for Funding

SUBMITTED BY: Director

Valid



Supporting Community Life



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Tweed Shire Council has been a supporter of "Cooly Rocks On", since its inception back in 2011, when the twenty year old Wintersun Festival transferred to Port Macquarie after the 2010 Festival.

"Cooly Rocks On" is promoted as Australia's biggest 50s and 60s Nostalgia Festivals, with *"over 2 kilometres of Rock 'n' Roll, Rockabilly, swing music and over 1,300 hot rods, custom cars and classic market stalls..."*

Last year Council provided \$10,000 in cash and \$10,000 in-kind sponsorship, which included the use of the Jack Evans Boat Harbour and associated costs.

Whilst the festival links strongly with the music theme identified in the newly adopted 2016-2020 Tweed Shire Events Strategy, any future requests for funding beyond the financial support proposed in the recommendation of this report would need be considered by Council in association with the principles outlined in the adopted Strategy.

RECOMMENDATION:

That:

1. **In keeping with the newly adopted Tweed Shire Events Strategy 2016-2020, Council agrees to establish a three year financial arrangement with "Cooly Rocks On", on a sliding financial scale below:**

Direct Financial Contributions by Council:

2016	2017	2018
\$10,000	\$7,500	\$5,000

2. Any funding provided to "Cooly Rocks On" is conditional upon "Cooly Rocks On" providing Council with a report detailing the return on investment arising out of each year's event.

REPORT:

Tweed Shire Council has been a supporter of "Cooly Rocks On", since its inception back in 2011, when the twenty year old Wintersun Festival transferred to Port Macquarie after the 2010 Festival.

"Cooly Rocks On" is promoted as Australia's biggest 50s and 60s Nostalgia Festivals, with *"over 2 kilometres of Rock 'n' Roll, Rockabilly, swing music and over 1,300 hot rods, custom cars and classic market stalls..."* The Festival is divided into three precincts:

- Jack Evans Family Precinct – 200 classic cars, a kids playground, live music stage, BBQ facilities, and a giant screen for evening movies.
- Coolangatta, Marine Parade – the heart of the precincts with over 200 market and food stalls, exhibitors and beach marquee. Classic cars to line the streets and live music from 3 outdoor stages.
- Kirra Surf Skate Precinct – Kirra stage, retro markets and vintage caravans.

Last year Council provided \$10,000 in cash and \$10,000 in-kind sponsorship, which included the use of the Jack Evans Boat Harbour and associated costs.

Council has received a letter from the Festival Manager requesting a donation of \$20,000 to support the activities proposed for the Jack Evans Boat Harbour precinct – refer below:



Mr Troy Green
General Manager
Tweed Shire Council
PO Box 816
Murwillumbah
NSW 2484

30th March 2016

Dear Troy,

Planning is well underway for Coolyrocks On 2016 and we are hopeful a fantastic event will again be presented for the benefit of the local economies with over 110,000 people attending in 2015 and over \$35.6 million of economic value to the twin towns of Tweed and Coolangatta.

In the Tweed over \$6.4 million was generated into the tweed economy and all our entertainment artists were accommodated in the tweed and that will continue again for 2016. The Clubs of the Tweed benefit from the festival with extra patronage, motels and holiday parks within the tweed heads and south tweed regions also benefit with full house occupancies. The Tweed Mall report extra customers visiting the centre during Coolyrocks On plus Destination Tweed see the event as a major destination marketing event for the Tweed with the influx of visitors from all over Australia and New Zealand and the ability to promote the Tweed region cannot be under estimated. The other important angle to the event is that local tweed residents see the event as theirs and come in their thousands to be part of Australia's biggest 50' and 60's Nostalgia Festival.

Tweed Shire Council has been a wonderful supporter of CRO since its inception back in 2011 and we are requesting a continuation of that relationship with a request for a donation of \$20,000 to part fund the set up and attractions that will be presented in the Jack Evans Boat Harbour which now plays an important part in the overall presentation of Coolyrocks On. Also within the Jack Evans Boat Harbour precinct we give local community groups the chance to raise funds via their food outlets and this year Marine Rescue Point Danger will be the main operator within the park plus they will assist us with man power and volunteers to assist with the event.

We look forward to a positive outcome with our request and confirmation at your convenience

Yours sincerely
Phil Villiers
Festival Manager

admin@coolyrockson.com www.coolyrockson.com
T/F 07 5599 2081 - Suite 203, 87 Griffith St Coolangatta Qld 4225

abn 84812956034

OPTIONS:

That Council:

1. Provides "Cooly Rocks On" with financial assistance for their event from 2016 to 2018 as detailed in the recommendation and that any funding provided is conditional upon "Cooly Rocks On" providing Council with a report detailing the return on investment arising out of each year's event.
2. Gives consideration to ongoing support to "Cooly Rocks On", on a sliding financial scale, in keeping with the newly adopted Tweed Shire Events Strategy 2016-2020.
3. Does not enter into a new three year financial arrangement with "Cooly Rocks On".

CONCLUSION:

Whilst the festival links strongly with the music theme identified in the newly adopted 2016-2020 Tweed Shire Events Strategy, any future requests for funding beyond the financial support proposed in the recommendation of this report would need be considered by Council in association with the principles outlined in the adopted Strategy.

COUNCIL IMPLICATIONS:

a. Policy:

2016-2020 Tweed Shire Events Strategy

b. Budget/Long Term Financial Plan:

The 2015/2016 budget allocation for festival funding has been exhausted. There is, however, funding available from the Major Events Attractions budget should Council wish to proceed with the recommended donation in this financial year.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

33 [CS-CM] Monthly Investment and Section 94 Development Contribution Report for Period ending 31 March 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 **\$245,195,190** invested as at **31 March 2016** and the accrued net return on these funds was **\$682,115** or **3.33%** 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 March 2016 totalling \$245,195,190 be received and noted.

REPORT:

1. Restricted Funds as at 1 September 2015

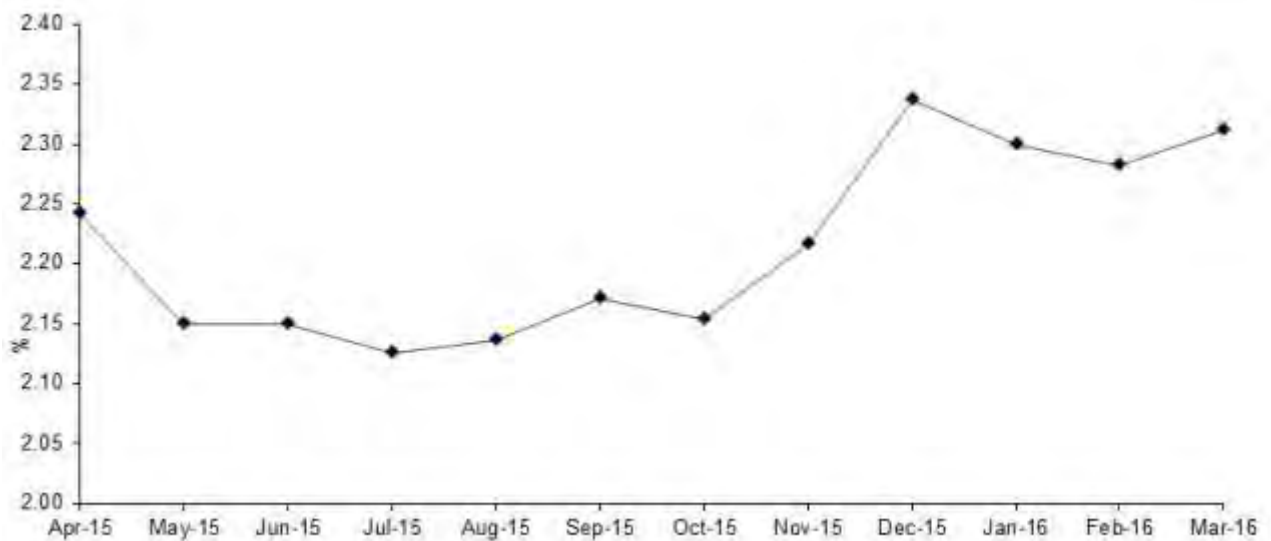
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
Externally Restricted (Other)	4,010	32,944	61,499	98,453
Crown Caravan Parks	18,283			18,283
Developer Contributions	26,759	2,651		29,410
Domestic Waste Management	13,981			13,981
Grants	2,923			2,923
Internally Restricted (Other)	43,083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

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

2. Investment Portfolio by Category



3. Investment Rates - 90 Day Bank Bill Rate



4. Bond and Floating Rate Note Securities

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
NAB (06/16)	2,000,000.00	2,006,320.00	3.49	FRN	21-Jun-16
CBA (08/16)	1,000,000.00	1,008,630.00	3.45	FRN	02-Aug-16
ING Bond(RBS) (08/16)	1,000,000.00	1,009,440.00	4.25	Fixed Rate Bond	23-Aug-16
Suncorp Covered (RIMSEC) (12/16)	2,000,000.00	2,057,020.00	4.75	Fixed Rate Bond	06-Dec-16
Westpac (RBS) (02/17)	1,000,000.00	1,015,300.00	3.93	FRN	20-Feb-17
CUA (03/17)	1,000,000.00	1,002,330.00	3.62	FRN	20-Mar-17
CUA (03/17) (CBA)	1,000,000.00	1,002,330.00	3.62	FRN	20-Mar-17
Bendigo (RBS) (05/17)	3,000,000.00	3,025,980.00	3.49	FRN	17-May-17
AMP (RIMSEC) (05/17)	2,500,000.00	2,521,100.00	3.39	FRN	29-May-17
Heritage (RBS/RIMSEC) (06/17)	2,500,000.00	2,593,750.00	7.25	Fixed Rate Bond	20-Jun-17
ME Bank (ANZ) (11/17)	1,000,000.00	1,001,470.00	3.29	FRN	17-Nov-17
CUA (12/17) ANZ	1,000,000.00	1,000,110.00	3.51	FRN	22-Dec-17
CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,711,600.00	7.17	Fixed Rate Bond	22-Jan-18

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	NPBS (Morgans) (02/18)	1,000,000.00	997,100.00	3.23	FRN	27-Feb-18
*	ME Bank (04/18)	1,000,000.00	1,010,050.00	3.59	FRN	17-Apr-18
*	Heritage (Morgans) (05/18)	2,000,000.00	2,000,740.00	3.43	FRN	07-May-18
*	Heritage (Westpac) (05/18)	1,000,000.00	1,000,370.00	3.43	FRN	07-May-18
	AMP (Morgans) (6/18)	1,000,000.00	1,001,570.00	3.18	FRN	06-Jun-18
*	BOQ (06/18)	1,000,000.00	1,029,330.00	4.00	Fixed Rate Bond	12-Jun-18
*	BOQ (06/18)	1,000,000.00	999,790.00	3.34	FRN	12-Jun-18
	Rabo (RBS) (09/18)	1,000,000.00	1,000,700.00	3.43	FRN	25-Sep-18
	CBA (CBA) (10/18)	2,000,000.00	2,012,800.00	3.07	FRN	19-Oct-18
	Macquarie (ANZ) (10/18)	1,000,000.00	1,003,250.00	3.33	FRN	26-Oct-18
	ANZ (11/18)	1,000,000.00	1,006,640.00	3.16	FRN	06-Nov-18
*	Bendigo (RBS) (11/18)	1,000,000.00	1,010,040.00	3.56	FRN	14-Nov-18
	Westpac (JP Morgans) (02/19)	2,000,000.00	2,010,280.00	3.23	FRN	25-Feb-19
*	Suncorp (04/19)	2,000,000.00	2,017,660.00	3.37	FRN	23-Apr-19
	CBA Bond (04/19)	1,000,000.00	1,055,710.00	4.25	Fixed Rate Bond	24-Apr-19
	CBA (04/19)	1,000,000.00	1,005,520.00	3.15	FRN	24-Apr-19
*	Suncorp (CBA) (08/19)	1,000,000.00	999,940.00	3.22	FRN	20-Aug-19
	CBA (10/19)	2,000,000.00	2,005,400.00	3.14	FRN	18-Oct-19
*	Suncorp (11/19)	1,000,000.00	996,180.00	2.99	FRN	05-Nov-19
*	BOQ (11/19)	2,000,000.00	1,995,020.00	3.35	FRN	06-Nov-19
	Rabo (Morgans) (02/20)	2,000,000.00	1,990,520.00	3.33	FRN	11-Feb-20
	Macquarie (RIMSEC) (03/20)	2,000,000.00	1,989,400.00	3.41	FRN	03-Mar-20
	ANZ (04/20)	1,600,000.00	1,599,840.00	3.11	FRN	17-Apr-20
*	ANZ Green Bond (06/20)	2,000,000.00	2,025,740.00	3.25	Fixed Rate Bond	03-Jun-20
	CBA (07/20)	2,000,000.00	2,004,180.00	3.19	FRN	17-Jul-20
*	Westpac (07/20)	2,000,000.00	2,004,000.00	3.18	FRN	28-Jul-20
	Bendigo (Westpac) (08/20)	1,000,000.00	993,940.00	3.39	FRN	18-Aug-20
*	Bendigo (Westpac) (08/20)	3,000,000.00	2,981,820.00	3.39	FRN	18-Aug-20

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
* Bendigo (Westpac) (08/2020)	2,000,000.00	1,987,880.00	3.39	FRN	18-Aug-20
* Suncorp (NAB) (08/20)	3,000,000.00	3,018,390.00	3.53	FRN	20-Oct-20
* Westpac (WBC)	1,000,000.00	1,007,620.00	3.36	FRN	28-Oct-20
CBA (01/21)	1,000,000.00	1,010,950.00	3.44	FRN	18-Jan-21
Rabo (ANZ) (03/2021)	2,000,000.00	2,009,440.00	3.82	FRN	04-Mar-21
	73,600,000.00	73,737,190.00	3.62		
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
* MEB (Jul 2016)	04-Mar-14	07-Mar-17	07-Mar-17	2,000,000.00	4.15
Rabo (RIMSEC) (Feb 2018)	22-Sep-14	21-Sep-17	21-Sep-17	1,000,000.00	4.00
NAB (Aug 2016)	13-Jan-15	15-Jan-19	15-Jan-19	1,000,000.00	4.00
Gateway CU (RIMSEC) (June 2016)	03-Feb-15	07-Feb-17	07-Feb-17	1,000,000.00	3.50
Rabo Bank (Mar 2017) (RIMSEC)	19-May-15	19-May-16	19-May-20	2,000,000.00	3.41
Rural Bank (Curve) (Mar 2016)	20-May-15	20-May-16	24-May-16	3,000,000.00	4.00
NAB (Dec 2019)	01-Jul-15	05-Jul-16	05-Jul-16	1,000,000.00	3.00
* IMB (Jan 2020)	28-Jul-15	26-Jul-16	26-Jul-16	1,000,000.00	5.40
* Suncorp (Mar 2016)	29-Jul-15	29-Jul-16	26-Jul-16	2,000,000.00	3.71
* Bendigo (Curve) (Feb 2017)	05-Aug-15	08-Aug-16	08-Aug-17	2,000,000.00	3.00
* Suncorp (Oct 2016)	07-Aug-15	07-Aug-16	13-Aug-19	2,000,000.00	4.30
Rural Bank (Curve) (Mar 2016)	11-Aug-15	10-May-16	10-May-16	3,000,000.00	2.90
* BOQ (Aug 2016)	11-Aug-15	06-Aug-16	08-Aug-17	3,000,000.00	3.00

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	CUA (Aug 2016)	11-Aug-15	06-Aug-16	08-Aug-17	1,000,000.00	3.00
	Rabo (Curve) (Aug 2018)	19-Aug-15	18-Aug-16	20-Feb-18	3,000,000.00	3.00
	NAB (Sept 2016)	21-Aug-15	21-Aug-16	21-Aug-18	2,000,000.00	4.10
*	Bendigo Bank (March 2017)	25-Aug-15	24-Aug-16	25-Aug-20	2,000,000.00	3.00
	QLD PCU (RIMSEC) (Mar 2016)	26-Aug-15	26-Aug-16	28-Aug-18	3,000,000.00	3.00
	Defence Bank (Curve) (Oct 2017)	01-Sep-15	03-Sep-16	03-Sep-19	1,000,000.00	4.15
	RaboDirect (Curve) (Nov 2016) annual interest	01-Sep-15	01-Sep-16	03-Sep-19	1,000,000.00	4.05
*	Bendigo Bank (Curve) (April 2017)	03-Sep-15	05-Sep-16	04-Sep-18	1,000,000.00	3.05
	NAB (Feb 2020)	04-Sep-15	04-Sep-16	06-Sep-16	4,000,000.00	4.25
*	Bankwest (Mar 2016)	08-Sep-15	07-Jun-16	07-Jun-16	2,000,000.00	2.86
*	BOQ (Aug 2016)	08-Sep-15	14-Mar-17	14-Mar-17	1,000,000.00	2.80
*	BOQ (Aug 2017)	13-Oct-15	13-Oct-16	18-Apr-17	2,000,000.00	3.00
	Rabo Bank (Curve) (Aug 2018)	27-Oct-15	26-Oct-16	24-Oct-17	1,000,000.00	3.00
	CBA May (2020)	11-Nov-15	22-Nov-16	22-Nov-16	1,000,000.00	6.30
*	Bendigo Bank (Sept 2019)	26-Nov-15	26-Nov-16	03-Jul-18	3,000,000.00	3.10
*	Investec (RIMSEC) (Jun 2016)	01-Dec-15	31-May-16	31-May-16	3,000,000.00	3.05
	NAB (May 2016)	08-Dec-15	13-Dec-16	13-Dec-16	3,000,000.00	3.76
*	BOQ (Feb 2016)	15-Dec-15	18-Dec-17	18-Dec-17	2,000,000.00	3.15
	Maitland MBS (RIMSEC) (Mar 2016)	24-Dec-15	19-Apr-16	19-Apr-16	5,000,000.00	3.05
*	Auswide Bank Bank (Dec 2016)	06-Jan-16	06-Apr-16	06-Jan-20	1,000,000.00	3.33
*	BOQ (Mar 2016)	07-Jan-16	07-Apr-16	07-Apr-16	2,000,000.00	3.62
	P&N Bank (RIMSEC) (Sept 2017)	11-Jan-16	11-Apr-16	12-Jan-21	6,000,000.00	3.43
*	Auswide Bank (RIMSEC) (Mar 2016)	12-Jan-16	12-Jul-16	12-Jul-16	2,000,000.00	3.10

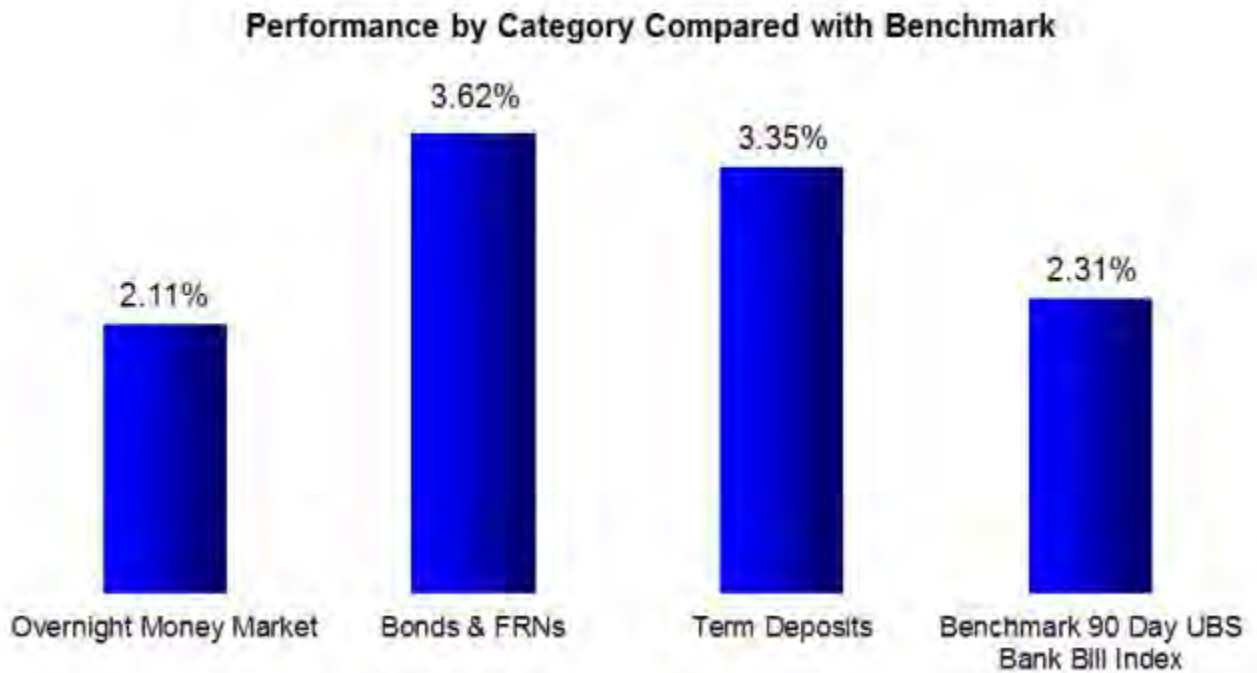
	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	Big Sky BS	18-Jan-16	18-Apr-16	21-Jan-20	2,000,000.00	3.75
	NAB (Mar 2016)	19-Jan-16	19-Jul-16	19-Jul-16	2,000,000.00	3.10
*	Suncorp (Sept 2015)	19-Jan-16	17-Jan-17	17-Jan-17	2,000,000.00	3.10
	RaboDirect (RIMSEC) (Mar 2016) annual interest	25-Jan-16	26-Apr-16	26-Jul-16	2,000,000.00	3.37
*	Suncorp (Oct 2016)	29-Jan-16	29-Apr-16	29-Jan-19	2,000,000.00	3.14
*	MEB (Curve) (Mar 2016)	03-Feb-16	03-May-16	03-May-16	1,000,000.00	3.10
*	Westpac (Jan 2016)	03-Feb-16	09-Aug-16	09-Aug-16	2,000,000.00	3.05
*	Auswide Bank (Curve) (Feb 2017)	03-Feb-16	03-May-16	03-Feb-20	1,000,000.00	3.70
*	Auswide Bank (RIMSEC) (Aug 2016)	05-Feb-16	05-May-16	06-Nov-17	1,000,000.00	3.14
*	Westpac (Apr 2016) quarterly interest	08-Feb-16	09-Aug-16	09-Aug-16	5,000,000.00	3.10
	NAB (Mar 2016)	09-Feb-16	17-May-16	17-May-16	2,000,000.00	3.00
*	Bankwest (Jun 2016)	09-Feb-16	11-Aug-16	14-Feb-17	2,000,000.00	2.95
*	BOQ (Jan 2016)	10-Feb-16	14-Feb-17	14-Feb-17	1,000,000.00	3.40
*	CUA (Curve) (Feb 2017)	11-Feb-16	11-May-16	11-Feb-20	1,000,000.00	3.23
	RaboDirect (Curve) (Feb 2017) annual interest	12-Feb-16	12-May-16	12-Feb-20	2,000,000.00	3.43
*	Bendigo Bank (Feb 2018)	15-Feb-16	13-May-16	13-Feb-20	1,000,000.00	3.19
	CBA (Feb 2020)	16-Feb-16	18-Oct-16	18-Oct-16	4,000,000.00	3.00
*	Westpac (Aug 2020)	16-Feb-16	16-Feb-17	13-Feb-18	3,000,000.00	3.10
	Rural Bank (Curve) (Jul 2016)	17-Feb-16	14-Feb-17	14-Feb-17	2,000,000.00	3.05
	ING (Curve) (Feb 2017)	19-Feb-16	19-May-16	19-May-20	1,000,000.00	3.15
*	Bendigo Bank (Dec 2017)	19-Feb-16	18-May-16	18-Feb-21	2,000,000.00	3.45
*	BOQ (Jan 2016)	21-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.20
	NAB (Oct 2016)	23-Feb-16	28-Jun-16	28-Jun-16	1,000,000.00	3.00
*	Suncorp (Apr 2016)	23-Feb-16	23-Aug-16	23-Aug-16	4,000,000.00	3.10

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Westpac (Feb 2016)	23-Feb-16	25-Oct-16	25-Oct-16	2,000,000.00	3.00
	CBA May (2020)	23-Feb-16	25-Oct-16	25-Oct-16	2,000,000.00	3.00
	RaboDirect (Curve) (Jul 2016)	25-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.10
	NAB (Jan 2020)	26-Feb-16	23-Aug-16	23-Aug-16	2,000,000.00	3.15
*	Investec (July 2016)	01-Mar-16	23-Aug-16	23-Aug-16	2,000,000.00	3.05
	ING (RIMSEC) (Jan 2019)	01-Mar-16	23-Aug-16	23-Aug-16	3,000,000.00	3.00
*	Police CU SA (May 2016)	01-Mar-16	30-Aug-16	30-Aug-16	1,000,000.00	3.10
	Rabo Bank (Curve) (Sept 2019)	01-Mar-16	06-Mar-18	06-Mar-18	2,000,000.00	3.13
	NAB (May 2020) annual interest	08-Mar-16	04-Oct-16	04-Oct-16	4,000,000.00	3.10
*	BOQ (Aug 2015)	08-Mar-16	07-Mar-17	07-Mar-17	1,000,000.00	3.05
	BOQ (Sept 2016) quarterly interest	10-Mar-16	14-Jun-16	14-Jun-16	1,000,000.00	3.43
*	BOQ (Mar 2016) annual interest	15-Mar-16	19-Jul-16	19-Jul-16	1,000,000.00	3.09
	RaboDirect (Curve) (Aug 2019)	16-Mar-16	14-Mar-17	14-Mar-17	4,000,000.00	3.25
	BCU (Curve) (Feb 2017)	17-Mar-16	17-Jun-16	17-Mar-20	2,000,000.00	3.37
	AMP (RIMSEC) (May 2016)	21-Mar-16	20-Jun-16	20-Sep-16	2,000,000.00	3.62
*	Bankwest (May 2016)	21-Mar-16	21-Apr-16	18-Oct-16	2,000,000.00	3.03
	Rabo (Curve) (Jul 2018)	21-Mar-16	20-Jun-16	17-Dec-19	2,000,000.00	3.37
*	IMB (Nov 2017)	22-Mar-16	13-Sep-16	13-Sep-16	1,000,000.00	3.10
	ING (RIMSEC) (Feb 2020)	22-Mar-16	20-Sep-16	20-Sep-16	4,000,000.00	3.05
Total					162,000,000.00	3.35
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				

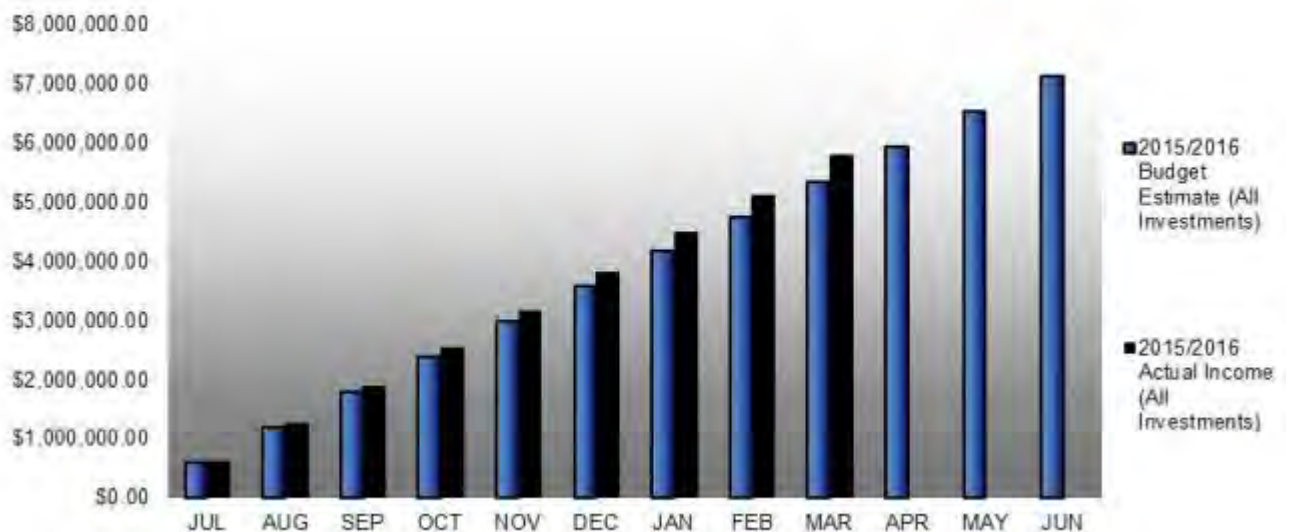
6. Ethical Investments

- * Ethical Financial Institutions highlighted **\$117,529,044** which represents **47.93%** of the total portfolio
Source: Australian Ethical - www.australianethical.com.au

7. Performance by Category



8. Total Portfolio Income v Budget



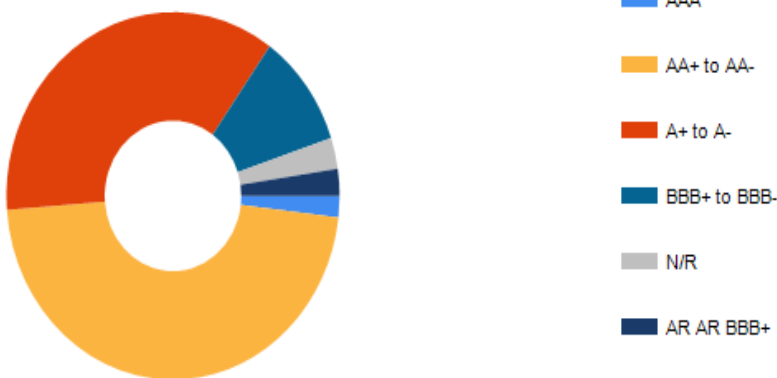
9. Investment Policy Diversification and Credit Risk

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%	0.84%	A-1+	100%	13.65%
AA Category	100%	21.00%	A-1	100%	8.56%
A Category	60%	16.14%	A-2	60%	22.44%
BBB Category	20%	4.49%	A-3	0%	0.00%
Unrated	10%	2.28%	Unrated	10%	10.60%

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	45.09%	Minimum 40%
More than 365 days and less than 3 years	29.75%	Maximum 60%
3 years and less than 5 years	25.16%	Maximum 35%
Total	100.00%	

Market Value by Term Remaining

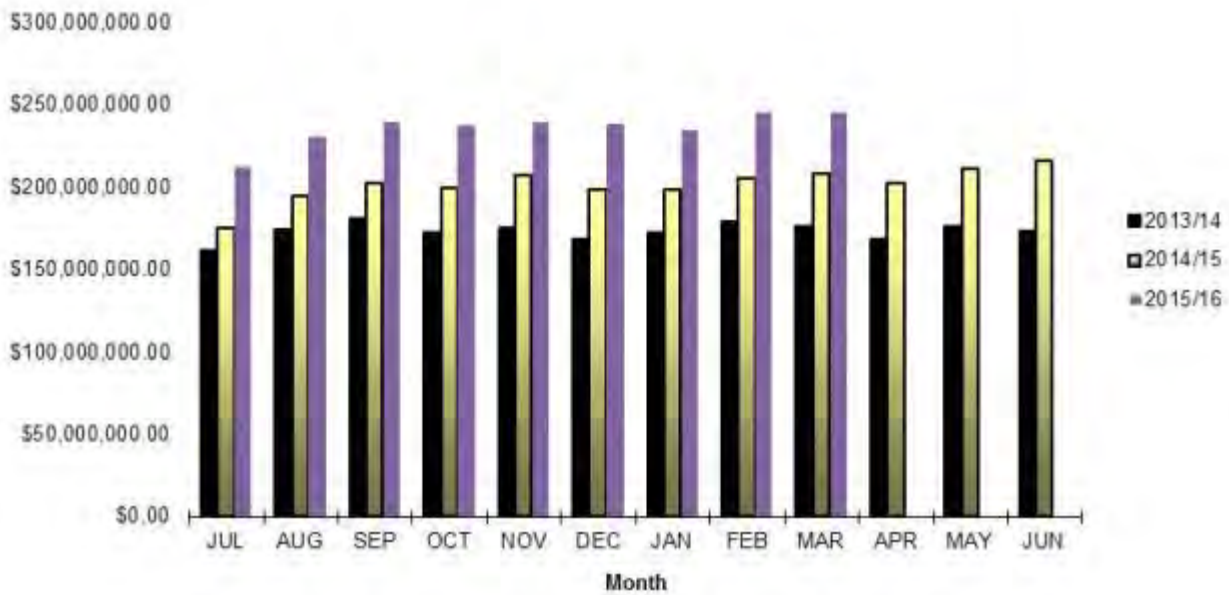


11. Investment Alternatives Explained

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
At Call Cash	At Call	Immediate to a few months	Highly liquid - same day access to funds with no impact on capital	Not a capital growth asset
			Highly secure as a bank deposit	Underperforms other asset classes in the long term
Bank Bill	1 - 180 days	Less than 1 year	Highly liquid - same day access to funds, usually with no or minimal impact on capital	Not a growth asset
			Highly secure (bank risk)	Underperforms other asset classes in the long term
				May incur a small loss for early redemption
Term Deposit	Up to 5 years	Less than 2 years	Liquid - same day access to funds	Will incur a small capital loss for early termination
			Highly secure as a bank deposit	Underperforms growth assets in the longer term
Floating Rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses if sold ahead of maturity and market interest rates have risen
			Coupon interest rate resets quarterly based on 90 day bank bill swap rate	Credit exposure to company issuing the paper
			Relatively liquid	May not be bank guaranteed

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
			Less administration than bank bills	Underperforms other asset classes in the long term
Fixed Rate/Bond	1 - 5 years	Greater than 3 years	Can accrue capital gain if sold before maturity and market interest rates have fallen	Can incur capital losses if sold before maturity and market interest rates have risen
			Fixed return - semi annual coupons	Credit exposure to company issuing paper
			Generally liquid	
			Can be government or corporate issuer	

12. Monthly Comparison of Total Funds Invested



13. Section 94 Developer Contributions - Monthly Balances & Receipts

Contribution Plan	Plan Description	End of Month Balance	Contributions Received for Month
1	DCP3 Open Space	4,300,222	
2	Western Drainage	611,779	
3	DCP3 Community Facilities	1,656	
4	TRCP Road Contributions	12,550,511	91,207
5	Open Space	301,254	4,718
6	Street Trees	188,159	
7	West Kingscliff	501,158	2,270
10	Cobaki Lakes	-1,370	
11	Libraries	1,965,602	5,094
12	Bus Shelters	93,427	390
13	Cemeteries	73,718	744
14	Mebbin Springs	91,560	
15	Community Facilities	1,165,137	8,445
16	Surf Lifesaving	391,151	
18	Council Administration/Technical Support	1,307,798	11,715
19	Kings Beach	727,418	
20	Seabreeze Estate	764	
21	Terranora Village	32,964	
22	Cycleways Shirewide	285,894	2,874
23	Carparking Shirewide	1,252,339	
25	SALT	1,103,067	
26	Open Space Shire wide	746,599	29,919
27	Tweed Heads Masterplan	178,360	
28	Seaside City	225,860	
91	DCP14	109,574	
92	Public Reserve Contributions	137,363	
95	Bilambil Heights	535,822	
	Total	28,877,785	157,376

14. Economic Commentary

Australian and World Economy and Cash Rate

The Reserve Bank of Australia (RBA) met on 5 April and again decided to leave the cash rate unchanged at 2 per cent.

Recent information suggests that 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 generally increased a little recently, but this follows very substantial declines over the past couple of years. Australia's terms of trade remain much lower than they had been in recent years.

Sentiment in financial markets has improved recently after a period of heightened volatility. However, uncertainty about the global economic outlook and policy settings among the major jurisdictions continues. Funding costs for high-quality borrowers remain very low and, globally, monetary policy remains remarkably accommodative.

In Australia, the available information suggests that the economy is continuing to rebalance following the mining investment boom. Consistent with developments in the labour market, overall GDP growth picked up over 2015, despite the contraction in mining investment. The pace of lending to businesses has also picked up.

Inflation is quite low. Recent information has confirmed that growth in labour costs remains quite subdued. Given this, and with inflation also restrained elsewhere in the world, inflation in Australia 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 supervisory measures are working to emphasise prudent lending standards and so to contain risks in the housing market.

The Australian dollar has appreciated recently. In part, this reflects some increase in commodity prices, but monetary developments elsewhere in the world have also played a role. Under present circumstances, an appreciating exchange rate could complicate the adjustment under way in the economy.

At their meeting, the Board judged that there were reasonable prospects for continued growth in the economy, with inflation close to target. The Board therefore decided that the current setting of monetary policy remained appropriate.

Over the period ahead, new information should allow the Board to assess the outlook for inflation and whether the improvement in labour market conditions evident last year is continuing. Continued low inflation would provide scope for easier policy, should that be appropriate to lend support to demand.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with approximately 70% of the portfolio held in cash and term

deposits . Term deposits and bonds are paying just above average margins over the 90 day bank bill rate.

Bank demand for term deposit funds has increased during the second half of the 2015/16 financial year due to limited availability of wholesale funding, increased cost of wholesale funding and new banking capital requirements. This demand for funds is highlighted by the lowering of many "at call" rates to less than the RBA cash rate and increased margins above the 90 day bank bill benchmark for term deposits. Compressed margins for term deposits are not expected to continue further into 2016 as banks requirement for depositors funds begins to increase.

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

All investment categories, except cash at call, out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from higher yielding bonds and term deposits purchased before interest rate margins began contracting. Overall, the investment portfolio has returned an average 0.71% 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	13,482,590.00	
FLOATING RATE NOTES	60,254,600.00	
ASSET BACKED SECURITIES	0.00	
FUND MANAGERS	0.00	
TERM DEPOSITS	49,000,000.00	
CALL ACCOUNT	9,458,000.00	132,195,190.00

WATER FUND

TERM DEPOSITS	46,000,000.00	
FUND MANAGERS	0.00	46,000,000.00

SEWERAGE FUND

TERM DEPOSITS	67,000,000.00	
FUND MANAGERS	0.00	67,000,000.00

TOTAL INVESTMENTS		245,195,190.00
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It should be noted that the General Fund investments of \$132 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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

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



Responsible Accounting Officer
Manager Financial Services
Tweed Shire Council

OPTIONS:

Not Applicable.

CONCLUSION:

Not Applicable.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

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

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

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

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

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

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

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

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

ORDERS OF THE DAY



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

34 [NOM] Knox Park Toilet Facilities

NOTICE OF MOTION:

Councillor G Bagnall moves that Council accelerates the funding for the replacement of the two existing toilet facilities with a new facility at Knox Park as included within the masterplan.

Councillor's Background Notes

Recommended Priority:

High.

Description of Project:

Toilet facilities as included in the Knox Park Masterplan

Management Comments:

The new toilet facility, and the demolition of existing facilities, included within the Knox Park masterplan is estimated to cost \$400,000.

Residual funding from other toilet construction projects along with the 2015/16 allocation totals approximately \$200,000. An additional \$200,000 will need to be sourced for this project to proceed.

As outlined below the additional funds required for the new toilet facility are not included in the current 2015/16 or the draft 2016/17 budget being considered at the April 2016 Council meeting.

It is recommended that staff investigate possible savings from the 2015/16 budget at year end to source the additional funding requirements.

Delivery Program:

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

Budget/Long Term Financial Plan:

The additional funds required for the new toilet facility are not included in the current 2015/16 or the draft 2016/17 budget being considered at the April 2016 Council meeting.

Legal Implications:

Nil.

Policy Implications:

Nil.

35 [NOM] Frangela Reserve Flying Fox Camp

NOTICE OF MOTION:

Councillor G Bagnall moves that Council undertakes the following actions to assist the residents surrounding the Frangela Reserve Flying Fox Camp:

- **Install signage to inform users of the reserve of the presence of the flying foxes and how to deal with dead or injured animals.**
- **Review and, where necessary, update the current Council website information.**
- **Compile and distribute Community Information Packs, inclusive of information to address public health concerns raised.**

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Council staff from both Natural Resource Management and Environmental Health met with representatives of the Frangela Reserve community affected by the presence of the FF camp.

Discussions revealed the community lacked information or were the subject of misinformation regarding health risks. The provision of accurate information may assist to increase community tolerance to the presence of the camps.

The actions listed within the motion are considered reasonable and are actions that were agreed to at the meeting.

In addition staff will consult with the Office of Environment and Heritage (OEH) whether some minor vegetation management may be undertaken without having to apply for approval with OEH.

Council officers have commenced implementation of the agreed actions.

Delivery Program:

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.2 Conserve native flora and fauna and their habitats
 - 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire
-

Budget/Long Term Financial Plan:

The actions may be delivered within the current budget allocations and resources of Natural Resource Management and Environmental Health Sections.

Legal Implications:

Nil

Policy Implications:

Council does not have a policy that outlines the actions officers should take where concerns are raised regarding flying fox camps.

36 [NOM] Management of Flying Foxes

NOTICE OF MOTION:

Councillor G Bagnall moves that:

- 1. A report be brought forward that overviews the challenges and opportunities faced by Tweed Shire Council and its community for the management of flying foxes within Tweed Shire with regards to the NSW Office of Environment and Heritage Policy 2015, Flying-Fox Camp Management Policy and draft new templates.**
- 2. The report to include an overview of the existing camps within the Shire:**
 - Population numbers;**
 - Camp locations and activities;**
 - Potential health risks; and**

and shall also address:

- Identify potentially suitable for flying fox camps outside of urban areas,**
- Limiting impacts on neighbouring houses,**
- Appropriate signage.**

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

The impact caused by Flying Fox camps, that are relocating in close proximity to residential areas is increasing, with complaints including noise, odour and the impact on droppings on cars and water tanks. There is also concern about health risk, especially as flying foxes are a known carrier of Hendra virus and lyssavirus, however, the incidence of human infections as a result of flying fox camps is very rare.

There are 10 currently active flying-fox camps in the Shire and these are monitored quarterly as part of the National Flying Fox Monitoring Program. Of these 10, about half have been identified by some community members impacting on their amenity.

Council needs to be able to respond to calls from the Tweed Shire community to deliver camp management plans (CMPs) and other strategies for any flying-fox management, quickly and capably, so the community has confidence in Council in such matters.

It is agreed that a comprehensive report be compiled and presented to Council to provide the background, details and implications of camp management plan/s, as well as information on current camp locations, population numbers and potential health risks.

Note: The information to be included within the report is generally readily obtainable and could be brought back to the June Council Meeting for further consideration.

Background

In 2015 the NSW Office Environment and Heritage released the Flying-fox Camp Management Policy. The Policy provides guidance to land managers, to work with their local communities to manage the impacts of FF camps on affected surrounding communities. The policy provides the framework within which the OEH will make regulatory decisions but does not have precedence over the regulatory provisions of the Commonwealth Environment Protection and Biodiversity Conservation Act or the State, National Parks and Wildlife Act and the, Threatened Species Conservation Act.

The approach to developing camp management plans include:

- Overview: establishing objectives, purpose and intent
- Context: camp area, history, land classification, stakeholders
- Community considerations/community consultation
- Ecological considerations
- Identifying camp management actions
- Assessment of impacts
- Implementation

The development of camp management plans has a strong community engagement basis will assist Council to understand and address impacts on the community while working within a strict regulatory framework that is not regulated by local government.

Frangela Reserve

Currently, Council staff assist the NSW Office of Environment and Heritage and CSIRO to monitor flying fox camps in the Tweed.

Council first started to monitor the Frangela Camp in November 2013. 123 animals were counted at that time. Counting was generally conducted quarterly thereafter as follows:

2014		2015		2016	
Month	No.	Month	No	Month	No
February	0	February	0	February	640
May	127	May	0		
August	Not surveyed	August	430		
November	Approx 200	November	Approx. 500		

NB: Council staff believe the number of animals within the camp is generally at a maximum due to the current vegetation available.

The Frangela Reserve camp has both black and grey headed flying foxes. Both species are protected native species; with the grey headed flying fox also having threatened species status at the Federal level.

Further, Council currently has before it for consideration a petition regarding the camp at Frangela Reserve and two local residents have been put forward as representatives for the community and have met with Council officers in recent weeks.

The management of camps to reduce impacts raised by some surrounding residents is a very complex issue and there is no quick fix. A comprehensive plan forward is needed.

Action being taken at Frangela Reserve

Council is currently taking action at Frangela Reserve to assist impacted residents by:

- Organising the installation of signage to inform users of the reserve of the presence of the flying foxes and how to deal with dead or injured animals.
- Reviewing and, where necessary, updating the current Council website information.
- Compiling and distribute Community Information Packs, inclusive of information to address public health concerns raised.
- Investigating whether minor vegetation trimming may occur without State triggering State approval processes

NB: Council is also exploring if we can undertake selective vegetation management that may provide some immediate community benefit for those most impacted.

Delivery Program:

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.2	Conserve native flora and fauna and their habitats
4.2.1	Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire

Budget/Long Term Financial Plan:

The report can be delivered within the current budget allocations and resources of Natural Resource Management/Environmental Health sections and will include a budget analysis of all options for consideration.

Legal Implications:

Commonwealth Environment Protection and Biodiversity Conservation Act as the Grey headed flying fox is protected and can be found all 10 camps in the Tweed.

Policy Implications:

Council does not have a policy that outlines the actions officers should take where concerns are raised regarding flying fox camps.

37 [NOM] Flying Fox Management Plan

NOTICE OF MOTION:

Councillor W Polglase moves that Council officers, in conjunction with the residents of Frangela Reserve area, prepares a management plan to address the flying fox issues.

Issues to be addressed:

- a) How to eliminate or control flying foxes;
- b) To consider preventative measures to control the flying foxes; and
- c) Report be prepared for Council to endorse the actions of the management plan.

Note: This management Plan if endorsed by Council could be a future plan to address the flying fox issues in other areas in the Tweed Shire.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil

Management Comments:

The impact caused by Flying Fox camps, that are relocating in close proximity to residential areas is increasing, with complaints including noise, odour and the impact on droppings on cars and water tanks. There is also concern about health risk, especially as flying foxes are a known carrier of Hendra virus and lyssavirus, however, the incidence of human infections as a result of flying fox camps is very rare.

There are 10 currently active flying-fox camps in the Shire and these are monitored quarterly as part of the National Flying Fox Monitoring Program. Of these 10, about half have been identified by some community members impacting on their amenity.

Council needs to be able to respond to calls from the Tweed Shire community to deliver camp management plans (CMPs) and other strategies for any flying-fox management, quickly and capably, so the community has confidence in Council in such matters.

It is agreed that a comprehensive report be compiled and presented to Council to provide the background, details and implications of camp management plan/s, as well as information on current camp locations, population numbers and potential health risks.

Note: The information to be included within the report is generally readily obtainable and could be brought back to the June Council Meeting for further consideration.

Background

In 2015 the NSW Office Environment and Heritage released the Flying-fox Camp Management Policy. The Policy provides guidance to land managers, to work with their local communities to manage the impacts of FF camps on affected surrounding communities. The policy provides the framework within which the OEH will make regulatory decisions but does not have precedence over the regulatory provisions of the Commonwealth Environment Protection and Biodiversity Conservation Act or the State, National Parks and Wildlife Act and the, Threatened Species Conservation Act.

The approach to developing camp management plans include:

- Overview: establishing objectives, purpose and intent
- Context: camp area, history, land classification, stakeholders
- Community considerations/community consultation
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- Identifying camp management actions
- Assessment of impacts
- Implementation

The development of camp management plans has a strong community engagement basis will assist Council to understand and address impacts on the community while working within a strict regulatory framework that is not regulated by local government.

Frangela Reserve

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The management of camps to reduce impacts raised by some surrounding residents is a very complex issue and there is no quick fix. A comprehensive plan forward is needed.

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Council is currently taking action at Frangela Reserve to assist impacted residents by:

Organising the installation of signage to inform users of the reserve of the presence of the flying foxes and how to deal with dead or injured animals.

- Reviewing and, where necessary, updating the current Council website information.
- Compiling and distribute Community Information Packs, inclusive of information to address public health concerns raised.
- Investigating whether minor vegetation trimming may occur without State triggering State approval processes

NB: Council is also exploring if we can undertake selective vegetation management that may provide some immediate community benefit for those most impacted.

Delivery Program:

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.2	Conserve native flora and fauna and their habitats
4.2.1	Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire

Budget/Long Term Financial Plan:

The report can be delivered within the current budget allocations and resources of Natural Resource Management/Environmental Health sections and will include a budget analysis of all options for consideration.

Legal Implications:

Commonwealth Environment Protection and Biodiversity Conservation Act as the Grey headed flying fox is protected and can be found all 10 camps in the Tweed.

Policy Implications:

Council does not have a policy that outlines the actions officers should take where concerns are raised regarding flying fox camps.

38 [NOM] Jack Evans Boat Harbour - Facilities

NOTICE OF MOTION:

Councillor W Polglase moves that a report be brought forward on opportunities, requirements and constraints for an aquatic recreation facility, similar in nature to those found at Southport and Airlie Beach to operate for a 3-6 month trial period at Jack Evans Boat Harbour.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

A report on this topic is included in the business paper for this meeting

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:

Nil.

Policy Implications:

Nil.

39 [NOM] "Take 3 for the Sea" - Clean Beach Initiative

NOTICE OF MOTION:

Councillor B Longland moves that Council considers supporting the clean beach initiative known as "Take 3 for the Sea" and brings back a report to a future meeting with recommendations for financial and/or in-kind assistance to local volunteers engaged in this innovative program aimed at reducing pollution of the marine environment.

Councillor's Background Notes

Recommended Priority:

Young volunteers, working through the surf lifesaving movement, are seeking to raise public awareness of the need to maintain clean beaches and the part they play in reducing marine pollution. The program is a State wide initiative and the local volunteers, through Cabarita and Cudgen Headland Surf Lifesaving Clubs, are working towards wider exposure of the initiative through the Shire.

Further details on www.take3.org.au.

Description of Project:

Nil.

Management Comments:

This is a community-led initiative and Council has provided assistance (financial and in-kind) to similar projects previously upon request by the lead organisation. It not considered that a report is required in this instance as the information provided below outlines how the local organisers of this initiative can request assistance from Council which will then be considered on its merits.

Financial assistance could be provided through the Community Sponsorship Policy 2016 and the annual request for funding submissions.

In-kind support may include:

- Rubbish collection and disposal from an organised event such as "Clean Up Australia Day".
- Promotion and editorial through the Tweed Link if in accordance with the Tweed Link Policy 2009.
- Any coordinating group can register contact details in Council's Community Directory

Any in-kind support requested would be considered by the relevant Unit and Division in the context of resources required.

Delivery Program:

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.1 Protect the environment and natural beauty of the Tweed
 - 4.1.3 Manage and regulate the natural and built environments
-

Budget/Long Term Financial Plan:

Financial support would be provided in accordance with the Community Sponsorship Policy adopted by Council on 17 March 2016. In-kind support would be assessed by the relevant Unit as to any resource implications from the request.

Legal Implications:

No legal implications anticipated.

Policy Implications:

As noted above, financial support could be provided in accordance with the Community Sponsorship Policy.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

40 [SUB-ADC] Minutes of the Australia Day Committee Meeting held Wednesday 3 February 2016

SUBMITTED BY: Acting Events and Festivals Officer

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Australia Day Committee Meeting held Wednesday 3 February 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Australia Day Committee Meeting held Wednesday 3 February 2016 be received and noted.

REPORT:

The Minutes of the Australia Day Committee Meeting held Wednesday 3 February 2016 are reproduced as follows for the information of Councillors.

Venue:

Oxley Meeting Room

Time:

10.10am

Present:

Committee: Alan Downes (Chair), Sue Breckenridge, Brian Breckenridge, Graham Jackson, Brian Goodall, Dot Holdom, Lloyd Warren, Wendy Warren

Ex-Officio: Kerrie McConnell

Guest: Liz Collyer, Director Corporate Services, Tweed Shire Council

Apologies:

Committee: Cr Katie Milne, Phil Kelly, John Murray

Minutes of Previous Meeting:

Moved: Sue Breckenridge

Seconded: Graham Jackson

RESOLVED that the Minutes of the Australia Day Committee meeting held Wednesday 6 January 2016 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Item from Meeting held 6 January 2016:

6. Committee Membership

This item will be dealt with at Item 3 of the Agenda.

Agenda Items:

1. Debrief on 2016 Australia Day Shire events

Lions Park, Kingscliff

Numbers were down early, however Alan was advised they increased later in the morning, with the planned activities well received. The Ambassador, George Ellis was also well received.

Tumbulgum

Planned activities were well received. Pleased to have George Ellis available to present the awards. Good response to the Ambassador's presence.

Burringbar

Great to have a strong official representation. Not as big as previous years but numbers still around 150-200. Good media coverage of the Burringbar Australia Day celebrations in the Tweed Valley Weekly.

2. Review deadline for Nominations for Australia Day Awards

A discussion was held on the current closing date for nominations being 1 December. It was agreed that the closing date should remain as 1 December, but the advice to schools, sporting organisations, etc take place earlier in the year.

It was suggested that the Tweed Shire Australia Day Awards Nomination Form be available for distribution/downloading during Local Government Week in August.

A discussion was also held on the current Award categories. A meeting would need to be held soon to determine these categories before the suggested distribution in August.

It was noted that a Notice of Motion for the inclusion of an additional Australia Day Award ('A Peace and Unity' Award) was lost at Council's meeting on 10 December 2015.

Moved: Dot Holdom

Seconded: Lloyd Warren

RESOLVED that nominations for the 2016 Tweed Shire Australia Day Awards close on 1 December 2016.

Moved: Dot Holdom

Seconded: Graham Jackson

RESOLVED that the 2016 Tweed Shire Australia Day Award categories be reviewed at a yet to be scheduled Tweed Australia Day Committee meeting.

3. Committee Membership

Liz Collyer referred the Committee to the Australia Day Committee's Terms of Reference (TOR) for discussion around 'Committee Structure' and 'Meeting time and frequency'.

It was suggested that the expressions of interest for community representation be renewed every four years in line with Council's term, not five years as stated in the TOR.

A discussion was held on the number of Tweed Shire events held on Australia Day and the requests for funding from Council, but no coordinated approach. It was agreed that increasing Committee numbers would not solve the problem rather the Committee needs to act as conduits to the community.

The Committee queried if those community associations that received funding to host an Australia Day event had to provide an acquittal. Kerrie McConnell responded yes and that some of those acquittals had already been received.

Liz Collyer advised that the Draft Sponsorship Policy is currently on exhibition and it is envisaged that the Australia Day funding would eventually fall under this Policy's criteria.

With regard to the meeting time and frequency it was noted the TOR stated 'approximately 3 – 4 times per annum' and the Committee felt they should meet at least four times a year and meetings continue to be determined meeting-by-meeting depending on the business to be discussed.

Liz Collyer left at 11am.

4. Meeting Regularity

This item was discussed earlier in the Agenda – refer Item 3.

5. Nominations open for National Australia Day Council's 2017 Awards

This item was not discussed.

General Business:

6. Kingscliff – Main Event

Dot Holdom read a letter to the Committee that she had forwarded to Liz Collyer, Director Corporate Services, Tweed Shire Council on Tuesday 26 January 2016 following the Australia Day Main Event held at Kingscliff High School hall. The letter, in part, related to the departure from the Official Program.

Some members of the Committee responded that they had also received comments from the public directly following the ceremony with regard to the departure from the Official Program and the Committee felt it was necessary for Councillors to be made aware of this.

Kerrie McConnell advised that she could not respond to the matters raised at this point in time because it was being reviewed and a formal response would be provided to Dot.

RECOMMENDATION:

That Council notes the Tweed Australia Day Committee's disappointment at the departure from the Main Event's Official Program at Kingscliff High School Hall on Australia Day, Tuesday 26 January 2016.

7. Vote of thanks

The Committee expressed their thanks to Kerrie McConnell for the assistance she has provided to the Committee in her Acting role.

Next Meeting:

The next meeting of the Australia Day Committee will be held Wednesday 16 March 2016 in the Mt Warning Meeting Room, commencing at 10.00am.

The meeting closed at 11.40am.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

6. Kingscliff – Main Event

That Council receives and notes the Minutes of the Australia Day Committee Meeting held Wednesday 3 February 2016.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference – Tweed Shire Australia Day Advisory Committee reviewed by Council at its meeting on 21 August 2012, Minute No. 534.

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.

41 [SUB-TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 10 February 2016

SUBMITTED BY: Natural Resource Management

Valid



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.4 Manage the Tweed coastline to ensure a balance between utilisation and conservation
 - 4.4.1 Recognise and accommodate natural processes and climate change
-

SUMMARY OF REPORT:

The Minutes of the Tweed Coastal Committee Meeting held Wednesday 10 February 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Tweed Coastal Committee Meeting held Wednesday 10 February 2016 be received and noted.

REPORT:

The Minutes of the Tweed Coastal Committee Meeting held Wednesday 10 February 2016 are reproduced as follows for the information of Councillors.

Venue:

Canvas & Kettle Meeting Room

Time:

1.10pm

Present:

Cr Barry Longland (Chair); Ben Fitzgibbon (Office of Environment and Heritage); Rhonda James (Restoration Industry); John Harbison (Mooball); Suzi Bourke (Cabarita Beach-Bogangar); Peter Sloan (Hastings Point); Tim Jack Adams (Kingscliff); Roger Graf (Fingal Head); Jane Lofthouse, Stewart Brawley (Tweed Shire Council).

Informal:

Cathey Philip (Minutes Secretary).

Apologies:

Cr Katie Milne; David Cranwell (Pottsville); Jason Pearson (Kingscliff); Pat Dwyer (Department of Primary Industries - Fisheries NSW); Tom Alletson, Marama Hopkins (Tweed Shire Council).

Not in Attendance:

Michael Munday (Bogangar).

Minutes of Previous Meeting:

Moved: Barry Longland

Seconded: Roger Graf

RESOLVED that the Minutes of the Tweed Coastal Committee meeting held Wednesday 9 December 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

BA1. Cane Farms

John asked for background on item regarding cane farms. Barry responded and advised that Michael Munday had concerns about the amount of land being used by cane farming. Barry concluded by saying that Council, through NRM, has strong sustainable farming objectives and was working successfully with the farming communities to improve land use practices and management.

Agenda Items:

A1. Preliminary Draft Kingscliff/Dreamtime Beach Coastal Zone Management Plan

Jane advised that as yet the draft has not arrived.

Jane intends to start talking about the plan before it goes out on exhibition. She explained a shopfront will be established at Kingscliff which will give the public the opportunity to comment.

A2. Kingscliff Foreshore Revitalisation Project

Barry advised the Committee that Stewart has been selected as the Project Manager for the project and that he will be working full time on this project for the next couple of years.

Stewart provided an update on the project and answered various questions from members. The project is in very early stages.

Jane advised that literature providing detailed information will be circulated in the near future.

There was a lengthy discussion on the project and its expected outcomes.

A3. NSW Coastal Policy Reform

Jane provided details around the mapping of 'Coastal Management Areas' as defined in the proposed Coastal Management State Environmental Planning Policy (SEPP) . Rhonda will provide information to Jane for distribution to the Committee.

Ben also provided information on the coastal reforms package.

A4. Tweed DuneCare Group

Jane advised that the group hadn't had a meeting since December. Rhonda raised a concern about an action by a contractor that carried out work well beyond that which was required.

Jane will arrange for John Turnbull to discuss with Rhonda.

General Business:

GB1. Tilapia

Cr Milne requested the Committee be advised of an article regarding the establishment of Tilapia on the Gold Coast.

Action Item: Pat Dwyer to provide an update on Tilapia in the Tweed Shire at a future meeting.

GB2. Sustainable Agriculture Strategy

Jane advised the draft action plan and strategy should go to Council in March for placing on public exhibition.

Action Item: Jane to bring copies of strategy to next meeting.

GB3. Tweed River Festival

Jane advised that Tumbulgum Village is celebrating its 150 years this year and it has been decided (at the request of the Tumbulgum community) to hold the Tweed River Festival on the Tumbulgum river bank on 12 and 13 November.

GB4. Camping on Lot 156 Hastings Point

Peter raised concerns about people camping over the summer on Lot 156 and requested information on the ownership of the lagoon.

Action Item: Jane took this on notice and will report back to next meeting.

GB5. Signs in Cudgera Creek

Peter advised that the interpretive signs in Cudgera Creek still need to be renewed/repaired.

Action Item: Jane to discuss with Tom.

GB6. Vegetation Signage at Fingal Head

Roger questioned whether the small sign that had been erected had any purpose as it was too small to be legible when driving past. Jane advised that a larger sign would have caused more damage to the vegetation and was therefore not desirable.

GB7. Wommin Lake

Roger asked who was responsible for management of activity on the Lake. Jane responded that as it's a tidal body, the bed of the Lake belongs to the Crown however the management of activity on the water is under the jurisdiction of Roads & Maritime Services.

GB8. Shark Management Strategy

Roger asked if Tweed Shire is doing anything about shark management and Jane advised that Council is not proposing to do anything different to the current arrangement.

GB9. Proposed Marine Protection of Rock Platform at Hastings Point

Roger asked for an update on the status on the project. Peter advised he was to do some investigation but this had not yet happened. Peter will contact the Hastings Point Marine Centre as soon as possible and will try to bring something back to a future meeting

GB10. Illegal Camping

John asked what is Council's process regarding illegal campers. Jane responded that she is unsure of Council's procedure and that Regulatory Services would be invited to a future meeting to discuss this issue.

Action Item: Nick Tzannes be invited to a future meeting.

Next Meeting:

The next meeting of the Tweed Coastal Committee will be held Wednesday 30 March 2016 at the Kingscliff Matters Shopfront, Marine Parade, Kingscliff.

The meeting closed at 2.15pm.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

Nil.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - reviewed 21 August 2012 (ECM2947539)

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.

42 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 17 February 2016

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 17 February 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Equal Access Advisory Committee Meeting held Wednesday 17 February 2016 be received and noted.

REPORT:

The Minutes of the Equal Access Advisory Committee Meeting held Wednesday 17 February 2016 are reproduced as follows for the information of Councillors.

Venue:

Banora Point Community Centre

Time:

10.00am

Present:

Milena Morrow (Chair); Una Cowdroy; Suzanne (Suzi) Hudson; Chris Vannucci, Bev Kelso, (Community Representatives); Cr Phil Youngblutt, Tracey Stinson; Anne McLean; Karen Collins; Alana Brookes, Robert Noakes, Gabby Arthur (Minutes) (Tweed Shire Council).

Apologies:

Wendy Gilbertt, Lee Clark (Community Representatives).

Minutes of Previous Meeting:

Moved: Chris Vannucci

Seconded: Suzi Hudson

RESOLVED that the Minutes of the Equal Access Advisory Committee meeting held Wednesday 16 December 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Karen advised that the Equal Access Advisory Committee Minutes of 16 December 2015 have not yet been adopted by Council.

Milena welcomed the members to the meeting and acknowledged the contribution made by Faye Druett to the Equal Access Advisory Committee.

Business Arising:

Nil.

Outstanding Matters Report

OM1. Designated Accessible Parking Bays (DAPBs) at Tweed Centro Shopping Centre
Karen advised that the letter to Tweed Centro Shopping Centre Management cannot be sent until the Minutes of 16 December 2015 have been adopted by Council. Once the Minutes have been adopted, Karen will forward the letter and will follow up with a meeting with Management at Tweed Centro Shopping Centre.

Action: Following adoption of the EAAC Minutes of 16 December 2015 by Council, letter to be sent to Tweed Centro Shopping Centre Management regarding non-compliance of DAPBs and requesting a meeting. Responsibility: Karen Collins.

OM2. Bus stop outside Kingscliff TAFE

Karen advised there is no update on this item. Alana and Karen will follow up at the Public and Active Transport Working Group meeting next week.

Action: *Item to be discussed at the Public and Active Transport Working Group meeting. Responsibility: Alana Brookes and Karen Collins.*

OM3. Large print menus and supermarket signage

Karen advised that she met with the Blind and Vision Support Group in February regarding the project. Karen advised that the *Providing Good Access in Retail Outlets* pamphlet will be updated to include suggestions of large print menus in cafés and signage in supermarket aisles, and uncluttered footpaths at entry to businesses. Karen will attend the Blind and Vision Support Group's next meeting. Suzi advised that Blind Citizens Australia is supportive of this initiative.

Karen advised that members of the Blind and Vision Support Group raised the issue of Designated Accessible Parking in Murwillumbah. Alana advised that the Traffic and Transport Unit has a student who is preparing a report in relation to car parks, including accessible car parks. Karen will meet with the student as a stakeholder and will encourage engagement with the community.

Karen noted the increased accessibility to some shops in Murwillumbah, which includes a Bank which has taken over the shop next door to create an access ramp. Ramps have also been included in some adjoining shop renovations.

Action: *Karen to attend the Blind and Vision Support Group's next meeting. Responsibility: Karen Collins.*

OM4. Ramp at PCYC, Tweed Heads

Due to safety issues associated with the construction of a ramp to the woodwork area, Karen advised she has provided Lifebridge with a risk assessment which needs to be considered. Lifebridge is now renting a separate space for woodworking, so participants aren't being disadvantaged.

OM5. Cultural Plan consultation- deferred until 2016

Karen advised that the Cultural Plan consultation will take around 90 minutes and sought advice as to whether the group would prefer a separate workshop or to add the consultation to the end of the next EAAC meeting. The EAAC agreed that a separate workshop would be preferred and requested Karen to email to them some suggested times for the workshop on 1 or 2 March 2016.

Action: *Karen to liaise with Kate Gahan and email to EAAC some suggested times for a 90 minute workshop on 1 or 2 March 2016 regarding the Cultural Plan. Responsibility: Karen Collins.*

OM6. Addressing Attacks on Guide Dogs by Other Dogs

Karen advised that this item cannot progress until the Minutes of 16 December 2015 have been adopted by Council. Karen to provide to report back to next meeting.

Action: *Karen to provide report back to next EAAC meeting. Responsibility: Karen Collins.*

OM7. Tweed Centro - Access

Karen advised that a kerb ramp and bollard has been constructed at the crossing in front of Tweed Bowling Centre going across to Tweed Centro.

OM8. Community Bike Ride (April 2016)

Karen provided an update on the community bike ride project being coordinated by Ability Links for a client. Karen has advised Ability Links that the EAAC is unable to provide any funding however Council will provide support through an ad in the Tweed Link and production of flyers.

As the riders will be crossing the Clothiers Creek Road intersection onto Tweed Coast Road, Alana will follow up with Ability Links re traffic issues.

Action: Karen to liaise with Ability Links re an article in the Tweed Link for the Community Bike Ride and production of flyers. Responsibility: Karen Collins.

Action: Alana to liaise with Ability Links re traffic issues related to the Community Bike Ride. Responsibility: Alana Brookes.

OM9. Terms of Reference and future recruitment strategy for EAAC

Milena advised that she didn't have the opportunity to follow up this item with Faye before she passed. Milena has the experience to continue this project and will work with Karen.

Action: Milena and Karen to liaise regarding Terms of Reference and future recruitment strategy for EAAC. Responsibility: Milena Morrow and Karen Collins.

Agenda Items:

A1. Access and Inclusion Policy and Action Plan

Una, Suzi and Karen are about to recommence their access audit of the foreshore and waterways. Work is also about to commence on the Shire's accessible toilets.

Joe Manton has submitted the access audit of buildings and parks, and Karen is meeting with the asset owners within Council to discuss the audits. Once the consultation has been completed, Karen will prepare a report outlining costings and prioritisation, which will be submitted to the Executive Management Team.

A2. 2016 Access and Inclusion Awards

Karen advised that the first planning meeting will be held on 3 March 2016, and she will provide a report to the next meeting.

A3. All Access Playground update

Karen advised that Concept Design has been finalised with costings and Dan Plummer has presented the design to all necessary stakeholders. Costings for the ongoing maintenance are being prepared prior to a workshop with Councillors and the Executive Management Team.

A4. Tweed Link monthly access news

Karen advised that the monthly Tweed Link access articles are back on track.

A5. Tweed Public and Active Transport Group

Alana advised that the Transport Group has not met since the last EAAC meeting. Any issues to be raised at the Transport Group meetings can be brought to the EAAC.

A6. Access Standards and Guidelines Working Group

Karen advised that the Working Group meets on a quarterly basis, with the next meeting scheduled for 2 March 2016. Karen will discuss review of Council policies and protocols in relation to access and inclusion as part of the Access and Inclusion Plan with the Working Group.

A7. Untold Stories Project

This project is progressing with Milena, Suzi and Karen trained as the interviewers. All interviews are to be finalised by 31 May 2016, and then all information will be undergo editing in preparation for the exhibition in 2017.

A8. Access Funds

Karen provided an update on the access funds. Almost half of the funds have been used for the accessible toilet project. Karen is awaiting advice on the Community Partnerships funding for Ray Pascoe Park and if it is successful, a 50% contribution will be required using the access funds. Funds may also be required for the foreshore audit.

General Business:

GB1. Draft Events Strategy submission

Karen referred the EAAC to the Draft Festivals and Events Strategy and her submission, which was previously emailed to them. Tracey advised that the Draft Festivals and Events Strategy is being presented to Council at its meeting on Thursday 18 February 2016, and suggested that Karen review it again.

RESOLVED that the Equal Access Advisory Committee endorses the submission to the Draft Festival and Events Strategy prepared by Karen Collins in conjunction with the Committee.

GB2. Opening of new accessible adult change room at Kingscliff Pool

Karen advised that the accessible adult change room at Kingscliff Pool has been officially opened. The hoist has been ordered and will be installed shortly.

GB3. Crossing - Tweed Bowling Centre to Tweed Centro

Suzi advised that a metal plate which covers the gutter at the crossing from the Tweed Bowling Centre across to Tweed Centro is very slippery and caused her to fall. It was noted that there is another of these metal plates near the crossing to Twin Towns Services Club. Karen noted that Council has recently installed a different type of grate in Murwillumbah that is a better design and non-slip. Alana advised she will investigate.

Action: Alana to investigate options for replacing the metal plates installed by Council at the crossing from Tweed Bowling Centre to Tweed Centro and also the crossing near Twin Towns Services Club with plastic plates similar to those installed in Murwillumbah. Responsibility: Alana Brookes.

GB4.Kingscliff Foreshore redevelopment

Karen advised that she is providing input into the redevelopment to ensure accessibility is included at the planning stage.

GB5.Building Unit - accessibility considerations

Robert advised that he recently met with a developer regarding a proposal and noticed that there were five steps from the car park to the building. This accessibility issue was brought to the developer's attention. It is the practice of the Building Unit wherever possible to provide accessibility advice to developers or owners at the planning stage. The EAAC acknowledged the Building Unit's commitment to accessibility.

GB6.Replacement EAAC member

Following the passing of Faye Druett, the EAAC discussed the process for selecting a replacement member. Due to Local Government reforms, the term of the EAAC will possibly be March 2017 rather than September 2016. Karen advised that she would liaise with Neil Baldwin and provide an update to the next meeting.

GB7.Local Government Award nominations for access

Tracey advised that Local Government award nominations for access has been received by Council and suggested that Karen review the criteria.

*Action: Karen to review the criteria for the Local Government award nominations for access.
Responsibility: Karen Collins.*

GB8.Northern Rivers Social Development Council (NRSDC)

Milena advised that her presentation to NRSDC regarding Tweed Shire's Access and Inclusion Plan had to be rescheduled due to telecommunication difficulties. Milena will advise the EAAC of the new date in due course.

GB9.Beach wheelchair

Karen advised that the Beach Wheelchair pamphlet has been updated and provided copies to the EAAC. Karen advised that there is a fourth all-terrain wheelchair available for hire which can be taken to other locations in the Shire. This wheelchair is stored at the Coolamon Centre. Karen advised that she would investigate another article in the Tweed Link to raise awareness in the community of the availability.

GB10.Thanks

Milena thanked Tracey and Anne for attending the EAAC meeting.

Next Meeting:

The next meeting of the Equal Access Advisory Committee will be held 20 April 2016.

The meeting closed at 11.13am.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

Nil.

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.

43 [SUB-TSYC] Minutes of the Tweed Shire Youth Council Meeting held Wednesday 24 February 2016

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 Tweed Shire Youth Council Meeting held Wednesday 24 February 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Tweed Shire Youth Council Meeting held Wednesday 24 February 2016 be received and noted.

REPORT:

The Minutes of the Tweed Shire Youth Council Meeting held Wednesday 24 February 2016 are reproduced as follows for the information of Councillors.

Venue:

Murwillumbah Civic and Cultural Centre, Council Chambers

Time:

4.00pm

Present:

Mayor of Tweed Shire Cr Katie Milne, Troy Green, Tracey Stinson, Sylvia Roylance, Lisa Smith, Samantha Hiller and Anika Brown - Kingscliff High School, Eden Tokatly and Meg Whiticker - Lindisfarne Anglican Grammar, Tyrin Waina and Elizabeth Kirk - Murwillumbah High School, Sheridan O'Malley - Pacific Coast Christian School, Grace Hinchliffe and Jade Scott - St Joseph's College, Marlon Appo - Banora Point High School

Cr Longland was present for part of the meeting.

Apologies:

Levendi Lawrence - Pacific Coast Christian School.

Minutes of Previous Meeting:

Moved: Nil.

Seconded: Nil.

Business Arising:

Nil.

Agenda Items:

A11 Introduction and Welcome from the Mayor of Tweed Shire, Cr Katie Milne
Mr Troy Green, General Manager Tweed Shire Council, introduced Cr Katie Milne to the group and requested Cr Milne open the proceedings as would occur during an ordinary Council meeting. Cr Milne opened the meeting with the Acknowledgement of Country followed by the prayer delivered by Troy. Cr Milne then suspended standing orders.

Troy welcomed all members to the inaugural Youth Council noting the Council had been formed by request of the elected members. Troy opened the meeting to general discussion, noting the proceedings would be informal for the remainder of the meeting, then deferred back to Cr Milne for comment.

Cr Milne noted how exciting it is to have young people in chambers. Cr Milne advised the Youth Council she was looking forward to hearing about what's going on for young people and hearing the issues that are to be put forward. Cr Milne provided the group with an understanding of the Council process whereby staff from the various departments across Tweed Shire Council present items for consideration, with Council responding to either vote on the matter or request further information. Cr Milne noted that Councillors can also put forward matters for consideration.

Cr Milne advised the group of Council's role to advocate for young people and noted she looks forward to promoting the Youth Council and the ideas that are proposed.

AI2 Welcome by Troy Green, General Manager Tweed Shire Council - Discussion on the Role of Local Government

Troy explained that local government is the third tier of government, based on the Westminster system where we elect people to vote on our behalf. There are six councillors at the moment following the resignation of Cr Armstrong in late August 2015. The current council fairly represents the diverse Tweed community. The Council Charter is set by the State Government and this document was circulated by Troy for all members to review.

The Council Charter comes under the Local Government Act 1993 - S8. One point of the charter is: 'to promote and to provide and plan for the needs of children' and this is also part of why the Youth Council was formed. Troy asked the members to consider the strategies that have been put before them, whether these strategies are the right way to go.

Troy handed over to Cr Milne to explain the roles of the Mayor and the Councillors. Cr Milne explained that Councillors act as the governing body for the council organisation and staff. Councillors can hold discussions with the General Manager and the Directors of Council, but not directly with staff. Cr Milne gave a brief outline of each of the department directors and their roles within Council. Cr Milne explained the role of the Mayor and Councillors as being similar to that of a Board of Directors. Matters can only be passed by resolution when the group is together. These resolutions become the guiding principles for Council staff to then act on in accordance with these proposals.

The other part of being a Councillor is to be a representative for the community. Advocating for the community for things they need, want and desire.

Troy discussed the budget layout being split into three funds: General, Water and Sewer and asked the members of the Youth Council to review the draft budget in preparation for discussions at the next meeting as the group may like to offer ideas on how the money could be spent. Other topics Troy suggested the group might like to focus on are housing stress and employment rates.

Action: Youth Council members to review the draft budget in preparation for discussions at future meetings.

Troy encouraged all members to take a look at Council's 'Your Say Tweed' page on the website, and also sought feedback from the members on their preferred social media platform.

Action: Youth Council members to visit the 'Your Say Tweed' page on council's website and provide feedback on preferred social media platform.

AI3 Welcome by Tracey Stinson, Director Community and Natural Resources
Introducing herself to the group, Ms Tracey Stinson remarked on the number of female members of the Youth Council as she is a proud advocate for women in the workplace and in community organisations.

Tracey discussed the members of the directorate under her management, noting that working with Council brings terrific career opportunities. Tracey noted one of the most

important aspects of her role and the directorate is to ensure the elected members are fully informed. That they have all the information needed to make an informed decision.

Tracey mentioned some of the current matters the directorate is involved in:

- Draft Sustainable Agricultural Strategy - will be out for comment soon
- Open Space Strategy
- Community Infrastructure - which is about how we make sure we have the right facilities for the current population and also what we need for the future.
- Biodiversity and Environmental Plan
- Development Control Plan
- Tweed Library Upgrade
- Holiday Parks Upgrade.

Action: Youth Council members are encouraged to review these documents when on exhibition and provide feedback using the appropriate format for each matter.

'Your Say Tweed' will soon have a forum for the Youth Council. It will be specific to this group to allow discussion on major topics involving the youth of Tweed Shire.

Councillor Barry Longland

Cr Longland arrived at the meeting to greet the members of the Youth Council. Cr Longland noted how great it was to see everyone involved and how important it is to get a cross section of ideas. As Councillors we have to take into account every aspect of the argument to make informed decision. Groups like this and other advisory committees are really helpful to inform decisions. Cr Longland commented it would be great to see members of the Youth Council go on to stand as a member for the community. It would be great to have a wider spread of age, gender, background etc. Troy extended his apologies to other Councillors who had not been invited to attend the inaugural meeting in error and asked that invitations for the next meeting be extended to all Councillors of Tweed Shire.

AI4 Code of Conduct, Neil Baldwin, Manager Corporate Governance/Public Officer
Neil Baldwin provided copies of the Code of Conduct to all members and asked that they review the document prior to the next meeting. Neil noted that, as Youth Council representatives, members have responsibilities within that role. Aspects that are important include: being fair and reasonable; treating others with respect and taking note of other people's issues. Neil also provided copies of the Code of Meeting Practice, noting however that the Youth Council would be conducted in a more relaxed manner than ordinary council meetings.

Action: Youth Council members to review Code of Conduct and Code of Meeting Practice prior to next meeting.

AI5 Emergency Evacuation and Housekeeping, Sylvia Roylance, Community Development Officer - Families and Youth

Sylvia Roylance noted that the Chambers is considered a place of work with access available via security pass. Members at the customer service counter will be informed of expected attendees/visitors for each meeting. Each student member will be escorted by a Council officer when it is time to leave the building as security pass access is required. The emergency evacuation route for the area was reviewed by all members and preferred exit routes discussed.

AI6 Round Table Introductions - Student Members

Each student member was given the opportunity to introduce themselves and discuss their own personal reasons for joining the Youth Council. Cr Longland again congratulated everyone for being involved and wished all members every success then left the meeting.

AI7 Youth Council Overview and Available Resources

Sylvia Roylance went through the information provided in the Student Pack. Sylvia drew particular attention to the Tweed Shire Council Youth Strategy and asked that all members review this document to help inform future discussions. The Youth Council has been formed as an outcome of the Youth Strategy. Sylvia asked that each member become familiar with the Objectives as the Youth Council can work collaboratively with the participating schools to achieve these objectives. Tracey noted that the University of NSW had recently announced this strategy had been nominated as one of the top ten strategies worldwide and congratulated Sylvia on the progress that is being made.

Action: Youth Council members to review Youth Strategy to help inform future discussions.

Sylvia brought attention to the Event Calendar within the Student Pack encouraging members to become familiar with the events across the year to see what they would like to be more involved in.

Action: Youth Council members to review the Event Calendar to consider what events the members could become more involved in.

Minutes will be distributed following each meeting and any requested changes can be emailed through to Sylvia for consideration and, where appropriate, amendment.

AI8 Election of Chairperson and Deputy Chairperson

In accordance with Section 3 of the Terms of Reference, the group moved on to the process of electing a Chairperson and Deputy Chairperson. Sylvia confirmed the elected members will hold these positions for one year. Any students who have a desire to stand as Chairperson or Deputy Chairperson could nominate themselves by emailing Sylvia by 31 March 2016. The biography of each student member who nominate for the positions can be shared around the group for consideration in preparation for voting. Troy offered suggestions on the various voting methods: show of hands, email nomination, placing names into a nomination box. Tracey asked the members if they would like the opportunity to address the council to campaign the ideas they wish to advocate for. This, and the method to be used for voting, is to be considered further with a 'majority rules' decision to be advised by Sylvia prior to the next meeting.

Action: Members wishing to stand for election as Chairperson or Deputy Chairperson to forward their nomination to Sylvia by 31 March 2016.

Action: Sylvia to forward member biography for those nominated to be elected to all other members to facilitate the voting process.

At the request of Troy, Neil informed the group of how the voting process is carried out during a Council election. The parties vote by show of hands, members must be present to vote i.e., Council does not allow voting by proxy. If a member does not vote because they are absent from Chambers at the time, this vote is considered a negative vote. When there

is a tie the names are placed into a hat with one name drawn to be announced the Mayor for the next term.

Council Business:

Sylvia reviewed some of the projects currently underway within Council that the members might like to consider becoming involved in. Tracey mentioned she would invite Robyn Grigg of the Community and Cultural Services team to provide an update on the Community Infrastructure Project if the members are interested. This aim of this project is to identify the various community and cultural facilities across Tweed Shire setting clear direction for delivery and management of facilities by Council and considering the needs of the whole community.

Action: Tracey to extend invitation to Robyn Grigg to present at the next meeting.

Sylvia also discussed the Clarrie Hall Dam project. The Water Unit within Council is looking at the provision of clean water to our Shire and feel it is important that the youth of the Shire be engaged in this process. Sylvia will upload a snapshot of the project to the Youth Council blog to help inform members to see if they would like to get involved.

Action: Sylvia to upload snapshot of Clarrie Hall Dam Project to Youth Council Blog for members to review.

Youth Council Business:

Sylvia opened discussions reminding the members that the Youth Council is about being the voice back to the other young people of Tweed Shire. In the role of a Youth Council member it is important that matters are followed through with action. Whether it be discussing topics within your sporting groups and other activities, or relaying information back through your school system. Whatever project takes priority, the Youth Council is the avenue of support to implement the project and follow through to achieve outcomes.

Sylvia spoke of the topics of interest provided during the application process, noting how insightful these topics were, and also noting how aligned they are with the general community concern.

Troy asked each member to discuss one major topic of concern to young people in the area. The responses are as follows:

Women's Health Issues: It feels like there is a disconnection between what is needed and what is provided. Also, activities for youth across Tweed Shire. The Shire is considered a 'retirement community' and the young people of the area would like more activities targeted to their interests.

Social Media Addiction: The young people of today are always on their phones and this is a big problem.

Alcohol and Drug Abuse: It is so easy for young people to obtain drugs and alcohol. People younger than Year 10 age are drinking publically. How are they getting their hands on it, and why has it become acceptable. The school system needs to address this issue.

Youth Suicide: Members have a lot of class friends who have been affected by youth suicide. The seminars that young people are involved in to address the issue, and there are many of them, are not effective. The youth of the area are in need of a different approach.

Family Changes: Young people with parents going through a divorce and the changes that flow on afterward is a big issue and young people need help in adapting to these changes.

The Stigma Around Youth Culture: It seems youth are looked down upon by other members of the community. Cultural events need to be more frequent.

LGBTI Community Awareness: The needs of this community require greater exposure to the wider community; there is not enough effort put in to advertising and awareness. Discrimination exists and the community need our help to remove it. Sylvia informed the group of the Safe Schools program being run by NSW Health. Information on this program is to be uploaded to the blog.

Homelessness: The homeless of the area can go unseen during the day. Once night time arrives the homeless people are always around.

The group opened up general discussion on these topics and the following points were made:

- Young people accept that drunk people will always be around, instead of actually trying to do something about it. Maybe it is up to the young people to try to change this culture themselves.
- Since the revitalisation of Knox Park there seems to be no drunk people around this particular area so maybe a lesson can be learned from this project.
- Youth suicide and people suffering mental health issues don't have enough support. People feel they are going to be judged when they talk about their issues.
- Youth homelessness is a big issue. Members have friends who are couch surfing or who are already homeless.

General Business:

Troy noted that there may be an opportunity to invite State and Federal members to address the Youth Council, also the local Police.

Mayor of the Tweed, Councillor Katie Milne congratulated everyone for getting involved in the Youth Council and noting that politics can be very exciting as you have the power to bring forward your issues.

Sylvia closed out the meeting noting the minutes would be issued soon and the next steps will be discussed with members via email.

Next Meeting:

The next meeting of the Tweed Shire Youth Council Committee will be held Wednesday 24 May 2016.

The meeting closed at 6.00pm.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

Nil.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Youth Policy

Tweed Youth Strategy and Action Plan 2013-2017

Terms of Reference - adopted 22 October 2015 (ECM 3808358).

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.

44 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 March 2016

SUBMITTED BY: Community and Cultural Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 March 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 March 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:
 - A4. DA04/0162.02 Dulguigan Quarry, Dulguigan - Denise Galle (Tweed Shire Council) and Phil Habgood (Converge)

"That Council notes that the Aboriginal Advisory Committee raises no objection to the proposed S96 Application (DA04/0162.02) for Dulguigan Quarry as long as the standard conditions of consent are imposed including:

1. ***Retention of highest point on the site.***
2. ***If any artefacts are identified on site standard protection measures will apply through notification to relevant authorities.***
3. ***Protection of remaining vegetation into the future."***

A6. DA16/0076 Kingscliff Beach Holiday Park - David O'Connell (Tweed Shire Council)

"That in relation to the Kingscliff Beach Holiday Park, the Aboriginal Advisory Committee recommends that:

- 1. Due to the updated Due Diligence Report findings indicating that the site has not been sand mined but quarried to a level of the dune, there is a requirement for Aboriginal site monitors be on site for the removal of existing services and roads, ground works prior to the installation of new services and footings at the Kingscliff Beach Holiday Park.***
- 2. Recommendation 1 above be incorporated into the consent conditions for the Development Application."***

REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 March 2016 are reproduced as follows for the information of Councillors.

Venue:

Tweed Byron Local Aboriginal Land Council

Time:

9.50am

Present:

Leweena Williams (Tweed Aboriginal Corporation for Sport), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Desrae Rotumah (Tweed Aboriginal Co-operative Society), Aunty Joyce Summers (Canowindra representative), Cr Gary Bagnall.

Ex-officio:

Tracey Stinson, Robyn Grigg, Anne McLean Robert Appo (Tweed Shire Council).

Guests (in order of arrival):

Liz Collyer (Tweed Shire Council), Judy Kean (Tweed Shire Council), Iain Lonsdale (Tweed Shire Council), Kate Gahan (Tweed Shire Council), Denise Galle (Tweed Shire Council), Phil Habgood (Converge), David Oxenham and Leon McLean (Tweed Shire Council), David O'Connell (Tweed Shire Council) Danny Rose (Tweed Shire Council).

Apologies:

Des Williams (Tweed Byron Local Aboriginal Land Council representative), Mayor Katie Milne (Tweed Shire Council).

Chair: Cr Gary Bagnall

Moved: Desrae Rotumah

Seconded: Leweena Williams

RESOLVED that the Chair was declared vacant and nominations were called. Cr Gary Bagnall was nominated and was unanimously elected to Chair the meeting.

Cr Gary Bagnall opened the meeting with a welcome to all present and paid respect to Elders past and present.

Agenda suspended for Item A1(b)(i)

A1(b) 2016 Local Government Aboriginal Network (LGAN) Conference

(i) Breast Plate exhibition at Murwillumbah Museum - Judy Kean (Tweed Shire Council)
To coincide with the LGAN conference, a breast plate exhibition will be displayed at the Tweed Regional Museum, Murwillumbah. Judy provided an update to the AAC regarding advice and protocols required for the breast plate exhibition. The focus of the exhibition is to tell the story of individuals associated with the breast plates and will be for education purposes for members of the public. Ian Fox will be engaged to assist with the development of interpretative text for the exhibition, which will be brought to the AAC for review. Judy sought advice from the AAC as to whether there is anyone specific in the Aboriginal community outside of the AAC that she should speak to in relation to the exhibition. Draft

material for delegates about the nature of the exhibition will be brought back to the AAC for review.

Aunty Joyce noted that it is important for people to understand why the plates were given; breast plates demonstrate a level of ignorance from early settlers at the time and were often inconsistent with Aboriginal lore and allocation of leadership and responsibility.

A1. Robert Appo (Tweed Shire Council)

(a) Reconciliation Action Plan (RAP) and Memorandum of Understanding (MOU)

Tracey introduced Liz Collyer to the AAC. Liz shared with the AAC her experience in Local Government, particularly working with Aboriginal communities. Liz noted that the RAP is not a bureaucratic document and she is looking forward to leading its implementation across Council with Tracey. Liz advised that she participated in the introduction of a RAP at Cairns Regional Council, which included an Aboriginal Employment Strategy. She observed that it is one of the key priorities in the draft RAP noting it will be an important document to facilitate employment of Aboriginal people in a range of roles across Council. Liz acknowledged the opportunities she has had throughout her career to learn from Aboriginal people. Liz acknowledged the RAP is not about Council's Executive Management Team determining what is important but ensuring the voice of the AAC is reflected in its implementation.

Agenda suspended for Item A2

A2. Iain Lonsdale (Tweed Shire Council)

(a) Aboriginal Cultural Heritage Mapping Project

Iain provided an update on the Tweed Aboriginal Cultural Heritage Management Plan ("the Project"):

Project Status

- Progress on the Project temporarily stalled when the contract with the project consultant expired. At that point the mapping and the thematic history had been endorsed by the AAC.
- Once recommenced, progress was slow owing to unresolved issues with the Local Environmental Plan (LEP) definitions, clauses, and mapping requirements of the Standard LEP instrument. These matters are not fully resolved, but are being worked through with the State Government Agencies and Council now has sufficient certainty and understanding to progress work on the Project.
- Current progress includes:
 - Heritage consultant, Ian Fox, has been engaged to review and update the mapping (including adding new sites, refining boundaries, removing application from areas zoned residential where this will not impact on the significance of an object or place)
 - Drafting of the management plan, including liaison with Department of Planning and Environment (DPE) and Officer of Environment and Heritage (OEH).
 - Liaison with OEH about registration of new sites.
- Further consultation with AAC once the mechanics of the planning processes have been mapped out and agreed with the DPE.

Application of mapping

- Mapping endorsed by the AAC is being used internally by Council, and awareness of it outside of Council is increasing. It remains solely with the Strategic Planning Unit (SPU) at this time.

- Development Applications are being checked against the mapping and a number of the developments are being referred to the Tweed Byron Local Aboriginal Land Council (TBLALC) and/or AAC.
- Council is currently preparing Plans of Management for Council owned 'community' land, and the SPU is collaborating with those other business units to ensure that there is appropriate acknowledgment of Aboriginal Cultural Heritage and trigger points to ensure reference to the mapping.

Going forward

- A first draft of the ACHMP is expected around July 2016 and will be brought to the AAC for consultation.
- This consultation will include discussion around the role or expectation of the AAC / TBLALC / community regarding its application to development; what kind of development is included or excluded, who will be the first or main referral contact, how will turnaround timeframes be managed, is there resourcing capacity, is there a need for interim measure and so on.
- Agreement on the management plan will trigger referral to Council Committees and open public exhibition.
 - This is likely to include a range of information sessions for the general community and would welcome Aboriginal community representatives having a role in the consultation process.
- Council will continue to liaise with the OEH about the registration of new sites.
- Further discussion about training for Council staff and the development industry will need to recommence around the time of public exhibition. Who will deliver the training?

Jackie noted that some Cultural Management Plans are submitted without reference to the mapping. Iain asserted this is the case as the mapping is still in draft and can't officially be referred to other than by staff.

Iain advised that Robyn Eisermann is working on the Management Plan which must be finalised as the mechanism to interpret appropriate triggers from the mapping eg. referrals to the AAC for input. Tracey noted that it is important that internal protocols are developed as part of the Management Plan to ensure staff refer to the mapping.

Council is still working with OEH to register sites and is planning to package up and send them to OEH for registration. Council is aiming to finalise the Aboriginal Cultural Heritage Mapping Plan, Thematic history and Management Plan for public exhibition before the end of the year.

Leweena requested that Iain and Robyn come back to the AAC to discuss the Management Plan and various elements in detail. Iain noted that a half day workshop is proposed for July separate to the AAC meeting to discuss these details.

Jackie asked how Council deals with average home owners that potentially have Aboriginal sites on their property. Iain noted that progressive publicity and workshops will be the best way.

Action: Community Development Officer-Aboriginal to liaise with Unit Coordinator-Strategic Planning & Urban Design to arrange a separate half day workshop with the AAC in July 2016 to discuss the Management Plan and various elements in detail.

(b) Kingscliff Locality Plan

Iain advised the AAC of the Kingscliff Locality Plan and tabled the exhibition copies. Iain will attend a future AAC meeting to discuss elements of the plan in more detail. The Plan is on exhibition from 7 March 2016 to 1 April 2016.

Action: Community Development Officer-Aboriginal to liaise with Unit Coordinator-Strategic Planning & Urban Design to attend AAC meeting on 1 April 2016 to discuss elements of the Kingscliff Locality Plan in more detail.

Resumption of business.

Minutes of Previous Meeting:

Moved: Jackie McDonald

Seconded: Leweena Williams

RESOLVED that the Minutes of the Aboriginal Advisory Committee meeting held Friday 5 February 2016 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising

Nil

Resumption of Agenda Item A3.

A3. Cultural Plan - Kate Gahan (Tweed Shire Council)

Kate provided the AAC with an update and advised that she is proposing an AAC focus group workshop in April or May to engage further with the AAC and community on the Cultural Plan. A cultural survey is also being prepared which will be implemented by a snapshot of the Shire in words and images. The snapshot includes key messages and an understanding of Aboriginal culture in the Tweed. Kate distributed a draft snapshot for the whole of the Shire which includes Aboriginal culture, for the AAC to consider.

Jackie and Desrae noted their preference to not using the term 'Indigenous'. Aunty Joyce did not agree but accepted the majority view.

The AAC advised it will review the draft snapshot and provide specific comment at a later meeting.

Action: Community Development Officer-Aboriginal to work with AAC to review the Cultural Plan draft snap shot of the Shire with the AAC and provide feedback to Community Development Officer-Cultural Planning.

Action: Community Development Officer-Aboriginal to liaise with Community Development Officer-Cultural Planning regarding a focus group workshop with the AAC and Aboriginal community in April or May 2016 to engage on the Cultural Plan.

A4. DA04/0162.02 Dulguigan Quarry, Dulguigan - Denise Galle (Tweed Shire Council) and Phil Habgood (Converge)

Denise noted that this S96 Modification has been reported to AAC at the last two meetings and at the last meeting it was resolved that there needed to be a local Aboriginal site review of large trees in the eastern portion of the proposed expansion area.

The applicant should be submitting a final Aboriginal Cultural Heritage Report based on findings of the site inspection and this report will need to be forwarded to both the AAC and NSW Office of Environment and Heritage.

Denise referred to the Cultural Heritage Management Plan prepared by Converge and noted that Jackie McDonald and Ernie Williams both attended the site meeting. The existing application has been modified to increase boundaries (either side) both east and west. Cr Bagnall asked if losing the ridge is of concern to the AAC. Denise advised the high point of the ridge will remain intact.

Denise referred to a site map and boundary adjustments that are proposed. It is the view of the AAC that OEH are responsible for the consideration of environmental issues. Denise asked if the AAC has any objection to the proposal.

Cr Bagnall noted this proposal will result in loss of landscape including flora and fauna. Leweenah noted that for Aboriginal people, the cultural landscape includes flora and fauna.

There is endangered flora on the eastern side of the quarry so there are areas of flora protection on this basis, following the recommendations of the environmental officers who have walked the site. Cr Bagnall asked if the proposal will generate any additional traffic to which Denise advised no.

Moved: Desrae Rotumah

Seconded: Aunty Joyce Summers

RECOMMENDATION that the Aboriginal Advisory Committee raises no objection to the proposed S96 Application (DA04/0162.02) for Dulguigan Quarry as long as the standard conditions of consent are imposed including:

1. Retention of highest point on the site.
2. If any artefacts are identified on site standard protection measures will apply through notification to relevant authorities.
3. Protection of remaining vegetation into the future.

A5. David Oxenham and Leon McLean (Tweed Shire Council)

(a) Rail Trail

David and Leon provided an update to the AAC on the Rail Trail project. A pilot project is proposed from Murwillumbah to Crabbes Creek (24km long), instead of the original proposal from Murwillumbah to Casino and pilot project to the Tweed Regional Gallery and Margaret Olley Art Centre. Council and the Northern Rivers Rail Trail have recently agreed to make a submission to the State and Federal Governments for them to jointly fund the revised pilot project from Murwillumbah to Crabbes Creek. This proposal was submitted to the State Government in February and is also being submitted to National Stronger Regions Fund.

Jackie asked if cultural interpretation has been factored into the application. Leon noted this is the case but details have not been finalised at this stage.

(b) Crown Reserve between the Tweed River and the Coolangatta Tweed Heads Golf Club

David referred to the Crown Reserve south of land owned by Tweed Aboriginal Cooperative Society and east of the Coolangatta Tweed Heads Golf Club. An access road has been closed by Coolangatta Tweed Heads Golf Club to this reserve as people have been driving on the greens and damaging them. Council has allowed the Golf Club to put up gates to stop access between 6pm - 6am.

David enquired whether the Tweed Aboriginal Cooperative Society has put logs across the road to stop access from the other end and Desrae advised no. David confirmed that the AAC supports Council controlling access to the reserve.

A6. DA16/0076 Kingscliff Beach Holiday Park - David O'Connell (Tweed Shire Council)
David advised the AAC that Council's Development Assessment Unit has received a Development Application (DA16/0076) for the redevelopment of the Kingscliff Beach Holiday Park. Feedback is sought from the AAC regarding the 'Aboriginal Cultural Heritage Assessment' submitted with this application and in particular:

- Whether there are any issues with the development proposed as part of this application?
- If any further information is required with respect to the Cultural Heritage aspects of the submitted application?
- If there are any conditions of consent that the AAC would like to see applied in the event of approval being granted for the proposal?

Possibly of relevance to the AAC is that development in close proximity to this site has been previously addressed at the AAC meeting on 13 November 2015 where the following was resolved *'RESOLVED that due to the updated Due Diligence Report findings indicating that the site has not been sand mined but quarried to a level of the dune, there is a requirement for Aboriginal site monitors be on site for the removal of existing services and roads, ground works prior to the installation of new services and footings at the Kingscliff Beach Holiday Park.'*

Moved: Leweena Williams

Seconded: Aunty Joyce Summers

RECOMMENDATION that in relation to the Kingscliff Beach Holiday Park, the Aboriginal Advisory Committee recommends that:

1. Due to the updated Due Diligence Report findings indicating that the site has not been sand mined but quarried to a level of the dune, there is a requirement for Aboriginal site monitors be on site for the removal of existing services and roads, ground works prior to the installation of new services and footings at the Kingscliff Beach Holiday Park.
2. Recommendation 1 above be incorporated into the consent conditions for the Development Application.

A7. Village Signage - Danny Rose (Tweed Shire Council)

Danny tabled a document detailing the different types of signage across Council. Danny advised that on 22 October 2015 Council recommended: *'All new or replacement town/village entry signage designs shall be referred to the AAC for consultation on the inclusion of traditional place names'*.

Danny advised he is seeking advice as to any preferred traditional place names that might be incorporated onto new/replacement entry signage at Murwillumbah, Tumbulgum, Chillingham and Tyalgum. The following table uses the Museum's 'Aboriginal Place Names' brochure as a guide for discussion.

Place / Location	Cultural Name	Cultural Meaning	Current Signage
Chillingham	Chinnangum	Crossing at the foot of / a tree (Blackbeen)	"A Natural Village"
Murwillumbah	Moorwooloombah	Place of big nose (bleeding)	"Home of the Banana Festival"
Tumbulgum	Tumbulgum	Small leafed fig tree / place of two waters crossing	"Meeting Place of Waters"
Tyalgum	Tyalgum	Chief in fighting / a tree / tall timbers	"Heart of the Caldera"

These cultural meanings may need some further interpretation to make them suitable for entry sign usage and acceptance by the wider community. Otherwise non-traditional messages may be sought.

Danny advised that the signage must be completed this financial year, so resolution by the AAC is being sought. The AAC advised it will discuss further and make a recommendation at the April meeting.

Action: Community Development Officer-Aboriginal to liaise with AAC regarding preferred traditional place names that might be incorporated into new/replacement entry signage at Murwillumbah, Tumbulgum Chillingham and Tyalgum.

A1. Robert Appo (Tweed Shire Council)

(a) Reconciliation Action Plan (RAP) and Memorandum of Understanding (MOU)

Robert advised that Reconciliation Australia has encouraged Council to submit an innovative RAP in recognition of the existing relationship with the Aboriginal community.

(b) 2016 Local Government Aboriginal Network (LGAN) Conference

Robert provided an update that the conference coordinator has now been engaged. The official Welcome will take place at the Minjungbal Aboriginal Museum and Cultural Centre on 24 August 2016.

(ii) Interpretative Signage at Crams Farm, Doon Doon

Robert advised that there is no update for this item. Item to be discussed at April meeting.

(c) Civic Buildings - Aboriginal Acknowledgement signage

Robert distributed draft signage images to the AAC. Cr Bagnall suggested the acknowledgement is far too wordy. As an alternate, the wording on the entry signage could be used '*Acknowledging the Ngandowal/Minjungbal people of the Bundjalung Nation*'. The theme used for the draft concept panels was 'Tweed-Saltwater' and 'Murwillumbah-Rainforest'. The AAC requested further discussion regarding the design elements for the Aboriginal Acknowledgement signage.

Action: *Cultural Development Officer-Aboriginal to liaise with Coordinator-Communications and Customer Service regarding the design elements for the Aboriginal Acknowledgement signage.*

General Business:

Nil.

Next Meeting:

The next meeting of the Aboriginal Advisory Committee will be held Friday 1 April 2016.

The meeting closed at 1.40pm.

EXECUTIVE MANAGEMENT TEAM COMMENTS:

A4. DA04/0162.02 Dulguigan Quarry, Dulguigan - Denise Galle (Tweed Shire Council) and Phil Habgood (Converge)

Nil.

A6. DA16/0076 Kingscliff Beach Holiday Park - David O'Connell (Tweed Shire Council)

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

A4. DA04/0162.02 Dulguigan Quarry, Dulguigan - Denise Galle (Tweed Shire Council) and Phil Habgood (Converge)

That Council notes that the Aboriginal Advisory Committee raises no objection to the proposed S96 Application (DA04/0162.02) for Dulguigan Quarry as long as the standard conditions of consent are imposed including:

- 1. Retention of highest point on the site.***
- 2. If any artefacts are identified on site standard protection measures will apply through notification to relevant authorities.***
- 3. Protection of remaining vegetation into the future.***

A6. DA16/0076 Kingscliff Beach Holiday Park - David O'Connell (Tweed Shire Council)

That in relation to the Kingscliff Beach Holiday Park, the Aboriginal Advisory Committee recommends that:

1. ***Due to the updated Due Diligence Report findings indicating that the site has not been sand mined but quarried to a level of the dune, there is a requirement for Aboriginal site monitors be on site for the removal of existing services and roads, ground works prior to the installation of new services and footings at the Kingscliff Beach Holiday Park.***
2. ***Recommendation 1 above be incorporated into the consent conditions for the Development Application.***

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.

45 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 10 March 2016

SUBMITTED BY: Roads and Stormwater



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Local Traffic Committee Meeting held 10 March 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 10 March 2016 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

A1 ANZAC Day Service - Murwillumbah - Monday 25 April 2016

"That the proposed ANZAC Day Service and March on 25 April 2016 be supported, subject to:

1. ***NSW Police approval being obtained.***
 2. ***Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.***
 3. ***Community and affected business consultation addressing raised concerns.***
 4. ***The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.***
-

5. ***Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.***
6. ***Adequate public liability insurance being held by the event organiser.***
7. ***All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***
8. ***Consultation with emergency services and any identified issues addressed."***

A2 Murwillumbah Foodie Fest Road Closure Applications 2016

"That the proposed Murwillumbah Foodie Fest on 27 May and 30 September 2016 be supported subject to:

1. ***NSW Police approval being obtained.***
2. ***Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.***
3. ***Community and affected business consultation addressing raised concerns.***
4. ***The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.***
5. ***Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.***
6. ***Adequate public liability insurance being held by the event organiser.***
7. ***All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***
8. ***Consultation with emergency services and any identified issues addressed.***
9. ***Arrangements made for private property access and egress affected by the event.***
10. ***That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.***
11. ***The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein."***

REPORT:

The Minutes of the Local Traffic Committee Meeting held 10 March 2016 are reproduced as follows for the information of Councillors.

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 10.00am

PRESENT:

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

Informal: Mr Ray Clark (Chairman), Mrs Judith Finch standing in for Ms Sandy Zietlow (Minutes Secretary).

APOLOGIES:

Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Miss Alana Brooks, Mr Nick Tzannes TSC.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MIN1 [LTC] Confirmation of Previous Minutes Meeting held 11 February 2016

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 11 February 2016 be adopted as a true and accurate record of proceedings of that meeting."

SCHEDULE OF OUTSTANDING RESOLUTIONS

SCH1 [LTC-SOR] Schedule of Outstanding Resolutions - March 2016

From Meeting held 23 July 2015

1. [LTC] Machinery Drive / Minjungbal Drive, Tweed Heads South (Item B3)

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3721485; Traffic - Committee; Traffic - Local Area Traffic Management; Traffic - Pedestrian Crossings; Machinery Drive; Minjungbal Drive

SUMMARY OF REPORT:

Request received in relation to the pedestrian crossing at the intersection of Minjungbal Drive (southbound) and Machinery Drive.

"There are many elderly residents living in that area that use this crossing.

Once the traffic on Minjungbal Drive gets the green light, the pedestrian lights across the intersection are activated if required. The problem experienced is that the left turn from Minjungbal Drive is not delayed if there are pedestrians on the crossing and drivers are not giving way to the mainly elderly pedestrians crossing at that point. I have attached a diagram that more simply explains the problem with the red arrow indicating pedestrians and the yellow indicating traffic flow.

A similar problem on the southern crossing at the same intersection was addressed when motorists performing a left turn out of the shopping centre briefly faced a red arrow to allow pedestrians to begin crossing. This appeared to increase awareness of pedestrian activity by drivers.

Could consideration be given to a similar arrangement on this particular crossing?"

COMMITTEE ADVICE:

That the RMS be requested to review the signal operation on Minjungbal Drive at Machinery Drive to improve pedestrian movements.

From Meeting held 27 August 2015:

The RMS Representative advised that RMS is considering delaying the left turn phase into Machinery Drive from Minjungbal Drive. Further advice will be provided once analysis is complete.

From Meeting held 24 September 2015:

The RMS Representative requested peak pedestrian traffic counts.

From Meeting held 10 March 2016:

The RMS advised that the proposed upgrade to the signals will be carried out subject to funding and proposed pedestrian phasing will be forwarded to Council for its information.

"Frequency of introduction of pedestrian movements for all three ped crossings. Refer to SCATS plot below for corresponding crossings.

Wednesday 24 Feb 2016



COMMITTEE ADVICE:

That Machinery Drive/Minjungbal Drive, Tweed Heads South pedestrian movement statistics were noted by the Committee.

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

A1 [LTC] ANZAC Day Service - Murwillumbah - Monday 25 April 2016

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3971994; Traffic - Committee; Ceremonies - ANZAC Day; Brisbane Street; Murwillumbah Street; Wharf Street; Tumbulgum Road

SUMMARY OF REPORT:

Request received for a public assembly procession of approximately 500+ persons, on Monday 25 April 2016 and shall proceed from Brisbane Street to Murwillumbah Street, Wharf Street, Tumbulgum Road and turn off at the southern Civic Centre entrance.

There will be 15 vehicles involved and vintage cars to carry disabled veterans.

Timings for the ceremonies are:

- Dawn Service at Cenotaph at 5.30am
- Main Service at Cenotaph at 10.40am

COMMITTEE ADVICE:

That the event is supported in principle subject to the standard conditions for road closures.

RECOMMENDATION TO COUNCIL:

That the proposed ANZAC Day Service and March on 25 April 2016 be supported, subject to:

1. NSW Police approval being obtained.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
3. Community and affected business consultation addressing raised concerns.
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational

impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.

5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
6. Adequate public liability insurance being held by the event organiser.
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
8. Consultation with emergency services and any identified issues addressed.

FOR VOTE - Cr Barry Longland, Mr Joshua Buckham, Roads and Maritime Services, Mr Col Brooks - on behalf of Member for Murwillumbah - Mr T George
ABSENT DID NOT VOTE - Snr Constable Tony Darby, NSW Police

A2 [LTC] Murwillumbah Foodie Fest Road Closure Applications 2016

ORIGIN:

Roads & Stormwater

FILE NO: ECM 396466; Traffic - Committee; Temporary Roads Closures; Festivals/Events - Other; Murwillumbah Street; Wharf Street; Queen Street;

SUMMARY OF REPORT:

Sandra Zietlow arrived at 10.12

Request received for temporary road closures for Murwillumbah Street, Wharf Street and Queen Street, Murwillumbah for the Murwillumbah Art Trail on Friday 27 May 2016 and the Tweed Valley Country Roots Festival on 30 September 2016.

The Murwillumbah Art Trail

Friday 27 May 2016 is for street closure of Wharf Street and Murwillumbah Street between Commercial Road and the Court House Hotel. Foodie Friday is local cafes, restaurants and food businesses setting up stalls along Wharf Street and offering \$6 tasting plates. There will be live local entertainment near the Queen Street clock, Nam Yeng and a location tween these two sites. Small PA systems will be used but they will not be so loud as to interfere with the other musicians. A small specialty bar using only local suppliers will also be available

Temporary road closure is from 17:00 to 23:00 on Friday 27 May 2016

Street closure signs and barriers have been requested to be supplied by TSC as an in kind contribution. Witches hats will be placed in Wharf Street from 15:00 onwards to enable clearance of vehicles by 17:00 for food traders to set up ready to trade by 18:00.

Barricading of required parking spaces will occur from 15:00 to 23:00.

Foodie Friday

Friday 30 September 2016 is for street closure of Wharf Street and Murwillumbah Street between Commercial Road and Brisbane Street.

Foodie Friday is part of the Tweed Valley Country Roots Fest (TVCRF). Local cafes, restaurants and food businesses will set up stalls along Wharf Street up to the Court House Hotel and sell \$6 tasting plates. There will be live entertainment to complement TVCRF as well as a speciality bar selling locally produced products.

Temporary road closure time is from 17:00 to 23:00.

Street closure signs and barriers have been requested to be supplied by TSC as an in kind contribution.

Witches hats will be placed in Wharf Street up to the Court House Hotel from 15:00 to enable clearance of vehicles so that food traders can set up from 17:00 for an 18:00 start.

COMMITTEE ADVICE:

That the event is supported in principle subject to the standard conditions for road closures.

RECOMMENDATION TO COUNCIL:

That the proposed Murwillumbah Foodie Fest on 27 May and 30 September 2016 be supported subject to:

1. NSW Police approval being obtained.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
3. Community and affected business consultation addressing raised concerns.
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
6. Adequate public liability insurance being held by the event organiser.
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
8. Consultation with emergency services and any identified issues addressed.
9. Arrangements made for private property access and egress affected by the event.
10. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
11. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.

FOR VOTE - Cr Barry Longland, Mr Joshua Buckham, Roads and Maritime Services, Mr Col Brooks - on behalf of Member for Murwillumbah - Mr T George
ABSENT DID NOT VOTE - Snr Constable Tony Darby, NSW Police

A3 [LTC] Condong Street and Eyles Avenue, Murwillumbah

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3960065; Traffic - Committee; Traffic - Pedestrian Crossings; Traffic - School Zones; Pedestrian Safety; Condong Street; Eyles Avenue

SUMMARY OF REPORT:

Request received to investigate installing pedestrian crossings at Murwillumbah Primary School at the corner of Eyles Avenue and Condong Street, Murwillumbah and traffic warning / signalling for school zone speeds on Condong Street between Myrtle Street and Riverview Street.

COMMITTEE ADVICE:

The site will be reviewed to determine if the warrants for pedestrian facilities are met and submitted for LTC consideration.

FOR VOTE - Cr Barry Longland, Mr Joshua Buckham, Roads and Maritime Services, Mr Col Brooks - on behalf of Member for Murwillumbah - Mr T George

ABSENT DID NOT VOTE - Snr Constable Tony Darby, NSW Police

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A4 Marine Parade, Kingscliff - Taxi Rank was moved to Section B - Item B4.

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE - MURWILLUMBAH

B1 [LTC] Tweed Valley Way, Condong

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3957217; Traffic - Committee; Traffic - Safety; Traffic - Speed Zones; Tweed Valley Way, Condong

SUMMARY OF REPORT:

Petition received to reduce the speed limit from 80km/h to 60km/h on Tweed Valley Way, Condong while travelling north approaching Cane Road past the Clothiers Creek Road intersection.

They have also requested the speed limit be reduced from 80km/h to 60km/h on Tweed Valley Way, Condong while travelling south on Tweed Valley Way towards Murwillumbah approaching the Clothiers Creek Road intersection.

The Committee considered that a northbound acceleration lane from Clothiers Creek Road may assist heavy vehicles. Whilst there is no funding available for this treatment a concept design and costing should be developed should funding become available.

The Committee noted that the crash history at the intersections did not indicate a speed related issue. Sight distances at the intersections is deemed appropriate for a 80km/h speed limit. 85th percentile speeds were commensurate with the posted limit.

COMMITTEE ADVICE:

The request has been forwarded to the RMS for review.

GENERAL TRAFFIC ADVICE - TWEED HEADS

B2 [LTC] Pearl and Kingscliff Streets, Kingscliff

ORIGIN:
Roads & Stormwater

FILE NO: ECM 3957850; Traffic - Committee; Traffic - Linemarking; Traffic - Safety; Pedestrian Safety; Kingscliff Street; Pearl Street

SUMMARY OF REPORT:

Request received for the painting of yellow lines on the "s" bends on Pearl and Kingscliff Streets, Kingscliff.

Several inspections have been undertaken and no vehicles have been observed parking on the bends, however if vehicles are parked in these curves they would be complying with NSW Road Rules in relation to distance from the unbroken centreline. It should be noted that prohibiting parking in this area during periods of high demand may lead to higher speeds increasing the risk to pedestrians.

COMMITTEE ADVICE:

Whilst the request for painted yellow lines on the "s" bends on Pearl and Kingscliff Streets, Kingscliff is not supported, the event organiser for the Kingscliff Triathlons should be requested to address the concerns raised in their traffic control plans for the events.

B3 [LTC] Casuarina Traffic Management Issues

ORIGIN:
Roads & Stormwater

FILE NO: ECM 3976160; Traffic - Committee; Pedestrian Safety; Casuarina Way

SUMMARY OF REPORT:

Request received to conduct a traffic management assessment at Casuarina due to population growth and expansion of town centre and child care centre.

Representative pedestrian survey counts will be submitted to the Committee for consideration.

Observation surveys were conducted at various times and found that pedestrian desire lines were numerous and the warrants for marked pedestrian crossings would not be met. The area will continue to be monitored and brought back to the Committee when required. There are a number of pedestrian refuges in place which enable people to cross the roads in stages and these considered adequate for the pedestrian demand at the moment.

COMMITTEE ADVICE:

That the site be continued to be monitored and brought back to the Committee if pedestrian numbers significantly increase.

B4 [LTC] Marine Parade, Kingscliff - Taxi Rank

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3972652; Traffic - Committee; Traffic - Taxi Stands; Marine Parade, Kingscliff

SUMMARY OF REPORT:

Request received for a new taxi rank outside the Kingscliff Hotel, Marine Parade Kingscliff utilising one car space.

Currently in front of the hotel there is a space marked "No Parking Police and Emergency vehicles excepted" and south of that space is a "2P" time space.

Advice is sought from the Police representative on whether the existing police space is still required.

COMMITTEE ADVICE:

Police advice has been received after the meeting. Due to the ability of Taxis to use the existing "No Parking Police and Emergency Vehicles Excepted" space in front of the Hotel in Marine Parade Kingscliff, it is considered that the existing sign remain as is and the Taxi representative be advised accordingly.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 14 April 2016 in the Mt Warning Meeting Room commencing at 10.00am.

There being no further business the Meeting terminated at 11.40am.

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

A1 ANZAC Day Service - Murwillumbah - Monday 25 April 2016

That the proposed ANZAC Day Service and March on 25 April 2016 be supported, subject to:

1. NSW Police approval being obtained.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
3. Community and affected business consultation addressing raised concerns.
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
6. Adequate public liability insurance being held by the event organiser.
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
8. Consultation with emergency services and any identified issues addressed.

A2 Murwillumbah Foodie Fest Road Closure Applications 2016

That the proposed Murwillumbah Foodie Fest on 27 May and 30 September 2016 be supported subject to:

1. NSW Police approval being obtained.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
3. Community and affected business consultation addressing raised concerns.
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
6. Adequate public liability insurance being held by the event organiser.
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
8. Consultation with emergency services and any identified issues addressed.
9. Arrangements made for private property access and egress affected by the event.
10. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.

11. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.

EXECUTIVE MANAGEMENT TEAM COMMENTS:

A1 ANZAC Day Service - Murwillumbah - Monday 25 April 2016

Nil.

A2 Murwillumbah Foodie Fest Road Closure Applications 2016

Nil.

EXECUTIVE MANAGEMENT TEAM RECOMMENDATIONS:

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

A1 ANZAC Day Service - Murwillumbah - Monday 25 April 2016

That the proposed ANZAC Day Service and March on 25 April 2016 be supported, subject to:

1. *NSW Police approval being obtained.*
2. *Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.*
3. *Community and affected business consultation addressing raised concerns.*
4. *The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.*
5. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
6. *Adequate public liability insurance being held by the event organiser.*
7. *All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.*
8. *Consultation with emergency services and any identified issues addressed.*

A2 Murwillumbah Foodie Fest Road Closure Applications 2016

That the proposed Murwillumbah Foodie Fest on 27 May and 30 September 2016 be supported subject to:

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5. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
6. *Adequate public liability insurance being held by the event organiser.*
7. *All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.*
8. *Consultation with emergency services and any identified issues addressed.*
9. *Arrangements made for private property access and egress affected by the event.*
10. *That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.*
11. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.*

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

46 [SUB-FMC] Minutes of the Floodplain Management Committee Meeting held Friday 11 March 2016

SUBMITTED BY: Roads and Stormwater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.5 Ensure adequate stormwater drainage, flood management and evacuation systems are in place to protect people and property from flooding
-

SUMMARY OF REPORT:

The Minutes of the Floodplain Management Committee Meeting held Friday 11 March 2016 are reproduced in the body of this report for the information of Councillors.

It should be noted that as a 50% quorum of voting members was not achieved, the committee met on an informal basis and did not vote on any resolutions or make recommendations to Council.

RECOMMENDATION:

That the Minutes of the Floodplain Management Committee Meeting held Friday 11 March 2016 be received and noted.

REPORT:

The Minutes of the Floodplain Management Committee Meeting held Friday 11 March 2016 are reproduced as follows for the information of Councillors.

Venue:

Mt Warning Meeting Room, Murwillumbah Civic Centre

Time:

9.00am

Present:

David Oxenham, Danny Rose, Steve Twohill (Tweed Shire Council), Phillip Buchanan (Office of Environment and Heritage), Brian Sheahan, Wayne Pettit (State Emergency Service), Robert Quirk, Max Boyd

NOTE: As a 50% quorum of voting members was not achieved, the committee met on an informal basis and did not vote on any resolutions or make recommendations to Council.

Apologies:

Cr Katie Milne, Stuart Russell, Lindsay McGavin, Andy Yeomans, Paul Taylor, Felicia Cecil.

Minutes of Previous Meeting:

RESOLVED that the Minutes of the Floodplain Management Committee meeting held Friday 4 December 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Nil

Agenda Items:

1. Review and Prioritisation of Recommended Actions from Tweed Valley and Coastal Creeks Floodplain Risk Management Plans

Danny Rose provided the Committee with tables adapted from the Tweed Valley and Coastal Creeks Floodplain Risk Management Plans (FRMP), detailing all of the recommended actions, agencies responsible and priorities. The Committee worked through the tables, which will form a standing item for review each meeting. Danny noted the Committee's comments in the tables, and will circulate the tables with the minutes for each member to review. Danny will also endeavour to combine many of the actions to reduce the number of line items that need to be considered.

Wayne Pettit noted that a number of the community engagement / education activities were already in train. SES will provide the Committee with an overview of these activities at the next meeting.

2. Rural Drainage Flooding Issues

Robert Quirk tabled several photos of rural drainage issues provided by Mark North, who is managing the Stainlay property in the Condong Creek catchment. The sugar cane industry remains concerned that crops are experiencing significant losses due to the increased time it takes for tailwater levels to recede following flood events. The industry equates this to a lack of maintenance of sections of channel between the floodgates and the river, particularly at Condong Creek.

Max Boyd considered that it makes sense to support a large project to clean out these drains and cut access benches, to make it much easier to hand over ongoing maintenance to the Drainage Unions.

Submissions have been made to the State Government for funding to quantify solutions to the problem. Such works are not generally eligible for funding under OEH floodplain management programs, or if they were, would be considered low priority in a limited funding pool.

3. 2016/2017 Floodplain Management Grants

Council has existing grant funding for the Murwillumbah CBD flood study, and this will be the program priority for 2016/2017. Only recurring grants will be applied for under the 2016/2017 funding round, being rural flood mitigation maintenance, and the South Murwillumbah Voluntary House Purchase Scheme.

Brian Sheahan suggested that money was needed for evacuation studies of the Lower Tweed, however OEH grant administration requires such projects to be properly scoped and resourced before they can be considered as a priority project.

General Business:

4. Richmond-Tweed FloodIntel Demonstration

Steve Twohill provided a summary and PowerPoint presentation from a recent briefing by consultants to NOROC Councils. The FloodIntel system potentially provides a powerful tool for the SES to examine the impacts of flooding across the various local government areas and between catchments, to be able to resource its response activities. It could also provide the general public with a powerful yet simple online mapping system where people can relate flood gauge predictions to impacts on individual properties and local roads. However several liability issues would need to be worked out for the public interface.

All agreed that it was a good approach, but cautioned that it should not be over-relied on, due to the likelihood of power interruptions, loss of internet access, and older residents not being able to access the application.

NOROC agreed to pursue joint funding of this or a similar system (subject to a competitive tender process) through the OEH Floodplain Management Grants for 2016/2017.

5. Lavender Creek Pump Station

Max Boyd asked how often the Lavender Creek pump station is checked by Council, as it is integral to the viability of the Murwillumbah town centre. Danny Rose confirmed that since pump interruptions in the 2012 and 2013 events, various improvements have been implemented including:

- A service level agreement with the Water and Wastewater Unit for regular servicing and checking of the pumps and electrical systems
- Flood Mitigation Foreman checking pump intake areas when flood conditions are likely
- Improved ventilation of the pump control cabinet to avoid overheating
- Increased signage and improved telemetry at the pump station
- Improved after hours call handling relating to the flood pumps
- Inclusion of the flood pumps in the Murwillumbah CBD Flood Study, to try and optimise their operation as a flood mitigation tool.

Unfortunately no back up power systems are available for the pump station.

Robert Quirk suggested including a low volume pump to take the initial water from the system before triggering the larger capacity pumps. This can be considered by the flood study consultants.

6. 1954 Flood Markers

Max Boyd asked whether we needed to install further markers for community awareness. Danny Rose confirmed that all of the markers were still in place, as far as Council was aware, and weren't subject to regular issues.

Steve Twohill to check the current locations, particular Tumbulgum.

No further locations were suggested by the Committee, however signage would be added to the FRMP actions (Item 1) around community education.

7. ABC Coverage

Max Boyd questioned the ABC's understanding and commitment to covering flooding and rainfall events on the Tweed, citing the "Landline" program, which seemed to ignore this region despite its high population.

Danny Rose confirmed that based on previous concerns by the Committee, ABC Radio was contacted some time ago and offered a briefing, however no reply was received.

8. Next Meeting

The Committee agreed that as this meeting has been delayed to allow member attendance, it was not necessary to hold the proposed 22 April meeting. A date in late June was proposed, given member commitments in July. A date will be circulated by Council staff and confirmed.

Next Meeting:

The next meeting of the Floodplain Management Committee will be held on 24 June 2016 in the Mt Warning Meeting Room at 9.00am.

The meeting closed at 12.10pm.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

Nil.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice v2.5.

Terms of Reference - Reviewed by Council 21 August 2013.

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.

47 [SUB-ADC] Minutes of the Australia Day Committee Meeting held Wednesday 16 March 2016

SUBMITTED BY: Acting Events and Festivals Officer

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Minutes of the Australia Day Committee Meeting held Wednesday 16 March 2016 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Australia Day Committee Meeting held Wednesday 16 March 2016 be received and noted.

REPORT:

The Minutes of the Australia Day Committee Meeting held Wednesday 16 March 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, John Murray, Phil Kelly

Ex-Officio: Kerrie McConnell

Apologies:

Committee: Cr Katie Milne, Wendy Warren

Minutes of Previous Meeting:

Moved: Dot Holdom

Seconded: Graham Jackson

RESOLVED that the Minutes of the Australia Day Committee meeting held Wednesday 3 February 2016 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Items from Meeting held 3 February 2016:

5. Nominations open for National Australia Day Council's 2017 Awards

Tweed Shire Council has received a letter from the National Australia Day Council advising it is now receiving nominations for the 2017 Australian of the Year Awards.

This item was received and noted.

6. Kingscliff – Main Event

Dot Holdom advised that she had:

1. Forwarded the letter that she read to the Committee on 3 February to the Chair, Alan Downes and asked that he distribute it to the Councillors.
 2. Received a response, in relation to the departure from the Official Program, from Liz Collyer, Director Corporate Services, Tweed Shire Council on 9 March 2016. However, her schedule has not allowed her to thoroughly read it.
-

Agenda Items:

1. Review Nomination Categories for Tweed Shire Australia Day Awards

A discussion was held on Council's current nomination categories and whether they were similar to other Councils.

The following Council websites (Australia Day pages) were reviewed in the meeting:

- Lismore City Council
- City of Gold Coast
- Wyong Shire Council

The Committee commented that they liked the nomination categories of Wyong Shire Council, the comprehensive eligibility criteria and how the Citizen of the Year was chosen – selected from the winners of each Award Category.

Action: That Kerrie McConnell creates a table that includes the Australia Day Nomination Categories and website addresses of Tweed Shire Council, Lismore City Council, City of Gold Coast and Wyong Shire Council, and circulates it to the Committee for further consideration.

General Business:

2. Committee Contact Details

An Australia Day Committee contact list was circulated, so members could populate with their address, email and telephone number. Once populated, this contact list will be provided to the Committee to be used for the purpose of Australia Day Committee business.

3. Australia Day Committee Task Timeline

It was suggested that a timeline of tasks, and due date, be created so the Committee is aware of upcoming actions and deadlines.

Action: That Kerrie McConnell creates a Tweed Shire Australia Day Task Timeline of actions and deadlines for the information of the Committee.

Next Meeting:

The next meeting of the Australia Day Committee will be held on Wednesday 25 May 2016 commencing at 10.00am in the Mt Warning Meeting Room.

The meeting closed at 11.00am.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference – Tweed Shire Australia Day Advisory Committee reviewed by Council at its meeting on 21 August 2012, Minute No. 534.

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

REPORTS THROUGH THE ACTING GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE ACTING GENERAL MANAGER IN COMMITTEE

C1 [AGM-CM] Modern Grocer - Business Investment Policy

REASON FOR CONFIDENTIALITY:

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES IN COMMITTEE

**C2 [CNR-CM] Waste Collection Service Contract - EC2008-153
Recommendation to Extend Term**

REASON FOR CONFIDENTIALITY:

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.4 Provision of high quality, best practice, solid waste disposal with energy recovery, and improving resource recovery practices and infrastructure which meets health and environmental requirements and projected demand
-
-

REPORTS FROM THE ACTING DIRECTOR ENGINEERING IN COMMITTEE

C3 [E-CM] Council Purchase of Lot 12 DP 1072659 - Pottsville Road, Pottsville

REASON FOR CONFIDENTIALITY:

The reason for confidentiality is that Council is dealing with outstanding rates and discussions around property transfer.

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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

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
-
-

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