



**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 January 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 Minutes of the Ordinary and Confidential Council Meeting held Thursday 10 December 2015 (concluded on Thursday 17 December 2015)

**SUBMITTED BY:** Corporate Governance

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## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

The Minutes of the Ordinary and Confidential Council Meeting held Thursday 10 December 2015, which was adjourned and concluded on Thursday 17 December 2015, are attached for information and adoption by Council.

### RECOMMENDATION:

**That:**

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 10 December 2015 (adjourned and concluded on Thursday 17 December 2015) be adopted as a true and accurate record of proceedings of that meeting.**
- 2 **ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (f) **matters affecting the security of the council, councillors, council staff or council property.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.5.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

Attachment 1 Minutes of the Ordinary Council Meeting held Thursday 10 December 2015, which was adjourned and concluded on Thursday 17 December 2015, (ECM 3900744).

(Confidential) Attachment 2 Minutes of the Confidential Council Meeting held Thursday 10 December 2015 (ECM 3900646).

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**2 [CONMIN-EXT] Confirmation of Minutes of Extraordinary Council Meeting held Thursday 17 December 2015**

**SUBMITTED BY: Corporate Governance**



## **Civic Leadership**

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

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

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The Minutes of the Extraordinary Council Meeting held Thursday 17 December 2015 are attached for information and adoption by Council.

### **RECOMMENDATION:**

**That the Minutes of the Extraordinary Council meeting held Thursday 17 December 2015 be adopted as a true and accurate record of proceedings of that meeting.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.5.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

Attachment 1

Minutes of the Extraordinary Council Meeting held Thursday  
17 December 2015 (ECM 3900433).

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## SCHEDULE OF OUTSTANDING RESOLUTIONS

### 3 [SOR-CM] Schedule of Outstanding Resolutions

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## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

### CODE OF MEETING PRACTICE:

#### **Section 2.8 Outstanding Resolutions**

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

**19 SEPTEMBER 2013**

### ORDERS OF THE DAY

#### 4 [NOM-Cr B Longland] Aboriginal Employment Strategy

### NOTICE OF MOTION:

**532**

**Cr B Longland  
Cr K Milne**

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

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

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

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

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

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## **20 NOVEMBER 2014**

### **ORDERS OF THE DAY**

#### **40 [NOM] Lighting to Chinderah Bay Drive Bus Shelters**

##### **NOTICE OF MOTION:**

671

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

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

**Current Status:** There are currently a large number of projects and tasks to be undertaken in the Traffic Section which is preventing an opportunity to complete this report. As a full time Road Safety Officer has been appointed, it is anticipated that the report will be forthcoming to the February 2016 meeting.

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## **21 MAY 2015**

### **ORDERS OF THE DAY**

#### **41 [NOM] Holiday Letting/Tourist Accommodation**

291

**Cr W Polglase**  
**Cr P Youngblutt**

**RESOLVED** that:

1. Council defers full enforcement action against existing operators of short term rental accommodation in the Shire until the Local Environmental Plan (LEP) amendment proposed at paragraph 3 is dealt with.
-

2. A meeting be convened which includes Councillors, Council staff, representatives of the short term rental accommodation industry and affected ratepayer/resident groups. The purpose of this meeting is to inform the process of developing a code of conduct for the industry while recognising its importance to the realisation of the Tweed's tourism potential.
3. Council processes an LEP amendment which can support the continuation of the holiday let industry in its current form.

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

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

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**18 JUNE 2015**

**ORDERS OF THE DAY**

**33 [NOM] 2016 Local Government Aboriginal Network Conference**

**349**

**Cr G Bagnall  
Cr K Milne**

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

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

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**16 JULY 2015**

**ORDERS OF THE DAY**

**31 [NOM] Parking Requirements for Small Businesses**

**408**

**Cr K Milne  
Cr P Youngblutt**

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**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.

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## **REPORT FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES**

### **C3 [CNR-CM] Tweed Heads Cultural Precinct**

**418**

**Cr W Polglase  
Cr P Youngblutt**

**RESOLVED** that Council:

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

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

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**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 for consideration at a future Council meeting.

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**19 NOVEMBER 2015**

**24 [E-CM] Water Supply Augmentation - Selection of Preferred Option**

**599**

**Cr K Milne  
Cr G Bagnall**

**RESOLVED** that this matter be deferred for consideration at 18 February 2016 Council meeting and arrangements made for a series of independently facilitated Workshops to be held with the interested stakeholder groups.

**Current Status:** Rescission motion to be considered at 21 January 2016 Council Meeting.

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**10 DECEMBER 2015**

**REPORT FROM THE ACTING DIRECTOR PLANNING AND REGULATION**

**10 [PR-CM] LEDA Cobaki Special Rate Proposal for Management of Environmental Protection Lands**

**677**

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

**RESOLVED** that, in respect of the proposal to apply for a Special Rate Variation application 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:

1. Council endorses the Special Rate of \$100 average per 450m<sup>2</sup> lot as proposed by LEDA in a letter submitted to Council dated 16 November, 2015, and that an application be submitted to IPART to advance this proposal;
2. Council adopts the ad valorem rating method for the raising of the special rate on the Cobaki development; and
3. Council and LEDA hold further discussions to address the future funding arrangements for the proposal, and how best to advance a legal agreement to enable the relevant conditions of development approval to be satisfied, and thereby allow the commencement of civil construction works for the initial precincts of the Cobaki development. The outcomes of these discussions shall be reported back to Council in early 2016
4. In conjunction with 3 above a report for Council's consideration be prepared in early 2016 identifying the nexus between the ongoing works funded by Council's general rates and the public benefit to the broader community
5. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

**Current Status:** Discussions are scheduled for 12 January 2016 and a report to be prepared for consideration at the Council meeting on 4 February 2016.

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## 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.

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### 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.

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## ORDERS OF THE DAY

### 33 [NOM] Dual Reticulation

664

Cr C Byrne

Cr P Youngblutt

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

**Current Status:** Report to be prepared.

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

711

Cr G Bagnall

Cr K Milne

**RESOLVED** that Council:

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

**Current Status:** Report to be prepared on stakeholder discussions.

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## MAYORAL MINUTE

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

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

- 4 December Aboriginal Advisory Committee – Minjungbal Museum and Cultural Centre, Kirkwood Road, Tweed Heads.
  - 7 December Australia Day Committee – Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah.
  - 9 December Tweed River Committee – Canvas and Kettle, Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah.
  - 9 December Tweed Coastal Committee – Canvas and Kettle, Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah. Cr Longland also attended.
- 

### INVITATIONS / MAYORAL REPRESENTATION:

#### Attended by the Mayor

- 1 December Local Government Environment Awards – Dockside Function Centre, Cockle Bay Wharf, Darling Harbour, Sydney.
  - 2 December Red Cross 20<sup>th</sup> Anniversary Telecross – Red Cross Hall, Knox Park, Murwillumbah.
  - 3 December Launch of Mayoral Christmas Appeal – Council Foyer, Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah.
-

- 4 December Lighting up of Christmas tree – Chris Cunningham Park, Wharf Street, Tweed Heads. Cr Longland also attended.
- 14 December Wollumbin High School Awards Presentation – Wollumbin High School, North Arm Road, Murwillumbah.
- 17 December Sort Recycling Work for the Dole Awards – 1/66 Quarry Road, Murwillumbah.
- 17 December Combined staff Christmas Party – Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah. Crs Longland and Youngblutt also attended.

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

- 4 December Lighting up of Christmas tree – Lions Park, Marine Parade, Kingscliff. Crs Byrne and Polglase attended.

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

- 10 December Murwillumbah High School Presentation Awards – Murwillumbah High School, Riverview Street, Murwillumbah. Clash with Council meeting.

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**REQUESTS FOR WORKSHOPS:**

Councillors did not request any additional workshops during December 2015.

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**CONFERENCES:**

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

Councillors did not attend any conferences during December 2015.

**Information on Conferences to be held**

- 26-27 Feb Councillors' Weekend Seminar – Sydney CBD  
This program has a strong practical focus with workshop sessions and ample time for exchange of views and networking.
  - The changing role of a local government Councillor
  - Thinking strategically with integrated planning and reporting
  - Working with your GM and staff
  - Engaging your community
  - Principles of good governance

- Understanding the planning system
- Preparing for elections

Early bird registration \$1320, two flights and two night's accommodation. <http://lgnsw.org.au/events-training/councillor-weekend-0>

- 10-12 March Australian Local Government Women's Association Conference – Gunnedah Cultural Precinct, Conadilly Street, Gunnedah
  - Surviving Life – what are the attributes we need to live the best, most rewarding and fulfilling life possible?
  - Managing the unmanageable – ways working women can have their cake and eat it too
  - Tricks of the trade – building self-confidence and making your mark in business and in life
  - Compelling change through our own actions
  - The secret to a happy life – health, self-advocacy, happiness and wellbeing.
  - Diversity is the spice of life

Early bird registration \$870, two flights, train fare and three night's accommodation. [www.algwa.org.au](http://www.algwa.org.au)
- 27-28 June Making Cities Liveable Conference – Pullman Melbourne on the Park, 192 Wellington Parade, Melbourne

The Making Cities Liveable Conference supports improving the quality of life in our capitals and major regional cities, focusing on healthy, sustainable, resilient and liveable cities, with discussions on improving the quality of life in our capitals and major regional cities.

  - Community and social development
  - Effective place making
  - Planning for health: programs, food, lifestyle
  - Future technology and smart cities
  - Greenspace: low impact urban design
  - Bringing nature back into cities
  - Growth transforming our cities
  - Working with Governments
  - Access vs mobility in transport
  - Improving Liveability: challenges and solutions

- City resources: food security, energy, water and waste
- Cities for everyone: child and age friendly cities
- Creative cities
- Urban renewal
- Carbon and water positive urban environments
- Early bird registration \$870, two flights, train fare and three night's accommodation. [www.algwa.org.au](http://www.algwa.org.au)

Early bird registration \$855, two flights, transfers, two night's accommodation. [www.healthycities.com.au](http://www.healthycities.com.au)

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

- 2 December Sub Licence with Strata Plan 61566 – Pontoon on Cudgen Creek Boardwalk
  - 17 December Licence to Cudgen Surf Life Saving Club
  - 17 December Agreement – Estate of late Adrian Bruce Smith – Gemstone Collection
- 

#### **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 December 2015 be received and noted.**
  - 2. The attendance of Councillors at nominated Conferences be authorised.**
-

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## RECEIPT OF PETITIONS

### 5 [ROP-CM] Receipt of Petitions

**SUBMITTED BY:** Corporate Governance



## Civic Leadership

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

### SUMMARY OF REPORT:

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

*Petitions received by Councillors or forwarded to the (Acting) General Manager will be tabled as per the Order of Business, Item 11, Receipt of Petitions.*

*Unless Council determines to consider it in conjunction with a report already listed on the agenda, no motion (other than a motion to receive the same) may be made on any petition until the next Ordinary Meeting after that at which it has been presented.*

### RECOMMENDATION:

**That the following tabled Petition(s) be received and noted:**

**REPORT:**

As per Summary

**OPTIONS:**

That in accordance with Section 1.5.4 of the Code of Meeting Practice Version 2.5:

1. The tabled Petition(s) be considered in conjunction with an Item on the Agenda.
2. The tabled Petition(s) be received and noted.

**CONCLUSION:**

Any Petition tabled should be considered under Section 1.5.4 of the Code of Meeting Practice Version 2.5.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.5.

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

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 6 [GM-CM] National Stronger Regions Fund Round Three

**SUBMITTED BY:** General Manager

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
3	Strengthening the Economy
3.3	Maintain and enhance the Tweed lifestyle and environmental qualities as an attraction to business and tourism
3.3.2	Facilitate government-funded infrastructure

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#### SUMMARY OF REPORT:

Council submitted the Kingscliff Foreshore Protection and Revitalisation Project and the Northern Rivers Rail Trail Tweed Stage Project to the National Stronger Regions Fund (NSRF) Round 2 which closed on 31 July 2015. The Kingscliff Foreshore Protection and Revitalisation Project was successful and received \$9,816,600 to complete the total project funding of \$21,208,400.

The Department of Infrastructure and Regional Development has opened Round 3 of NSRF and it will close on Tuesday 15 March 2016. Applicants are allowed to submit two projects under Round 3.

It should be noted that the NSRF will only fund a maximum of 50% of any project. Projects that do not have at least 50% of funding identified and confirmed from other sources are ineligible for funding under the NSRF.

To allow time for the preparation of a funding proposal Council will need to determine the preferred project.



**RECOMMENDATION:**

**That Council, subject to a matching funding commitment from the NSW State Government and positive feedback from the Department of Infrastructure and Regional Development, resubmits the Northern Rivers Rail Trail Tweed Stage (Murwillumbah to Crabbes Creek) project for consideration under Round 3 of the National Stronger Regions Fund (NSRF).**

## REPORT:

On 1 October 2014 the Australian Government announced the \$1 billion National Stronger Regions Fund (NSRF). This funding grant is available to local governments seeking matching funding for a range of local and regional development initiatives that are designed to spur economic growth.

Round 1 closed on 28 November 2014 and the successful projects were announced on 15 May 2015. Council submitted the Kingscliff Foreshore Protection and Revitalisation Project and was unsuccessful.

Round 2 closed on 31 July 2015 and the successful projects were announced in December 2015. Council submitted the Kingscliff Foreshore Protection and Revitalisation Project and the Northern Rivers Rail Trail Tweed Stage Project. The Kingscliff Foreshore Protection and Revitalisation Project was successful and received funding. The Northern Rivers Rail Trail Tweed Stage Project was unsuccessful.

Round 3 of the NSRF will open for applications on Friday 15 January 2016 and close at 5pm on Tuesday 15 March 2016.

Given this timing and the work required to prepare applications it is considered prudent to determine the preferred project.

### Project Eligibility

The guidelines for Round 3 are available and there have been a number of changes. However they are closely based on the previous guidelines. Council must be able to identify matching funding for all projects with up to \$10 million available from NSRF.

Below is an extract from the previous report to Council summarising the guidelines to the Round 1 NSRF:

*The NSRF guidelines identify that the grant funding will only be provided for capital projects which involve the construction of new infrastructure, or the upgrade, extension or enhancement of existing infrastructure. It provides examples of the following types of projects:*

- *upgrade transport networks to support connectivity and freight movement (transport hubs, intermodal services, airports, or upgrades to wharves or cargo loading facilities which cannot be funded by the market);*
- *enhance the efficient movement of freight, support an industrial estate or strengthen supply chains;*
- *increase access to water and waste services, support improved water management or enhance irrigation services (routine upgrades and repairs will not be funded);*
- *extend or enhance services to regions, for example deliver gas pipelines to new industrial estates, upgrade water pipes to support irrigation and industrial growth, or more efficiently manage waste water;*
- *convention centres and community or performance centres which deliver economic benefits or support increases in tourism; or*
- *construct large flagship or signature multi-purpose sporting facilities which generate significant long term economic and social benefits and/or support*

*leadership in local communities, for example a state-of-the-art facility which will act as the state hub and will host national, state and elite events on a regular and ongoing basis;*

- *upgrades to or the expansion of local sporting facilities or the construction of sporting facilities which are otherwise available in the state or territory are unlikely to be supported; or*
- *facilities which support a single sport or which can be funded by state and national bodies are unlikely to be supported.*

The NSRF will not fund infrastructure projects which:

- *does not deliver sustainable economic benefits, including job creation;*
- *are eligible for funding under the National Disaster Relief and Recovery Arrangements;*
- *shift costs from state, territory or local governments to the Commonwealth; and/or*
- *are integral elements of hospitals, as they are funded by other Government initiatives.*

Grant funding from the NSRF cannot be used for the following:

- *expenditure incurred prior to the announcement that the project has been successful in its application for NSRF funding;*
- *provision of services and support activities;*
- *soft infrastructure, including computer software or hardware that is not an integral part of the funded capital project;*
- *payment of salaries for new or existing staff or contractors; or*
- *administrative overhead items, including office equipment, vehicles or mobile capital equipment, for example trucks and earthmoving equipment.*

Changes to the Round 2 Guidelines included the ability for applicants to submit two project applications, and a change to the weighting of Criteria, giving more importance to the Economic Benefit Criteria.

Changes to the Round 3 Guidelines include additional considerations which the Ministerial Panel may take into account when making their decision which are:

- the level of funding already allocated to an Applicant in previous rounds of NSRF; and
- the geographical distribution of funding in this and previous rounds of NSRF.

The previous level of funding allocation may be a consideration in assessing Tweed projects in Round 3 given the \$9,816,600 received in Round 2.

### **Projects Summary**

Below is the estimated project costing for 9 projects that have previously been nominated as suitable for the National Stronger Regions Fund.

<b>Project</b>	<b>Estimated Project Cost</b>
1. Northern Rivers Rail Trail Tweed Stage (Murwillumbah to Crabbes Creek)	\$13,036,050
2. Gondwana Terminus	\$1,000,000
3. Kingscliff Sportsfield Masterplan	\$1,222,000
4. Boyd Street Intersection North Facing Ramps to motorway from Cobaki	\$15,000,000
5. Boyd Street / Gold Coast Highway Intersection Upgrade and other roadworks to service the Cobaki Development (Cobaki Parkway infrastructure to facilitate Southern Cross University Development)	\$30,000,000
6. Interconnection to GCCC Water	\$13,640,000
7. Arkinstall Park Stage 2	\$37,240,000
8. Tweed Coast Road Upgrade	\$25,132,172
9. Jack Evans Boat Harbour Stage 2 - incorporating Goorimahbah, Aboriginal Gardens	\$6,300,000

### **1. Northern Rivers Rail Trail Tweed Stage (Murwillumbah to Crabbes Creek)**

The Murwillumbah to Crabbes Creek section of the Northern Rivers Rail Trail would be 24 kilometres of trail connecting the regional centre of Murwillumbah with the villages of Stokers Siding, Burringbar, Mooball and Crabbes Creek. This section of rail trail would form a backbone linking features such as Mooball National Park, Tweed Regional Gallery, Mt Jerusalem National Park and Wollumbin/Mt Warning.

The trail would attract valuable tourism to the area and facilitate active transport and recreation activities for locals. The 24km Murwillumbah to Crabbes Creek section incorporates 2 tunnels (one approximately 500m long), 27 bridges and 25 level crossings. This section could be the initial stage of the regional Northern Rivers Rail Trail Project, a plan to establish a 130km rail trail all the way from Murwillumbah to Casino.

Subsequent to Council's August 2015 resolution that "*Council prepare an Expression of Interest (EOI) to the State Government for the funding of a Rail Trail project on the existing corridor from the Murwillumbah Railway Station to the Shire boundary at Crabbes Creek*" an application, business case and supporting documents are currently being prepared for submission to the State Government to fund the project. It is anticipated that the submission will be made in February 2016.

Should the State Government commit to partially fund the project, Tweed Shire Council could make application for matching grant funding under the NSRF program to complete the project. Establishment of the section is estimated to cost a total of \$13,036,050.

### **2. Gondwana Terminus**

The area encompassing the World Heritage Rainforest Centre (WHRC), Budd Park, Tweed Valley Way roundabout, Visitor Information Centre and Murwillumbah Railway Station forms the gateway to Murwillumbah and the National Parks of the Border Ranges. Should the Rail Trail go ahead, this area would also be the northern terminus of the trail. This area has the clear potential to consolidate these elements to produce a powerful entry statement to the Town and to the national parks and the Northern Rivers region.

The logical approach would be for this project to follow the establishment of the rail trail. The preliminary estimated value of the project is approximately \$1,000,000.

### 3. Kingscliff Sportsfield Masterplan

The Kingscliff Sports Fields Master Plan is Council's response to a key recommendation in the Tweed Shire Sports Field Strategy (2015). A significant increase in sporting use of this 12 hectare site over the last 15 years has caused considerable conflict for the 6 sports clubs using the fields. The area allocated to each sport and the low quality facilities available reflects the historical arrangement and has not kept pace with increasing use. A particular problem is the fields are bisected by Wommin Bay Road which carries up to 10,000 vehicles per day.

The Kingscliff Sports Fields complex comprises 3 separately named fields being the Walter Peate Field and Merve Edwards Fields, and the Reg Dalton Oval.

The Master Plan proposes to:

- Consolidate areas allocated to each sport, particularly to reduce risk and problems associated with Wommin Bay Road. This requires construction of a new clubhouse, change rooms and toilet facilities on the Walter Peate Field north of the road.
- Increase the level of use by developing new key facilities, particularly sports lights.
- Undertake earthworks and relocate some existing facilities to allow a more efficient allocation of sports field layouts.
- Upgrade existing facilities that are very old and no longer meet the needs of the user groups.

This application is for funds to commence stage 1a of the project, which addresses the problem of soccer and hockey operations being split by Wommin Bay Road. Soccer is to move to the Walter Peate Field (north of Wommin Bay Road) while Hockey will relocate to the southern Reg Dalton Oval.

• Construct a central clubhouse, change room, toilet facility and access driveway on the field north of Wommin Bay Road (Walter Peate Field)	\$800,000
• Construct sports lights on newly allocated soccer fields on the same field. This will include a transformer upgrade to support further sports lights improvements	\$350,000
• Construct 900mm fencing around new main soccer field on Walter Peate Field	\$37,000
• Relocate one synthetic cricket wicket to allow space for these newly allocated soccer fields	\$15,000
• Reconstruct part of the cricket wicket, and install hockey safety fencing to the Reg Dalton oval to allow hockey use	\$20,000
<b>Total</b>	<b>\$1,222,000</b>

### 4. Boyd Street Intersection North Facing Ramps to Motorway from Cobaki

The North facing ramps onto the Motorway at the Boyd Street intersection will provide a vital long term connection from the Cobaki development and the surrounding locality to South East Queensland and the Motorway. The ramps are a component of the Tweed Road Contribution Plan and were originally envisaged to be required when the development at Cobaki reached 1500 lots.

With the proposal to locate Southern Cross University on the Cobaki site there is a desire from the developer to bring forward the construction of the North facing ramps to coincide with the initial stages of the development. As this project is required for the Cobaki development and Council has limited funds in the Tweed Roads Contribution Plan it is proposed that the developer designs and constructs the works and claims the appropriate financial credits.

The Stronger Regions program presents an opportunity to source additional funding for this project however under the grant conditions, Local Government and Not For Profit groups are the only organisations eligible to apply. For this project to be funded under the Stronger Regions program, Council would need to be the applicant and sign a binding agreement with the developer for them to complete the work, or for Council to complete the work with an agreement with the developer for them to fund and pay Council their portion of the project costs. It is considered, that given the uncertainty around timing of the Cobaki development, the complexity of the work and Council's limited resources that this project not be recommended for the Stronger Regions program. Ideally this project should be funded directly by the Federal Government, and the Council and developer should lobby for a change in funding criteria. The estimated project cost is \$15,000,000.

**5. Boyd Street / Gold Coast Highway Intersection Upgrade and Other Roadworks to service the Cobaki Development, including Cobaki Parkway (*Cobaki Parkway infrastructure to facilitate Southern Cross University development*)**

Discussions have been held with the proponents of the Cobaki Development in regard to making a submission whereby Council would be the applicant for key roadworks which form the link from the Cobaki Development to the Gold Coast Highway. That portion of the work which is contained within NSW forms a component of the Tweed Road Contribution Plan (TRCP). There are other works which are required in Queensland which do not form part of the TRCP. All or part of this work could be included in an application by Council with LEDA as a partner, for the NSRF. Based on feedback provided by the Department of Infrastructure and Regional Development and given the complexity of the governance arrangements of any work carried out in Queensland, officers are of the view that if an application was to be submitted for this project, it should only include work within the Tweed Shire boundary.

Additionally there is conjecture over whether Council can apply to undertake a project for an asset which it will not own and maintain, such as the Boyd Street intersection. The value of work considered to be eligible for the project within the Tweed Shire boundary, being Cobaki Parkway from the State Border south to Piggabeen Road (including the bridge and access to Piggabeen Road) is estimated at \$30 million.

Therefore, Council could partner with LEDA to make a joint application towards this \$30 million infrastructure project seeking an amount of \$10 million of the total in grant funding. Importantly, should the application be successful it will help to facilitate Southern Cross University building their new campuses within the Cobaki locality and bring forward the development.

**6. Interconnection to Gold Coast City Council Water Supply**

This project involves the design and construction of a water pipeline and pump station to interconnect the Gold Coast City Council Water Supply to the Tweed District Water Supply. This project is basically the same as the SEQ Water interconnection project with the exception that no buy in cost is forecast. This project is the preferred contingency approach

identified in the Tweed Shire Council Drought Management Strategy (Tweed Shire Council Drought Management Strategy, Final Report April 2009). It was considered in the Tweed District Water Supply Augmentation Options Study and could be implemented in a timely manner if some pre-construction and construction activities are undertaken concurrently.

The interconnection to the Gold Coast City Council Water Supply would not negate the longer term need for the raising of Clarrie Hall Dam or construction of Byrrill Creek Dam. The total estimated cost of the design and construction portion of the project is \$13.64 million.

This project was outlined in a November 2015 report to Council and was not identified as a preferred option. Council subsequently resolved to "*adopt the raising of the wall of the Clarrie Hall Dam as the preferred option for future water security*" at the December 2015 meeting

## **7. Arkinstall Park Stage 2**

Stage 1 of the Arkinstall Park Regional Sports Centre development is completed and officially opened in May 2015. Stage 2 of the Centre includes a regional indoor sports complex and rectangular multi-use sports fields with grandstands. A feasibility study and business case for stage 2 has recently been completed, and based on the recommendations of the business case a master plan and concept plan for the facilities have also been developed.

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

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

To take advantage of funding opportunities within current constraints, it is recommended that the development of stage 2 be staged. An application through Round 3 of the Stronger Regions Fund can be submitted for the construction of the multi-purpose indoor facility and associated car parking estimated at \$17,000,000.

## **8. Tweed Coast Road Upgrade**

The Tweed Coast Road is currently a two lane rural road extending south from the Pacific Motorway interchange at Chinderah to Cudgen, Depot Road, Casuarina and Cabarita Beach/Bogangar. The construction of the section from Chinderah to Casuarina (previously named "Old Bogangar Road") was funded by Section 94 contributions as required by the Tweed Coast Contribution Plan.

To facilitate a standard of road network to cater for the increasing population growth along the Tweed Coast and its accompanying traffic generation this project was identified as being required in the Tweed Road Development Strategy, which was last updated in 2007. The project involves an upgrade from the existing two lanes to four lanes for the Tweed Coast Road from the new signalised intersection at Grand Parade, Casuarina to the Pacific Motorway at Chinderah.

The project includes upgrading of the north and south on ramps to the Motorway and the installation of a roundabout at the intersection of the Tweed Coast Road and Kings Forest Parkway. As timing and need for this work is unknown it is not recommended for the Stronger Regions grant program. Total project cost is estimated at \$25million.

#### **9. Jack Evans Boat Harbour Stage 2 - incorporating Goorimahbah, Aboriginal Gardens**

Conceptual planning for this stage was undertaken prior to the construction of Stage 1. Whilst the landform has been prepared for the Aboriginal Gardens, there is significant work and landscaping proposed in this Stage 2 concept. An attempt was made to initiate an aspect of the Aboriginal Gardens several years ago, however contractual issues resulted in this work being abandoned. The total estimate to undertake Stage 2 is \$6,300,000 of which Council has no matching funding. There is an opportunity however to pursue separate aspects of the concept such as the story wall, the gateway structure and saltwater sculpture as small one off projects as funding becomes available.

#### **OPTIONS:**

Council has several options at this point in time. Namely, that Council:

1. Adopts the recommendation to submit an application for the Northern Rivers Rail Trail - Tweed stage.
2. Determines the most appropriate capital works project from the above Projects List to submit to the grants program.
3. Nominates an alternative project to recommend to the grants program.
4. Does not submit an application to the grants program.

#### **CONCLUSION:**

It is recommended that the Northern Rivers Rail Trail Tweed Stage (Murwillumbah to Crabbes Creek) Project be submitted for Round 3 of the National Stronger Regions Fund, subject to a matching funding commitment from the State Government and feedback from the Department of Infrastructure and Regional Development on Council's Round 2 submission.

#### **COUNCIL IMPLICATIONS:**

##### **a. Policy:**

Corporate Policy Not Applicable.

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

This report recommends that Council submit an application for Federal Grant funding. Budget implications are as per the report.

##### **c. Legal:**

Not Applicable.



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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## 7 [GM-CM] Local Government Reforms - Fit for the Future Update

**SUBMITTED BY:** Acting General Manager

Valid



### Civic Leadership

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

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

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#### SUMMARY OF REPORT:

The NSW Government requested the Independent Pricing and Regulatory Tribunal (IPART) to undertake the role of the Expert Advisory Panel in assessing local government Fit for the Future (FFTF) proposals. The FFTF reforms aim to improve the strength and effectiveness of local government in providing services and infrastructure that communities need.

Consistent with Council's FFTF submission in June 2015, IPART assessed Tweed Shire's submission at the time as meeting the scale and capacity criteria but not meeting some of the financial criteria.

At its meeting of 22 October 2015 Council resolved in part:-

1. *Receives and notes the Independent Pricing and Regulatory Tribunal (IPART) "Assessment of Council Fit for the Future Proposals - Local Government - Final Report October 2015".*
2. *Makes further submissions to both IPART and the NSW Government in relation to the new improved 2014/15 Operating Performance Ratio results detailed in Council's 2014/15 Annual Financial Statements and the outcome of the revaluation process on depreciation expense calculations.*

On 18 December 2015 the Minister for Local Government announced the next steps in the FFTF process. Despite resubmitting the FFTF criteria, following the Council resolution of 22 October 2015, Tweed Shire remains classified as 'not fit'.

The NSW Government has published the following guidance on the FFTF website for those Councils classified as 'not fit':-

*Councils who did not perform well in the financial, asset management or efficiency benchmarks in the IPART assessment will have a second opportunity to obtain 'Fit for the Future' status and gain access to the TCorp borrowing facility. There will also be an opportunity for Far West councils to undertake a Fit for the Future assessment.*

*More details will be released in early 2016.*

**Key Dates**

<i>January 2016</i>	<i>More details on Fit for the Future options released.</i>
<i>February</i>	<i>Re-assessment guidelines issued</i>
<i>March-April</i>	<i>Pre-assessment workshops</i>
<i>May</i>	<i>Revised improvement plans lodged.</i>
<i>June</i>	<i>Re-assessment of revised plans</i>

The strategy developed to address the FFTF benchmark criteria is embedded in the 'Tweed The Future Is Ours' (TTFIO) program. A review of the TTFIO program dates, particularly on community engagement, will be undertaken once the re-assessment guidelines are issued in February 2016.

**RECOMMENDATION:**

**That Council receives and notes the Local Government Reforms – Fit for the Future Update report.**

## REPORT:

### Background

The NSW Government requested the Independent Pricing and Regulatory Tribunal (IPART) to undertake the role of the Expert Advisory Panel in assessing local government Fit for the Future (FFTF) proposals. The FFTF reforms aim to improve the strength and effectiveness of local government in providing services and infrastructure that communities need.

Consistent with the NSW Government's Terms of Reference and IPART'S Methodology Paper, IPART assessed the council proposals against the following criteria:

1. Scale and capacity to engage effectively across community, industry and governments;
2. Sustainability;
3. Effectively managing infrastructure and delivering services for communities; and
4. Efficiency.

Consistent with Council's FFTF submission in June 2015, IPART assessed Tweed Shire's submission at the time with then available data on assets as meeting the scale and capacity criteria but not meeting some of the financial criteria, in particular the Operating Performance Ratio which can be affected significantly dependent upon depreciation expenses.

Since the June 2015 submission, Council's general fund Operating Performance Ratio for 2014/15 has exceeded the required benchmark. In addition, results from the asset revaluation for transport and stormwater drainage indicate that Council should have a reduced depreciation expense in 2015/16 of around \$2m, further improving the Operating Performance Ratio.

At its meeting of 22 October 2015 Council resolved in part:-

1. *Receives and notes the Independent Pricing and Regulatory Tribunal (IPART) "Assessment of Council Fit for the Future Proposals - Local Government - Final Report October 2015".*
2. *Makes further submissions to both IPART and the NSW Government in relation to the new improved 2014/15 Operating Performance Ratio results detailed in Council's 2014/15 Annual Financial Statements and the outcome of the revaluation process on depreciation expense calculations.*

### Latest announcements and guidance

On 18 December 2015 the Minister for Local Government announced the next steps in the FFTF process. Despite resubmitting the FFTF criteria, following the 22 October 2015 Council resolution, Tweed Shire remains classified as 'not fit'.

The NSW Government response: December 2015 publication states:-

Council	IPART Assessment	Scale & Capacity	Financial Criteria	Government Response	TCorp Facility	What happens next?
Tweed	Not Fit	✓	✘	Financial intervention considered if Not Fit after assessment	✘	Discuss opportunities to revise your FFTF proposal for reassessment with OLG.

Correspondence to the Mayor from the Minister for Local Government (Attachment 1) states in part:-

*Today the Government has announced merger proposals for NSW councils and new measures to strengthen the system of local government. While your council is not the subject of a merger proposal, the Government's announcement includes a response to the IPART assessment of councils and changes that will impact on all councils.*

*The Government's position has been informed by four years of consultation involving every council in NSW, independent assessments (including IPART's recent report on the health of councils across NSW), merger preferences submitted by councils to the Government last month, and feedback from communities and stakeholders.....*

*The Government has announced today that it:*

- *has commissioned IPART to review the rating system, and has asked IPART to advise on the best way to achieve the policy commitment on freezing rates as part of the rating review. IPART will provide its report to the Government by the end of 2016;*
- *will commence consultation on proposed amendments to the Local Government Act, including previously announced changes such as two year terms for mayors and new financial intervention powers;*
- *will provide councils that IPART deemed Not Fit due to not meeting the financial benchmarks with an opportunity to be reassessed in 2016; and*
- *will provide rural councils with the option of streamlining governance arrangements.*

The NSW Government has published the following guidance on the FFTF website for those Councils classified as 'not fit':-

*More options to become Fit for the Future*

Councils who did not perform well in the financial, asset management or efficiency benchmarks in the IPART assessment will have a second opportunity to obtain 'Fit for the Future' status and gain access to the TCorp borrowing facility. There will also be an opportunity for Far West councils to undertake a Fit for the Future assessment. More details will be released in early 2016.

**Key Dates**

January 2016	More details on Fit for the Future options released.
February	Re-assessment guidelines issued
March-April	Pre-assessment workshops
May	Revised improvement plans lodged.
June	Re-assessment of revised plans

The strategy developed to address the FFTF benchmark criteria is embedded in the 'Tweed The Future Is Ours' (TTFIO) program. A review of the TTFIO program dates, particularly on community engagement, will be undertaken once the re-assessment guidelines are issued in February 2016.

**OPTIONS:**

Not applicable

**CONCLUSION:**

Tweed Shire Council continues to be deemed 'not fit' and has now been provided a further opportunity to meet the FFTF criteria. More information will be made available in February 2016.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable

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

Not Applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Letter from Minister for Local Government, 18 December 2015 (ECM 3903308).

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## REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

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

#### 79C Evaluation

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

(a) the provisions of:

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

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

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

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

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

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

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

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

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

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

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



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

SUBMITTED BY: Development Assessment and Compliance

Valid



### Civic Leadership

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

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

#### SUMMARY OF REPORT:

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

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

#### RECOMMENDATION:

That:

1. The following items from Council's resolution of 18 December 2013 Minute Number 251 be rescinded:
    - *In regard to new development applications for building works, where there is a requirement for payment of Section 64 and Section 94 contributions, consent conditions for such payments will designate payment to be made prior to issue of Occupation Certificate.*
    - *Section 94 Contribution Plans (except CP 28 Seaside City) are to be progressively amended to mandate payment of contributions for building*
-

*works prior to issue of Occupation Certificate.*

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

7. **Amendments be made where necessary to relevant contribution and service plans and fees and charges to facilitate the above changes to the timing of payment of contributions.**

**REPORT:**

On 18 April 2013 Council adopted the following:

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

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

The larger residential projects have more cross checks through the conveyancing steps with vendors and purchases engaging professional assistance to ensure all steps have been completed in the transaction including the issuing of occupation certificates. The risk of non-payment of contributions when linked to the occupation certificate for large residential projects is low compared to a change of use from one commercial activity to another involving a shop or kitchen fit out. Upon completion of the fitout works there is nothing preventing the commencement of the use other than the conditions of the consent and the proponent seeking an occupation certificate. Whereas if the contributions are triggered by the construction certificate release progress can't be made until the contributions have been

paid.

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

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

**OPTIONS:**

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

Option 2 is recommended.

**CONCLUSION:**

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

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Amendments to Council practice is recommended

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

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

**c. Legal:**

Legal action may be required to enforce compliance.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Council Report and Resolution 18 April 2013 (ECM 3909125)

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## REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

### 9 [CNR-CM] RFO2015146 Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre

**SUBMITTED BY:** Recreation Services

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

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### SUMMARY OF REPORT:

Council advertised for Expressions of Interest (EOI) from suitably qualified Tennis Professionals with experience in the delivery of professional tennis coaching and venue management services for the new Arkinstall Park tennis facility in accordance with its aims and objectives.

Offer RFO2015146 Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre was officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Offer was advertised on 24 October 2015 in the Gold Coast Bulletin and Brisbane Courier Mail and in the Tweed Link on 26 October 2015.

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 RFO2015146 Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre:**

- 1. Council awards the contract to Pro-One Tennis Academy (ABN 65 116 760 742, ACN 116 760 742) based on the details of their Offer submission that includes the following lease agreement for Council's facility:**

<b>Year</b>	<b>Annual Lease Price (GST Excl.)</b>
<b>1</b>	<b>\$0.00</b>
<b>2</b>	<b>\$15,909.09</b>
<b>3</b>	<b>\$31,818.18</b>
<b>4</b>	<b>\$31,818.18</b>
<b>5</b>	<b>\$31,818.18</b>
<b>Total</b>	<b>\$111,363.64</b>

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:-**
  - (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:**

### **Offer Background**

Council advertised for Expressions of Interest (EOI) from suitably qualified Tennis Professionals with experience in the delivery of professional tennis coaching and venue management services for the new Arkinstall Park tennis facility in accordance with its aims and objectives.

A management agreement will be entered into between Council and the successful organisation and/or persons. The proposed duration of the management agreement will be five (5) years with a further five (5) year option.

The successful organisation and/or persons will be required to fulfil the following objectives:

- Work with Council to deliver and achieve the best possible result for tennis in general.
- Provide safe and attractive facility, which delivers a variety of tennis related activities and programs.
- Provide a varied and balanced tennis program that caters for a diverse community.
- Improve utilisation of the Facility and participation in tennis generally.
- Promote and advertise the Facility and its programs and services to the community.
- Provide a Facility that is affordable, accessible and sustainable and able to deliver member and community benefits.
- Provide quality service.
- Introduce new tennis-related programs in response to the needs of the membership and community.
- Ensure that the Facility is managed and operated with the utmost commitment to safety.
- Provide your expert and professional guidance and opinion and work with Council in relation to any capital improvements undertaken at the Facility.
- Take all reasonable steps to return the Facility in a like condition.
- Work in partnership with Council and the Tweed Heads Tennis Club (THTC) Committee to ensure open communication, cooperation and trust at all times; to ensure overall community benefit is delivered.
- Maintain and preserve Council's capital investment in the Facility.

Accordingly, Council is seeking an organisation and/or persons with a proven ability in the management and operation of similar facilities.

### **Offer Advertising**

Offer RFO2015146 Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre was officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Offer was advertised on 24 October 2015 in the Gold Coast Bulletin and Brisbane Courier Mail and in the Tweed Link on 26 October 2015.

### **Offer Submissions**

As per the requirements of the Local Government Regulation 2005, Offer submissions closed at 4.00pm (local time) on 11 November 2015 in the Tender Box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Six (6) Expression of Interest submissions were recorded at the Tender Box opening and their details are as follows:



<b>Bidder</b>	<b>ABN</b>
Brendon Moore Tennis	42 855 918 007
Clublinks & Origin Tennis	41 099 690 301 94 156 228 554
D'Vine Group	12 162 502 392
Eaton & Scott	Not Provided with submission
Pro-One Tennis Academy	65 116 760 742
Sonic Tennis	97 431 154 070

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Expression of Interest. Weightings were modified from that included in the Conditions of Expression of Interest to that listed below during the development and subsequent approval of the Offer Evaluation Plan prior to the commencement of assessment and evaluation scoring. The details of the price and non-price evaluation are shown on Attachment 1 RFO2015146 Offer Evaluation Report and Attachment 2 RFO2015146 Offer Evaluation Scoresheet.

<b>Criterion</b>	<b>Document Reference</b>	<b>Weighting (%)</b>
Assessed Offer Price (as adjusted)	Schedule 1.5	15
Interpretation and Methodology	Schedule 1.2	15
Value Add Opportunities	Schedule 1.3	10
Resources, Qualifications & Insurances	Schedule 1.1	25
Track Record, Experience & Referees	Schedule 1.4	25
Local Content	Schedule 1.8	10
	<b>Total</b>	<b>100</b>

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 listed below conducted the Offer evaluation.

<b>Position</b>
Manager Recreation Services (Chairperson).
Consultant - Venue Sustainability Manager, Tennis Australia.
Consultant - Events and Facilities Manager, Tennis NSW.

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

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

The information identifies the 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:**

1. Accept the Offer for RFO2015146 from Pro-One Tennis Academy (ABN 65 116 760 742, ACN 116 760 742).
2. Accept an alternative Offer for RFO2015146.

**CONCLUSION:**

Council awards the Contract RFO2015146 to Pro-One Tennis Academy (ABN 65 116 760 742, ACN 116 760 742) based on the details of their Offer submission that includes the following lease agreement for Council's facility:

Year	Annual Lease Price (GST Excl.)
1	\$0.00
2	\$15,909.09
3	\$31,818.18
4	\$31,818.18
5	\$31,818.18
Total	\$111,363.64

and as detailed in the Offer Evaluation Report confidential **Attachment 1** for the Professional Coaching and Management Services for the Arkinstall Park Regional Tennis Centre.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

- Procurement Policy v1.6
- In accordance with Local Government (General) Regulations 2005.

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

The agreement represents income of \$111,361.64 over the term of the agreement. This income will be retained in a reserve to be used for the asset management of the Arkinstall Park Regional Tennis Centre.

**c. Legal:**

Council will enter into a management agreement for the services as detailed in this report.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. RFO2015146 Offer Evaluation Report (ECM 3911138)

*(Confidential)* Attachment 2. RFO2015146 Offer Evaluation Scoresheet (ECM 3911199)

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10 [CNR-CM] Park Naming - Bogangar

**SUBMITTED BY: Recreation Services**

Valid



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## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

---

### SUMMARY OF REPORT:

At its meeting on Thursday 21 May 2015 Council resolved:

*That Council notes the endorsement of the Aboriginal Advisory Committee and calls for any public comments regarding the naming of the park located on the corner of Recreation Street and Cooley Street, Bogangar "Paulson Park", in accordance with Council's Policy for the Naming of Public Parks.*

At the close of the exhibition period no submissions were received.

### RECOMMENDATION:

**That Council names the park located on the corner of Recreation Street and Cooley Street, Bogangar "Paulson Park" and erects signage.**

**REPORT:**

At its meeting on Thursday 21 May 2015 Council resolved:

*"That Council notes the endorsement of the Aboriginal Advisory Committee and calls for any public comments regarding the naming of the park located on the corner of Recreation Street and Cooley Street, Bogangar "Paulson Park", in accordance with Council's Policy for the Naming of Public Parks."*

At the close of the exhibition period no submissions were received.

**OPTIONS:**

1. That Council names the park located on the corner of Recreation Street and Cooley Street, Bogangar "Paulson Park" and erects signage.
2. That Council does not name the park located on the corner of Recreation Street and Cooley Street, Bogangar "Paulson Park".

**CONCLUSION:**

The proposal to name the park located on the corner of Recreation Street and Cooley Street, Bogangar, Paulson Park was processed in accordance with Council's Policy for the Naming of Public Parks and no submissions were received.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Naming of Public Parks.

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

\$200 for name sign and installation.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed. Consultation was undertaken in accordance with the requirements of the Naming of Public Parks Policy.

Consultation has been undertaken with the Aboriginal Advisory Committee in the first instance and then the proposed name was put on public exhibition for 28 days.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil

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**11 [CNR-CM] Grant Acceptance - Tweed Estuary Coastal Zone Management Plan Preparation**

**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
- 

**SUMMARY OF REPORT:**

Council has received an offer of \$97,500 in grant funding from the NSW Office of Environment and Heritage Estuary Management Program. The grant will be matched by Council, and be used to prepare a coastal zone management plan for the Tweed River estuary. This report provides a summary of the matters that must be addressed by a coastal zone management plan, identifies the source of matching funding for the project and provides an outline of the process that will be followed to prepare the plan.

**RECOMMENDATION:**

**That Council:**

- 1. Accepts the grant offer of \$97,500 from the NSW Office of Environment and Heritage to prepare a coastal zone management plan for the Tweed River.**
- 2. Allocates \$97,500 from the Waterways Program Budget to match this funding.**
- 3. Proceeds with the preparation of a coastal zone management plan for the Tweed River estuary.**

## **REPORT:**

Council has been offered a grant of \$97,500 by the NSW Office of Environment and Heritage Estuary Management Program. The grant is being offered to assist Council in the preparation of a Coastal Zone Management Plan (CZMP) for the Tweed River estuary.

A CZMP is a document which sets out the values, condition and pressures relating to a waterway or section of coastline. The plan preparation process includes developing actions that can be implemented to manage environmental threats and support sustainable access to, and use of coastal areas. CZMPs must be prepared in accordance with guidelines set out by the Office of Environment and Heritage, and must include certain matters such as community consultation and assessment of risk to property from coastal hazards such as erosion or tidal inundation. Upon completion, CZMPs are sent to the Environment Minister for certification. Funding of actions set out in a certified CZMP is a high priority for grant allocation by the Office of Environment and Heritage through the Estuary Management Program.

At its meeting on 11 June 2014 the Tweed River Committee recommended that Council prepare a Coastal Zone Management Plan for the Tweed Estuary, which includes all tidal waters of the Tweed and Rous Rivers, from the river mouth to the Bray Park weir and Boat Harbour respectively. The minutes of this Tweed River Committee and this recommendation were endorsed by the Executive Management Team and adopted by Council at its meeting on 17 July 2014.

It is anticipated that a consultant will be engaged to prepare the bulk of the CZMP, and that the Tweed River Committee will guide the process and provide continual feedback throughout the project, from finalising the scope to reviewing the draft document. The project will commence on 10 February 2016, at a meeting of the Tweed River Committee, where the Committee will be asked to endorse the proposed project scope and terms of reference, prior to the finalisation of a consultant brief.

The proposed draft scope and methodology of the CZMP will be as follows:

### **Project Goal**

Prepare a Coastal Zone Management Plan that includes actions to address priority management issues in the Tweed River Estuary, which when implemented, will guide sustainable conservation and use of the River for a period of 10 years.

### **Project Objectives**

When complete, the CZMP will:

1. Identify the current condition of the estuary ecosystem and present a prioritised set of policies, strategies and actions that can be implemented over 10 years to enhance ecosystem condition.
2. Identify community uses of, and future preferences for use of the Tweed River, and develop policies, strategies and actions that can be implemented over 10 years to balance the demand for recreational access (and allocation of management resources) with targets for ecosystem condition.

3. Describe the nature and extent of risks to public safety and built assets from coastal hazards, projected climate change impacts on risks from coastal hazards, and proposed actions to manage current and future risks from coastal hazards.
4. Effectively communicate the CZMP preparation process and findings to the community, and ensure that there is robust, genuine and balanced community input to the preparation process.
5. Clearly document all findings in a report.

**Inputs (existing studies and investigations)**

Theme	Sub-theme	Task	Method and description
<b>Estuary Ecosystem Health</b>	<b>Water quality:</b>	Updated analysis and interpretation of estuary water quality	Updated WQ assessment based on methodology used by ABER in 2012
		Upper catchment WQ analysis and water quality model determine riparian restoration targets	Analysis of data to identify spatial (sub-catchment scale) trends Determine capacity and targets for water quality improvement via riparian rehabilitation
		Effluent discharge impacts	Via WQ assessment
		ASS runoff impacts	Audit of drain discharge
	<b>Physical processes:</b>	River bank erosion	Incorporate findings of 2014 Riverbank erosion management plan
	<b>Flora and fauna study:</b>	Bird life	Updated surveys, access information from Birdlife Australia.
		Aquatic fauna (fish, turtles, dolphins, benthos)	Collate existing information.
		Marine vegetation (seagrass, mangrove, saltmarsh)	Use existing mapping, and update discussion based on Pacific wetlands report Audit of unprotected marine vegetation Map areas of the foreshore suitable for salt marsh colonisation under the influence of sea level rise.
		Riparian corridors and revegetation priorities	Incorporate findings of 2014 Riverbank erosion management plan and targets for upper catchment revegetation



Theme	Sub-theme	Task	Method and description
<b>Community Use</b>	<b>Recreational use study:</b>	Environmental impacts of recreational use	Literature review and survey of River, including consultation with users.
		Factors affecting demand	Literature review
	<b>Socio-economic values study:</b>	Communities current use and engagement with the River	Randomised phone survey On-line survey On water survey
		Social and economic impacts of recreational activity (impacts on residential amenity and Councils budget)	Randomised phone survey On-line survey Information from 2014 Riverbank erosion management plan and 2012 Wake Management Study
		Cultural significance of the River	Literature review
		Desired amenity, visual character and ecological aspirations for the River	Randomised phone survey On-line survey
		Community priorities and preference for investment and management	Randomised phone survey On-line survey
		Support for or objection to various recreational activities	Randomised phone survey On-line survey
<b>Coastal Hazards Risks</b>	Entrance instability	Literature review - qualitative assessment of entrance dynamics based on historical records	
	Coastal inundation	Reference to Tweed River flood model - estimate of wave run-up and overtopping of foreshores resulting from an extreme ocean storm event (current conditions, 2050 and 2100)	
	Tidal inundation	Estimate of areas inundated from still water levels with a 50 or 100 year ARI (current conditions, 2050 and 2100)	
	Erosion of foreshore	Information from 2014 Riverbank erosion management plan	

### Outputs (policies, plans and actions)

Output	Format
Education of community on current issues affecting the Tweed River system	Guidelines and content for multi-format, multi-media River environment education program to be developed. To be implemented over time based on resource availability.
Determine environmental carrying capacity of the River	Incorporated into recreational strategy
Tweed River System Recreational Strategy (Options for types and levels of appropriate recreation)	Separate report, with findings incorporated into CZMP

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Output	Format
CZMP for estuary	Comprehensive document with policy statements, action and implementation strategy etc.
DCP for the River (by Strategic planning Unit)	Format to be determined.

### Documentation

- i. Interim deliverable
  - Report on environmental carrying capacity of the River and Tweed River System Recreational Strategy
- ii. Final CZMP

### Timing

The CZMP preparation process will commence in early 2016, and will take 18 months to complete.

### OPTIONS:

1. Accept the grant of \$97,500 from the Office of Environment and Heritage, confirm the allocation of matching funds to the project and prepare a CZMP for the Tweed estuary.
2. Not accept the grant from Office of Environment and Heritage and proceed with preparing a CZMP for the Tweed estuary with a reduced project budget.
3. Not proceed with the preparation of a CZMP for the Tweed estuary.

### CONCLUSION:

Accepting the grant offer from Office of Environment and Heritage will allow Council to prepare a comprehensive and detailed plan of management for the Tweed estuary that includes an effective program of community consultation. The last plan of management prepared for the lower Tweed River was developed by the NSW Public Works Department in 1991, and it is very important for this document to be updated, so that changes in the River's condition and patterns of use can be assessed and managed in a sustainable way.

### COUNCIL IMPLICATIONS:

#### a. Policy:

Corporate Policy Not Applicable.

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

As noted, the grant offer of \$97,500 from the Office of Environment and Heritage is for 50% of the project cost. The funding to match this grant is available within the Waterways Program Budget, from the Lower Tweed Management Plan job number. The matching funding for this project has been identified and held in reserve for the purpose, pending receipt of advice from Office of Environment and Heritage on the success of the estuary program grant application.

#### c. Legal:

Not Applicable.

**d. Communication/Engagement:**

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

Preparation of the CZMP will involve significant communication and engagement with the community on the values and uses of the River. Specific tasks associated with this are summarised in the table above under the Community Use theme describing the content and methodology proposed for the CZMP.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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12 [CNR-CM] Pest Management Report - May to November 2015

**SUBMITTED BY:** Natural Resource Management

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
- 

### SUMMARY OF REPORT:

This report outlines the works undertaken by Council's Pest Management Program Area to control the impacts of nuisance biting insects and vermin in Tweed Shire for the period May to November 2015 (inclusive).

### RECOMMENDATION:

**That Council receives and notes the Pest Management Report - May to November 2015 and continues the scheduled works.**

**REPORT:**

**MOSQUITOES**

**Enquiries**

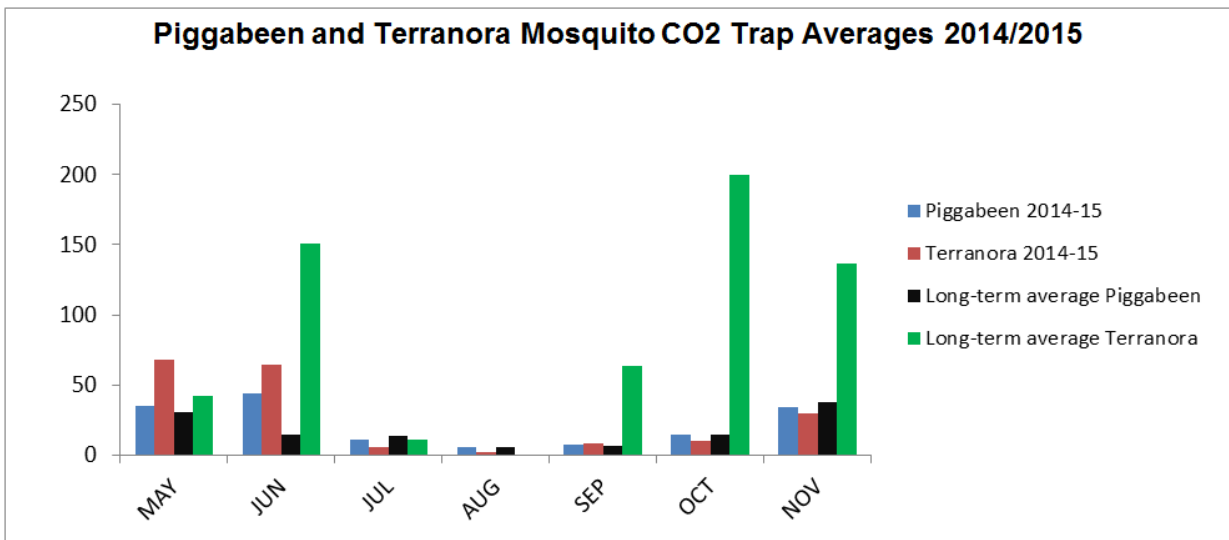
There were four enquiries relating to mosquitoes during the reporting period. A low number of enquiries from the community is usual during the cooler months of the year.

**Seasonal abundance**

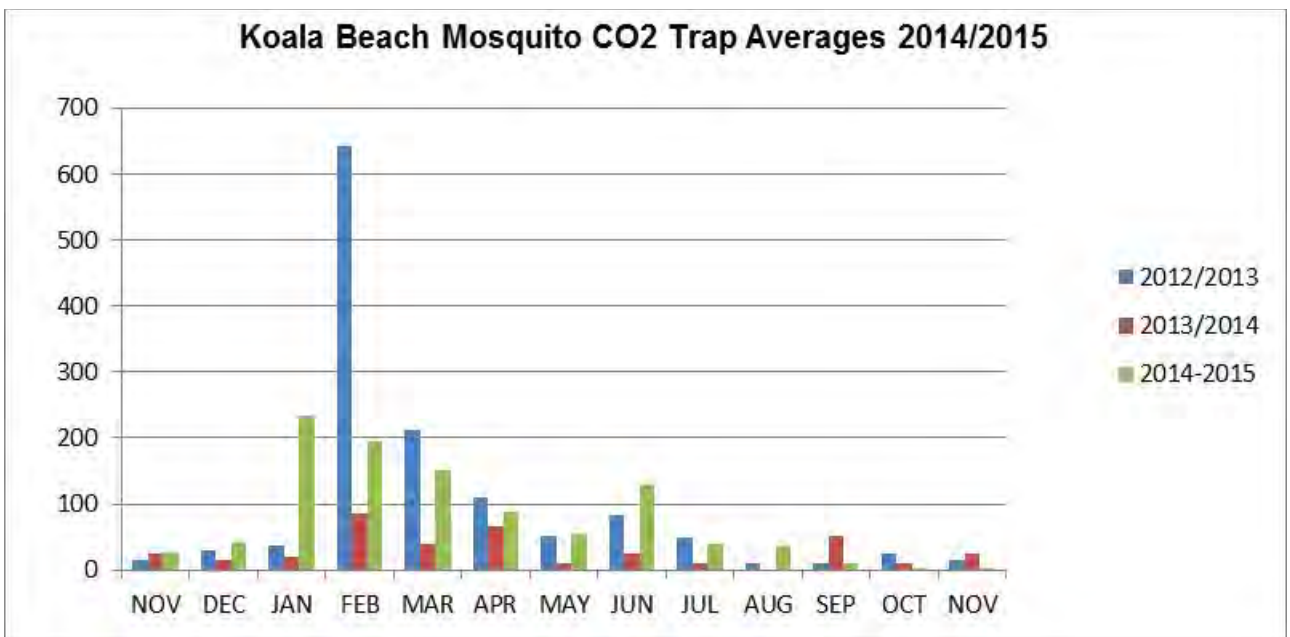
The most frequently caught mosquitoes in carbon dioxide baited traps were *Culex annulirostris*, *Culex quinifasciatus*, and *Aedes notoscriptus*.

The 2015 the control season was initiated in October.

See Figures 1 and 2 below for numbers of mosquitoes trapped at each of the three carbon dioxide trapping sites.



**Figure 1:** Results of mosquito trapping at Piggabeen and Terranora



**Figure 2:** Results of mosquito trapping at Koala Beach Estate

## Control Program

Council's Mosquito control program focuses on controlling the larvae stage of the Mosquito lifecycle. Council uses two target specific products, one a biological larvicide, and the other an insect growth regulator.

*Bacillus thuringiensis* subsp. *israelensis* (Bti) - Bti is ingested by the mosquito larvae, causing death within 24 hours. This larvicide is specific to mosquitoes and several other closely related flies. Bti poses no harm to other aquatic non-target organisms.

Methoprene is an insect growth regulator. Methoprene treated larvae are unable to successfully change from a pupa to the adult insect, breaking the biological life cycle of the insect. Methoprene is also quite specific in its action, posing no risk to fish, crabs, amphibians and water birds.

There were three aerial mosquito larvicide treatments carried out over the report period, using 664kg of ProLink Prosand and 198 litres Vectobac AS.

See Table 1 below for dates and areas at which control was undertaken.

Table 1: Dates and area for aerial control

Date	Site
06/05/2015	Bolsters Heath Road Charles Bay Reserve
10/11/2015	Weeks Charles Bay Reserve South Tumbulgum Smiths Cobaki Broadwater Village Mahers Lane Bolsters Heath Road
01/12/2015	Smiths Charles Bay Reserve Mahers Lane Bolsters

The aerial treatments were carried out in response to mosquito hatches stimulated by both rainfall and tidal events. All aerial treatment works successfully reduced mosquito larvae numbers to an acceptable level.

Ground-based mosquito larval control was carried out utilising sustained release methoprene over the report period. Areas with *Ae. vigilax* and *Ve. funerea* breeding were treated around Tweed Heads, Terranora, Banora Point, Bilambil, Tumbulgum, Chinderah, Pottsville, Koala Beach and Fingal.

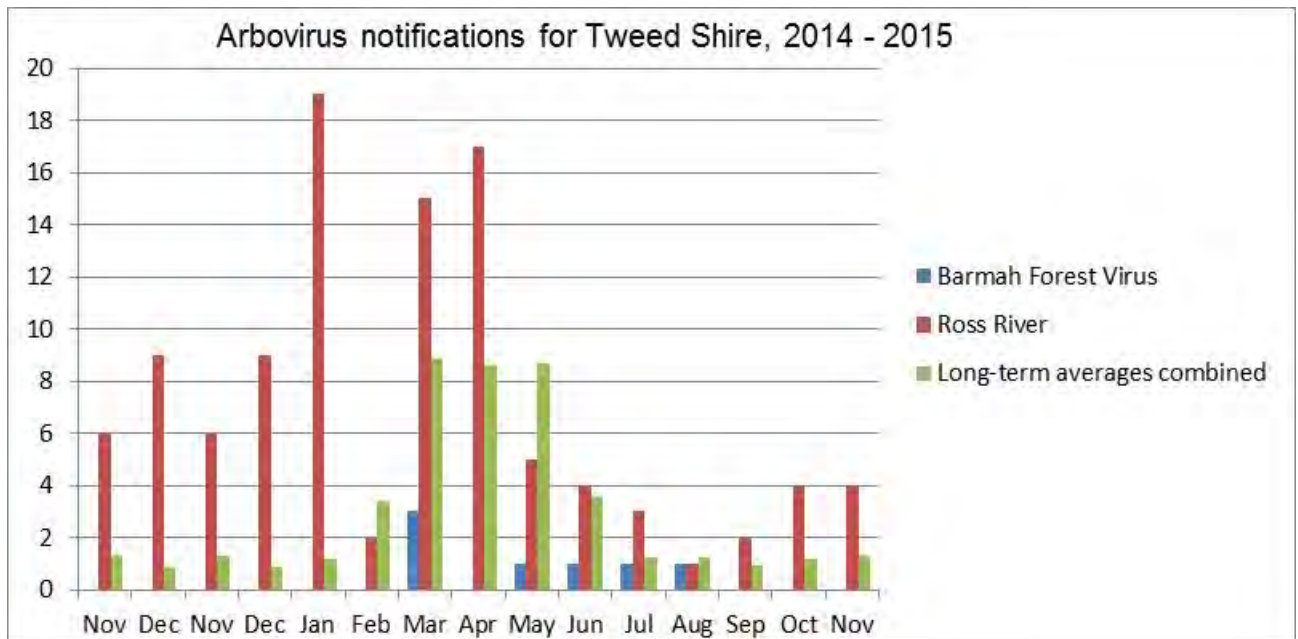
Chemical applied to these areas included 41kg of Prolink pellets and 660 Prolink briquettes.

## Arbovirus

Arboviruses are a class of viruses transmitted to humans by arthropods such as mosquitoes and ticks. The first two letters of the words 'arthropod' and 'borne', make up the 'arbo' that now designates this group of viruses as arthropod-borne.

There were 27 arbovirus notifications from Tweed Shire during the report period. These reports were from both coastal and hinterland localities.

Figure 3 (below) shows that Tweed Shire received 23 Ross River and 4 Barmah Forest virus cases in May to November 2015.



**Figure 3:** Arbovirus notifications from November 2014 - December 2015

### Terranora Mangrove breeding mosquito research project

Monitoring of the Mahers Lane site has been ongoing during the reporting period.

### BITING MIDGE

#### Seasonal activity

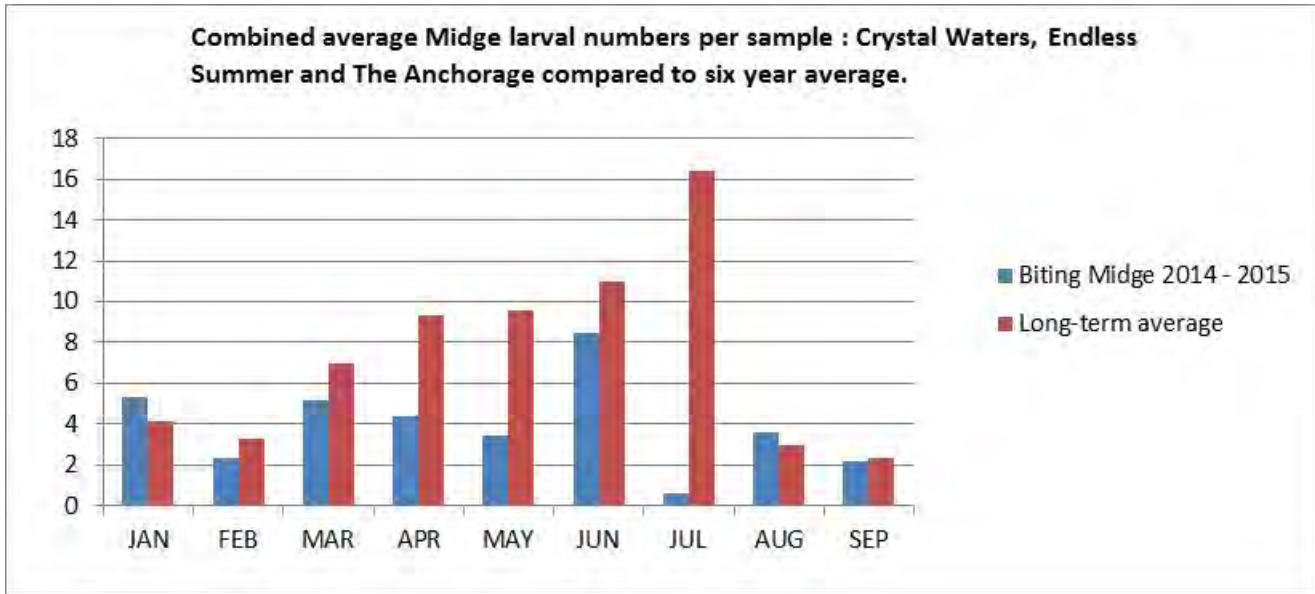
Canal breeding midge larval numbers at test sites were approaching the long-term average at the start of the reporting period with treatment reducing numbers in July. See Figure 4.

#### Enquiries

There were five enquiries relating to biting midges during the reporting period. Each enquiry prompted a visit by Council staff to the households affected. Householders were provided with an explanation as to the areas at which control measures can be applied for biting midge, and provided with information on how to alleviate biting midge problems at their property.

## Control

A control was carried out over a two day period on the canal sites on the 21 and 24 July 2015 in response to sampling results. A total of five hectares of canals were treated.



**Figure 4:** Biting midge larvae seasonal activity 2015

## **OTHER PESTS**

### **Enquiries from Community**

There were 59 miscellaneous enquiries/service requests during the report period. The most common enquiries related to rabbits, ants and Pandanus plant-hopper.

### **Council Rodent Control**

Rodent baiting and trapping has been carried out over the report period in Council buildings, around coastal holiday parks, sewerage treatment plants, adjacent to several drainage reserves and infested sections of Tweed River rock walls.

### **Pandanus Plant-hoppers**

Monitoring of Pandanus trees in coastal areas for plant-hopper related dieback is continuing with some activity recorded at Bogangar. A total of four Pandanus trees have been treated during the reporting period. Monitoring is ongoing in these areas.

### **Termites**

Inspection of 622 in-ground termite bait stations was carried out around Council owned buildings. Termite activity was detected in the Tweed Heads Civic Centre. Treatment is being implemented at this site.

## **OPTIONS:**

1. That this report be received and noted.
2. That this report be received and noted and that further information requested on particular aspects of the program.



**CONCLUSION:**

Overall, on-ground works undertaken achieved the objectives of controlling the impacts of nuisance invertebrate species and vermin to an acceptable level within known areas of occurrence within Tweed Shire.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

Additional ongoing funds were provided in the October quarterly budget review sourced from with the Natural Resource Management Unit. Additional funds were required due to the extended mosquito control season. Additional areas of Tweed Shire will require treatment with the increase in developed areas.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

## 13 [CNR-CM] Review of Tweed Shire Council Cultural Policy

**SUBMITTED BY: Community and Cultural Services**

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
3.1.3	Provide opportunities for visitors to enjoy access to the arts through cultural facilities, festivals and programs

---

### **SUMMARY OF REPORT:**

The Community and Cultural Services Unit is undertaking a major review of Council's Cultural Policy, which was first developed in 1999. This report updates Council on the Cultural Policy review by outlining its process and progress to date. The completed Cultural Policy review will result in a new Cultural Plan for the Tweed.

The new Cultural Plan will guide Council's future support of cultural activity in the Shire. The Plan will seek to value add the Tweed's existing cultural strengths / assets and evaluate the need for, and capacity to deliver, new cultural activity and assets in the future. Further, the review process will initiate new measures to monitor the economic and social outcomes generated by Council's support of cultural activity in the Shire.

The Cultural Plan review process involves: cross-unit collaboration between Council staff working across programs and assets that support the arts and cultural sector; working with Council's Communications and Customer Services staff to promote the review to engender community participation; the analysis of research-data gathered from statistical sources, Council records, the general community and select population target groups; collaboration with Arts Northern Rivers to engage arts and cultural sector workers and volunteers; demographic and other data analyses.

### **RECOMMENDATION:**

**That Council receives and notes the report on the review of the Shire's Cultural Policy.**

## REPORT:

The review of Council's cultural policy, led by the Community and Cultural Services Unit, will establish a new framework to guide Council's support of cultural activity and the development of its cultural assets. This review will produce a new Cultural Plan for the Tweed. By engaging the general community and the Shire's cultural sector, the Plan will establish a shared understanding of what makes up the cultural life of communities across the Tweed, and why we value and support cultural activity. The new Cultural Plan will highlight the cultural strengths of Tweed Shire and establish a way forward for developing these strengths.

Council's existing Cultural Policy was first adopted in 1999. The cultural life of the Tweed Shire, and Council's commitment to arts and cultural activity, has transformed significantly since this time. This has resulted from various changes including: to the size and make-up of our communities; Council's growth in commitment to cultural services (which in part stemmed from the NSW Government's City of the Arts funding awarded to Council in 2003-2005); increased awareness of the economic and social value of cultural activity; and community expectation for cultural activity. Council's past commitment to cultural activity established or evolved many of the cultural activities now celebrated as the shire's cultural strengths, and/or important contributors to the economic and social value derived from culture across the Shire.

In light of the changes since 1999 the new Cultural Plan will refresh how Council will move forward with respect to its commitment to the support of cultural activity. Cultural planning for the shire has direct links with Council's Community and Strategic Plan's key objectives of Supporting Community Life and Strengthening the Economy. The new Plan will also draw on the values established by the existing *Cultural Policy* (2013 revision edition). Further, the review process will generate new data concerning the cultural activity and assets the community values and desires through various community-based research processes.

The Cultural Plan review is based on UNESCO's cultural domains as the key areas of cultural activity. Similarly, the NSW Government's current Arts and Cultural Policy Framework *Create in NSW* (2015) broadly embraced these domains which include:

- Cultural and natural heritage;
- Performance and celebration/s;
- Visual arts and crafts;
- Books and press;
- Audio visual and interactive media;
- Design and creative services.

Council's Community Development Officer - Cultural Planning is leading the Cultural Policy review and is being assisted by a Cultural Plan Internal Working Group (CPIWG). Staff input from across Council is considered integral to the successful development and implementation of the new Cultural Plan. Various sections of Council perform multiple functions that directly impact or shape the cultural life of the Tweed residents - whether this is through delivering cultural programs or planning for the spaces or buildings in which cultural activity takes place.

Steps planned to complete the Cultural Plan review are summarised in the table below:

Step	Detail	Timeframe
Community based research	Finalise community research / engagement resources and physical mapping of cultural asset data Launch, distribute and promote 'What's the cultural picture?' community survey Hold focus groups	January to April 2016
Data analysis	Compile and analyse survey and focus group data Analyse and cross reference survey and focus groups data with other project data	May to June 2016
Draft Plan	Write, design and report Draft Cultural Plan to the Council	June to August 2016
Public exhibition	Exhibit Draft Cultural Plan Receive and analyse public submissions	September 2016
Final plan	Report public submissions and a final Cultural Plan to the Council	October 2016

In 2016 the general community will be given the opportunity to complete the 'What's the cultural picture?' survey. The survey will be made available to complete both online and in hard copy format. Hard copies of the survey will be distributed at various community access points, including libraries. Promotion of the survey will occur across the Shire through various online and hard media, as well as at community-based activity points associated with cultural activity or life such as cafes, community centres, galleries and the museum.

To supplement the community survey results, focus groups will be held with identified population target groups – including the Aboriginal community, seniors, young people and families, people living with disabilities and arts and cultural sector workers and volunteers. Council staff will collaborate with Arts Northern Rivers to hold focus groups with arts and cultural sector workers and volunteers, including community-based arts and cultural organisations. The Community Development Officer - Cultural Planning will liaise with the 'Tweed - The Future Is Ours' community engagement events network where appropriate.

Data gathered from these community-based research methods will be analysed in accordance with the demographic and cultural asset data already gathered to develop an updated picture of the strengths and weaknesses of cultural activity and assets across the Shire. This information will be used to prepare the new Cultural Plan.

#### **OPTIONS:**

1. Note and receive the report on the review of the Shire's Cultural Policy.
2. Request further information on the review of the Shire's Cultural Policy.

#### **CONCLUSION:**

Council's Community and Cultural Services Unit is leading a review of Council's existing Cultural Policy, first established in 1999. This process has involved the collaborative support of staff from Council and Arts Northern Rivers. Key to the review process is engagement of the Tweed's general community and cultural sector, as well as an understanding of the shire's demographics. The review will result in a new five year Cultural Plan which will guide the actions of Council toward initiating or supporting cultural

programs/activity or cultural asset development. The new Cultural Plan will seek to support the cultural life and activities Shire residents' value and desire by value adding to our existing cultural strengths; assess the need for, and Council's capacity to deliver, new cultural activity and assets. Further, the plan will establish measures to monitor the economic and social outcomes generated by Council's support of cultural activity in the Shire.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Cultural Policy v1.1

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

The Long Term Financial Plan provides a recurrent budget of \$24,000 plus CPI to support the Cultural Policy review and preparation and implementation of a new Cultural Plan. In addition, the funded position of Community Development Officer - Cultural Planning (3 days per week) will conduct community based research with identified groups and the cultural and creative industries sector to inform the new cultural planning framework.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

The following steps have been taken to date in preparation for the 2016 community based research phase:

Cultural Plan Internal Working Group (CPIWG)

In 2015 the Executive Management Team resolved to form an internal working group which has met periodically to inform:

- The scope and methodology for the Cultural Policy review.
- Identification of the Shire's cultural assets / resources across the areas of: cultural and natural heritage; performance and celebration/s; visual arts and crafts; books and press; audio visual and interactive media; design and creative services.
- Completion of the 'What's the Cultural Picture?' research survey.

Other Internal Consultations

- Preparation of a Communication Plan for the Cultural Plan project in collaboration with Council's Communications and Customer Services Unit.
- Commenced design of community consultation promotional material with Council's Communications and Customer Services Unit.
- Liaison with Council's GIS unit to undertake the physical mapping of cultural asset data. This will include: 'hard assets' (buildings/facilities and other spaces where cultural activity takes place); cultural events and festivals; and culture based people and groups.

Community Consultation

- Liaison with key community groups that will be the subject of focus groups in March to April 2016 - including Tweed Shire Council's Aboriginal Advisory Committee, Equal Access Advisory Committee, the Tweed's secondary schools (youth) and creative industries sector (via Arts Northern Rivers);

- Liaison with other community groups with an interest in cultural activity across the shire in readiness for community engagement in February to April 2016.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS FROM THE DIRECTOR ENGINEERING

### 14 [E-CM] Creation of Easement over Lot 1 DP792256 and Lot 3 DP877186, Terranora Road, Bungalora

SUBMITTED BY: Design

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

---

### SUMMARY OF REPORT:

Council has negotiated with the owners of Lot 1 in DP792256 for the formalisation of a mutually beneficial right of carriageway over both Lot 1 DP792256 and Lot 3 DP877186.

There is currently a formed track leading from Terranora Road at Bungalora through Lot 1 in DP792256 and provides access to an otherwise inaccessible parcel, being Lot 3 DP877186 which is Council owned operational land.

The track also provides formal access to Lot 1 from Terranora Road and it was found upon investigation by Council surveyors that part of the formation fell within Council land being Lot 3.

To enable continued access to both parties over each parcel of land it was established that a right of carriageway be created which provides a mutual benefit to both land owners.

A plan of right of carriageway and Section 88B Instrument have been created and require the Common Seal of Council to enable registration of same.

### RECOMMENDATION:

That:

- 1. Council supports the creation of the Right of Carriageway over Lot 1 DP792256 which benefits Council, and provides consent for the creation of a Right of Carriageway over Lot 3 DP877186, which burdens Council.**
  - 2. All necessary documentation be executed under the Common Seal of Council.**
-

**REPORT:**

Council has negotiated with the owners of Lot 1 in DP792256 for the formalisation of a mutually beneficial right of carriageway over both Lot 1 DP792256 and Lot 3 DP877186. Refer to Diagram 1.

Diagram 1 – Plan of proposed easement over Lot 1 DP792256 and Lot 3 DP877186.

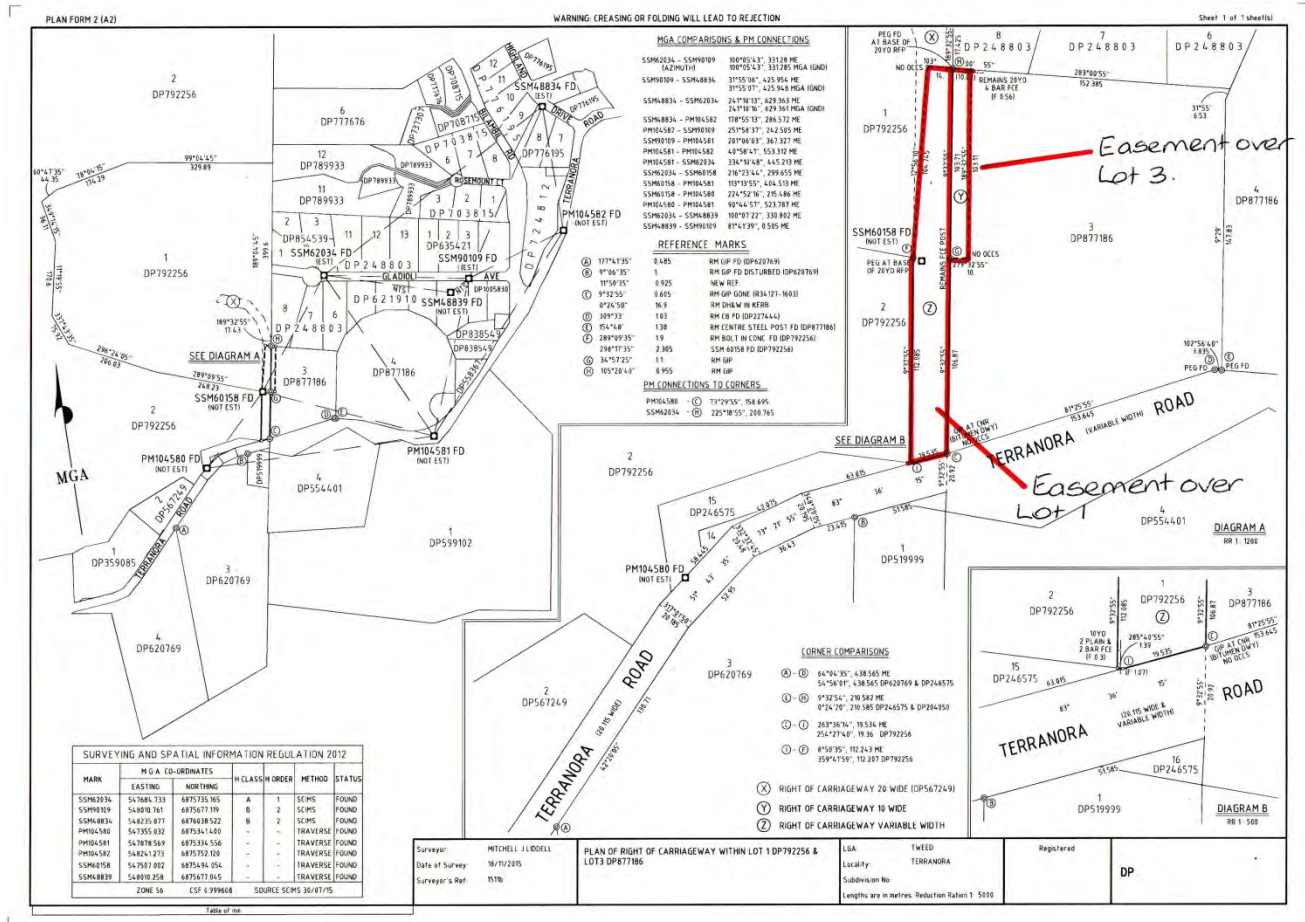




Diagram 2 – Aerial photo showing current formed track in use.



The track also provides formal access to Lot 1 from Terranora Road and it was found upon investigation by Council surveyors that part of the formation fell within Council land being Lot 3.

**OPTIONS:**

1. Council supports the creation of the Right of Carriageway over Lot 1 DP792256 which benefits Council, and provides consent for the creation of a Right of Carriageway over Lot 3 DP877186, which burdens Council.
2. Council does not approve the creation of the right of carriageway over Lot 1 DP792256 and Lot 3 DP877186.

**CONCLUSION:**

To enable continued access to both parties over each parcel of land it was established that a right of carriageway be created which provides a mutual benefit to both land owners.

The plan of right of carriageway and Section 88B Instrument which have been created now require the Common Seal of Council to enable registration of same.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

Cost for maintenance of track in use to be shared between the owner of Lot 1 in DP 792256 and Lot 3 DP877186 being an asset under the Roads and Stormwater Unit budget.

**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 negotiated with the owners of Lot 1 DP792256 to allow a mutually beneficial right of carriageway over both parcels of land.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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15 [E-CM] Kunghur Hall, Kunghur

SUBMITTED BY: Design

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

### SUMMARY OF REPORT:

A plan of redefinition of the Kunghur Hall site has been completed to confirm the property boundaries and title dimensions.

The underlying plan, Kunghur 1 which notes the parcel as Lot 1 Section 1 DP 758588, does not provide adequate survey information and as such a plan of redefinition is required to be registered. Given the value of the site to Council, it is imperative that the land dimensions are correct and beyond dispute by the registration of the new plan.

It is recommended that Council, as the landowner, provides its consent to the plan of redefinition of Lot 1 Section 1 DP 758588 to allow the registration of same.

### RECOMMENDATION:

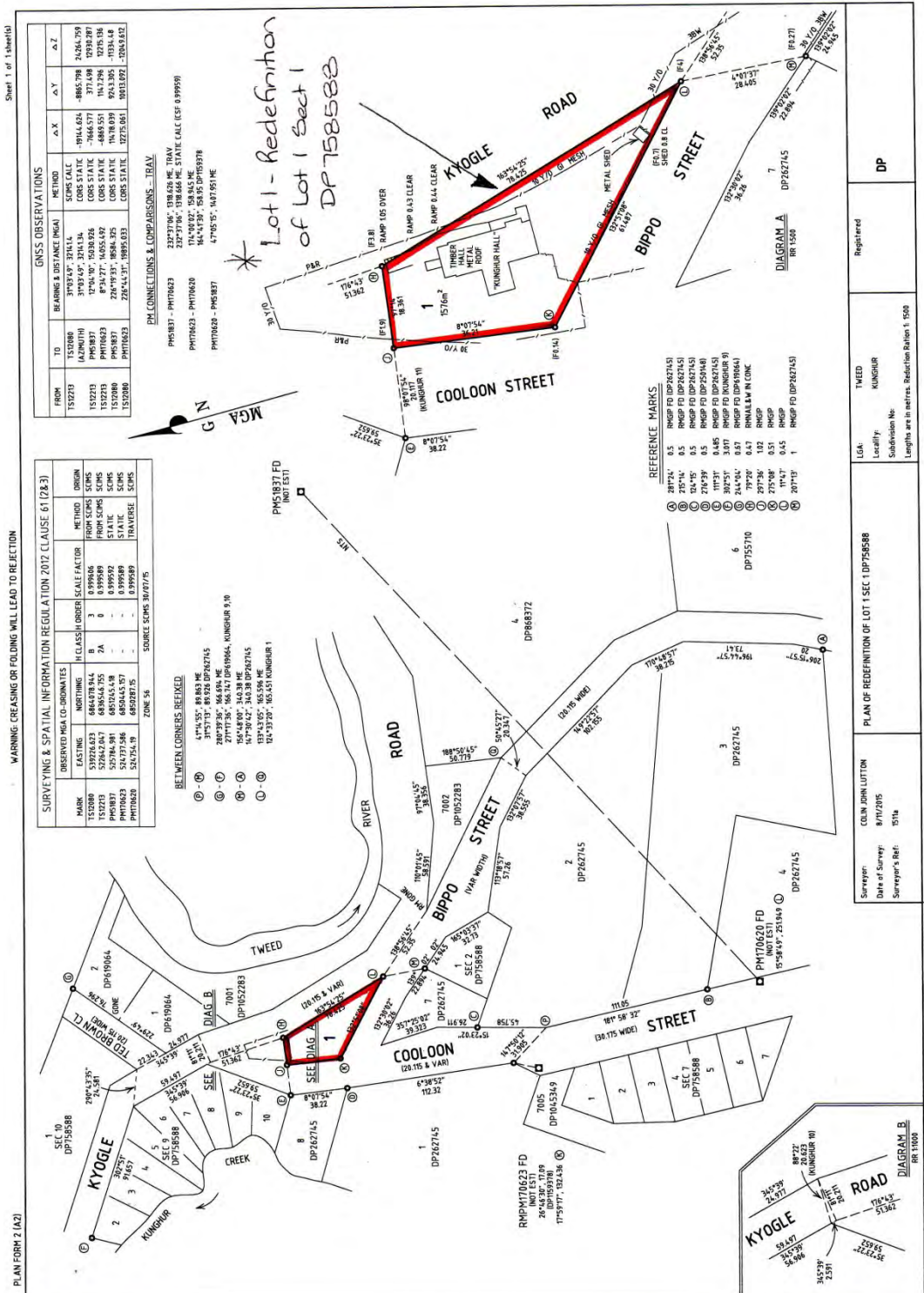
That

1. Council provides its consent to the plan of redefinition of Lot 1 Section 1 in DP 758588.
2. All necessary documents be executed under the Common Seal of Council.

**REPORT:**

A plan of redefinition of the Kunghur Hall site has been completed to confirm the property boundaries and title dimensions. Please refer to Diagram 1. The plan of redefinition will clarify the current existing boundaries of Lot 1 Section 1 DP 758588 to ensure the facilities are within the property boundaries. There is no change to the current property boundaries and there will be no impact on surrounding properties.

Diagram 1 - Plan of redefinition of Lot 1 Section 1 DP758588 - to become Lot 1 upon registration.



Sheet 1 of 1 sheet(s)

TO	FROM	BEARING & DISTANCE (MGA)	METHOD	Δ X	Δ Y	Δ Z
1512213	1512213	379°34'37" 374.14	SUPS CALC	0.00	0.00	0.00
1512213	1512213	379°34'37" 374.14	CORS STATIC	0.00	0.00	0.00
1512213	1512213	74°45'51" 104.57	CORS STATIC	0.00	0.00	0.00
1512213	1512213	87°31'27" 140.84	CORS STATIC	0.00	0.00	0.00
1512213	1512213	274°19'31" 188.84	CORS STATIC	0.00	0.00	0.00
1512213	1512213	274°19'31" 188.84	CORS STATIC	0.00	0.00	0.00
1512213	1512213	274°19'31" 188.84	CORS STATIC	0.00	0.00	0.00
1512213	1512213	274°19'31" 188.84	CORS STATIC	0.00	0.00	0.00

**PH CONNECTIONS & COMPARISONS - TRAV**  
 23277706 - 138.626 NE TRAV  
 23277706 - 138.626 NE STATIC CALC (ESP 0.99999)  
 23277706 - 138.626 NE STATIC CALC (ESP 0.99999)  
 147°45'51" 104.57  
 47°45'51" 104.57  
 147°45'51" 104.57

MARK	EASTING	NORTHING	CLASS (ORDER)	SCALE FACTOR	METHOD	ORIGIN
1512213	527642.07	688544.75	7A	0	8.999992	FROM SCMS SCMS
PH18023	527964.91	687645.48	-	-	8.999992	STATIC SCMS
PH18023	527977.58	688445.37	-	-	8.999992	STATIC SCMS
PH18023	527974.19	688227.75	-	-	8.999992	TRAVEL SCMS

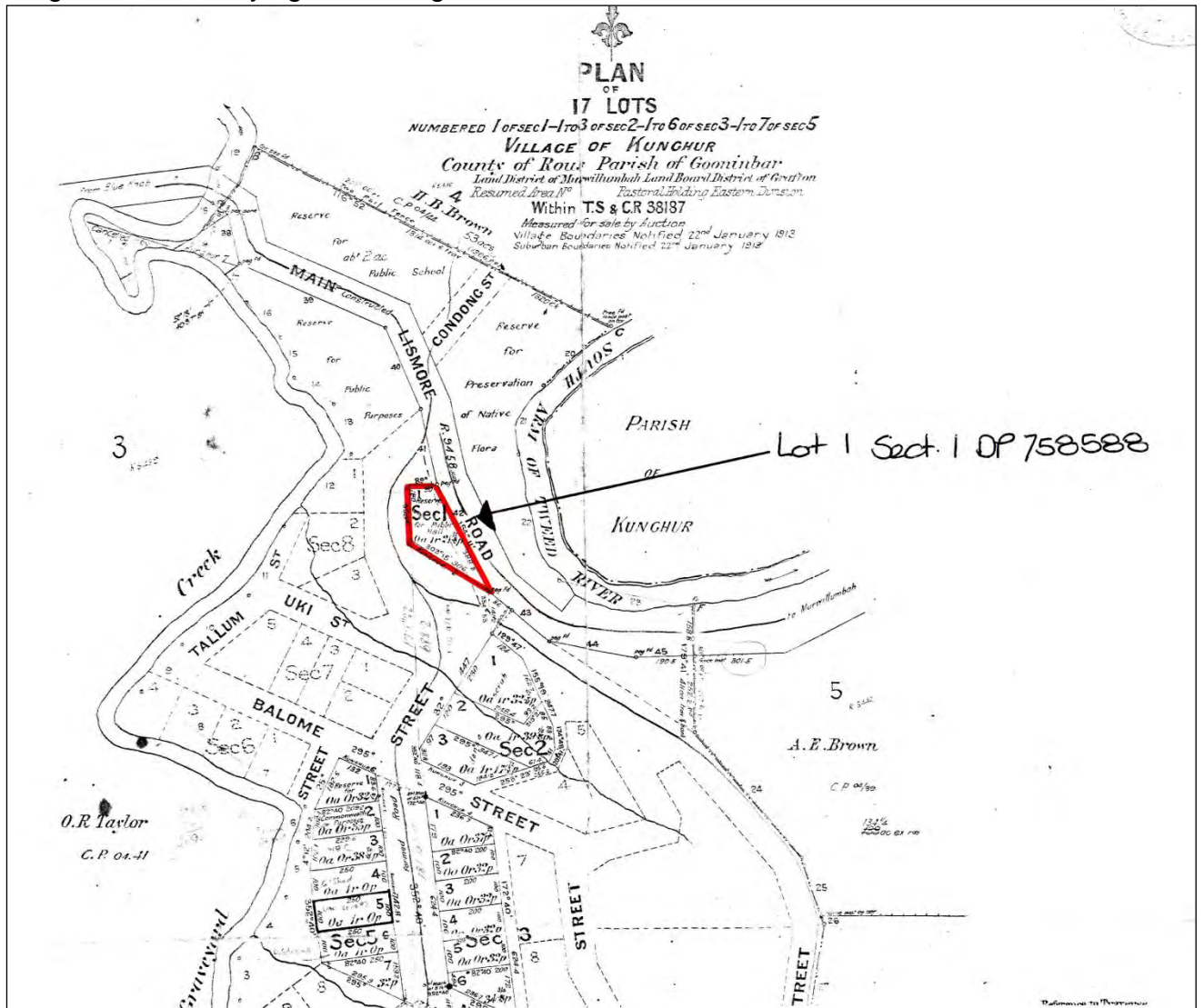
**BETWEEN CORNERS (FIXED)**  
 47°45'51" 89.863 NE  
 315°13'13" 85.528 DP262745  
 274°19'31" 188.84 DP262745  
 147°45'51" 104.57 DP262745  
 147°45'51" 104.57 DP262745  
 147°45'51" 104.57 DP262745  
 147°45'51" 104.57 DP262745

- REFERENCE MARKS**
- ① 287°24' 0.5 RMSP FD (DP262745)
  - ② 257°14' 0.5 RMSP FD (DP262745)
  - ③ 254°15' 0.5 RMSP FD (DP262745)
  - ④ 274°39' 0.5 RMSP FD (DP250448)
  - ⑤ 119°31' 0.405 RMSP FD (KUNGHUR H)
  - ⑥ 244°14' 0.57 RMSP FD (DP419644)
  - ⑦ 79°29' 0.47 RPNALLEW IN CONC
  - ⑧ 297°36' 1.02 RMSP
  - ⑨ 278°48' 0.51 RMSP
  - ⑩ 278°48' 0.41 RMSP
  - ⑪ 207°18' 1.1 RMSP FD (DP262745)

Surveyor:	COLIN JOHN LUTTON	PLAN OF REDEFINITION OF LOT 1 SEC 1 DP758588	Registered
Date of Survey:	8/17/2015		
Surveyor's Ref:	157ha		
U.G.A. Locality:	KUNGHUR		
Subdivision No:			
Lengths are in metres. Reduction Rules 1, 620.			

The underlying plan is Kunghur 1 which notes the parcel as Lot 1 Section 1 DP 758588. Please refer to Diagram 2. Recent survey work associated with pavement replacement and upgrading of Kyogle Road, Kunghur, revealed poor definition for the hall boundaries. In order to determine the position of the boundaries an extensive field survey involving investigation of surrounding boundaries was conducted and lodgement of the new plan of redefinition is now required to preserve the new survey work and allow registration as a Deposited Plan following rigorous review by the Land Titles Office.

Diagram 2 - Underlying Plan Kunghur 1, Lot 1 Section 1 DP 758588



The survey is not a subdivision and merely confirms the correct location of the land parcel with a modern survey plan.

**OPTIONS:**

1. Council provides its consent to the plan of redefinition of Lot 1 Section 1 DP 758588.
2. Council does not provide its consent to the plan of redefinition of Lot 1 Section 1 DP 758588.

**CONCLUSION:**

It is recommended that Council, as the landowner, provides its consent on the plan of redefinition of Lot 1 Section 1 DP 758588 to allow the registration of same.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

No future budget implications.

**c. Legal:**

Registering the plan provides an up to date survey defining the subject parcel of land.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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16 [E-CM] RFO2015130 Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane

SUBMITTED BY: Infrastructure Delivery

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 RFO2015130 for the Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement strategy.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Submissions closed at 4.00pm (local time) on 18 November 2015 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

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

### RECOMMENDATION:

That in respect of the Request for Offer RFO2015130 for the Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane:

1. Council awards the contract to 'Terex Australia Pty Ltd' (ABN 86010671048, ACN 10671048) for the amount of \$400,000 (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:**

**Request for Offer Background**

Offer RFP2015130 for the Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement strategy.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 18 November 2015 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, request for offers were officially advertised for RFP2015130 for the Supply of One (1) 22,000Kg Telescopic Pick and Carry Crane on 24 October 2015 in the Sydney Morning Herald. The request for offer 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 suppliers issued before close of offer.

**Offer Submissions**

Two (2) offers were recorded at the Tender Box and tendering opening and their details are as follows:

<b>Supplier</b>	<b>ABN</b>	<b>ACN</b>
Terex Australia Pty Ltd	<b>86010671048</b>	<b>10671048</b>
TRT Australia Pty Ltd	<b>75060361275</b>	<b>60361275</b>

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.

<b>Criterion</b>	<b>Document Reference</b>	<b>Weighting (%)</b>
Value for Money WOL Costs	Section 18	40
Operational Evaluation	Section 18	30
Maintenance Evaluation	Section 18	10
Operator Evaluation	Section 18	10
Local Content	Section 18	10

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

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

<b>Position</b>
Operations Coordinator Plant and Materials
Fleet Plant Maintenance Technician
Council Crane Operator No1
Council Crane Operator No2

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

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

**OPTIONS:**

1. Council accepts the recommendation to award the contract to Terex Australia Pty Ltd;  
or
2. Council awards the contract to another supplier; or
3. Council does not proceed with the contract and advises the suppliers of the reasons for not proceeding.

**CONCLUSION:**

The offer submitted by Terex Australia Pty Ltd presents the best value to Council.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.6.

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

Budget provision included in 2015/2016 allocation for Plant Replacement

**c. Legal:**

In accordance with Local Government (General) Regulations 2005.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. RFO2015130 Offer Evaluation Report (ECM 3913382).

*(Confidential)* Attachment 2. RFO2015130 Offer Evaluation Scoring Sheet (ECM 3913491).

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## REPORTS FROM THE DIRECTOR CORPORATE SERVICES

### 17 [CS-CM] Draft Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy - Version 2.0

**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 Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy is required to be reviewed and adopted annually. The Policy was reviewed by Council on 17 September 2015, with no proposed amendments and placed on public exhibition from 29 September to 30 October 2015, with no submissions being received.

Prior to the Policy being reported back to Council and following concerns raised internally by Councillors regarding the adequacy of the Policy, advice was sought from the Office of Local Government (OLG). The OLG also raised subsequent issues with the wording and application of particular parts of the Policy.

To ensure a robust and independent review be undertaken into the Policy, Prevention Partners NSW were engaged to undertake this review, which included their facilitation of a workshop with councillors on 3 December 2015. Whilst this review was being undertaken and prior to the revised Policy being adopted, Council also resolved to continue to pay current Councillor expenses as they have in the past in accordance with the adopted policy as it stands prior to any recommendation from the review.

Resulting from the advice of the Office of Local Government and the independent review undertaken by Prevention Partners NSW, a revised Draft Policy has been prepared for the consideration of Council. The draft Policy will also be required to be advertised for 28 days with comments able to be submitted over a period of 42 days. Following the conclusion of this public exhibition period a further report will be prepared for the consideration of Council, for the adoption of the Policy, with consideration being given to any submissions received.

**RECOMMENDATION:**

**That the amendments to the Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 2.0 be determined and the Draft Policy placed on public exhibition for 28 days with submissions able to be received over a 42 day period.**

## REPORT:

The Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy is required to be reviewed and adopted annually. The Policy was reviewed by Council on 17 September 2015, with no proposed amendments and placed on public exhibition from 29 September to 30 October 2015, with no submissions being received.

Prior to the Policy being reported back to Council and following concerns raised internally by Councillors regarding the adequacy of the Policy, advice was sought from the Office of Local Government (OLG). The OLG also raised subsequent issues with the wording and application of particular parts of the Policy.

To ensure a robust and independent review be undertaken into the Policy, Prevention Partners NSW were engaged to undertake this review, which included their facilitation of a workshop with councillors on 3 December 2015. Whilst this review was being undertaken and prior to the revised Policy being adopted, Council also resolved to continue to pay current Councillor expenses as they have in the past in accordance with the adopted policy as it stands prior to any recommendation from the review.

Resulting from the advice of the Office of Local Government and the independent review undertaken by Prevention Partners NSW, a revised Draft Policy has been prepared for the consideration of Council. The draft Policy will also be required to be advertised for 28 days with comments able to be submitted over a period of 42 days. Following the conclusion of this public exhibition period a further report will be prepared for the consideration of Council, for the adoption of the Policy, with consideration being given to any submissions received.

Attachment 1 discloses the proposed amendments prior to the Workshop and Attachment 2 contains the amendments that were agreed at the Workshop conducted on 3 December 2015 and also contains further proposed amendments that have been highlighted within the draft Policy, that require a determination by Council prior to the draft Policy being placed on public exhibition. Attachment 3 is a summary of changes discussed at the Councillor Workshop.

Of the highlighted areas within Attachment 2, Council needs to give consideration to and make a determination on:

**Section 4.1.3 – Phone and Internet** – the method of apportioning the private component of these charges. The Mobile Phone and Internet plan is based on the cost of a Telstra Medium Plan of \$40 per month which allows 5GB of data and talk of \$1000. The Home Phone and Internet bundle is based on the cost of a Telstra Large monthly plan of \$119.

**Additional Section 4.1.4.1 – Converting Council property to personal property** – new section included.

**Section 4.1.7 – Approval and dispute resolution processes** – review process for non-significant claims.

**Section 4.1.8 – Reimbursement and reconciliation of expenses** – submission of original receipts and tax invoices from the point of sale.

**Section 4.2.2 – Attendance at training and education courses** – review process for attendance at non-significant training and education courses.

**Section 4.2.7 – Legal expenses and obligations** – additional wording included in this section.

**Section 4.2.9 – Attendance at dinners and other non-council functions** – authorisation process and meetings concerning development proposals.

**Section 4.2.11 – Councillors Contributing into Superannuation** – councillors may at their request contribute all or part of their annual fee to a complying superannuation fund.

**Section 4.3.1 – The Mayoral vehicle** – contribution towards private use of the allocated mayoral vehicle.

**Section 5.1 – General Provisions** – reimbursement for use of private equipment provided the expense claim is accompanied by point of sale receipts.

**Attachment: maximum reimbursement limits (GST inclusive) 2015/2016**

Mobile phone and internet plan - the method of apportioning the private component of these charges. The Mobile Phone and Internet plan is based on the cost of a Telstra Medium Plan of \$40 per month which allows 5GB of data and talk of \$1000.

Home Phone and Internet bundle is based on the cost of a Telstra Large monthly plan of \$119.

Other expenses as listed with maximum limits.

**OPTIONS:**

Council to consider the proposed Draft Policy Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors v2.0 and make decisions on the outstanding amendments and then the Draft Policy can be placed on public exhibition.

**CONCLUSION:**

It is a requirement of the Local Government Act 1993 that Council needs to annually review the Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy. Following the independent review of the Policy, Council needs to make decisions on the outstanding amendments and then the Draft Policy can be placed on public exhibition.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors v2.0.

Reference also to the Guidelines prepared by the Office of Local Government for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW - October 2009.

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

Expenditure incurred through the application of this Policy is allowed within the Civic Business area of the Budget.

**c. Legal:**

Yes. Legal advice has been received, following an external review of the Policy by Prevention Partners NSW.

**d. Communication/Engagement:**

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

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

A Councillor Workshop was conducted on 3 December 2015, by a representative from Prevention Partners NSW.

The Draft Policy will also be publicly exhibited for 28 days with comments able to be submitted over a period of 42 days.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- |               |  |
|---------------|--|
| Attachment 1. | Draft – Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 1.9, prior to Workshop of 3 December 2015. (ECM3912235) |
| Attachment 2. | Draft – Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 2.0 (ECM3782221)  |
| Attachment 3. | Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors proposed amendments from Workshop conducted on 3 December 2015 (ECM3912173)    |
-

18 [CS-CM] Model Code of Conduct Version 2.0

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 Local Government Amendment (Councillor Misconduct and Poor Performance Act) 2015 commenced on 13 November 2015. This report addresses the proposed amendment to the Model Code of Conduct to complement the changes to the Local Government Act 1993.

Part 4.29 of the Model Code of Conduct has been enhanced and the changes mean that councillors with significant non-pecuniary conflicts of interests in the making, amendment, alteration or repeal of an environmental planning instrument applying to the whole or a significant part of their local government area will no longer be permitted to participate in consideration of those matters unless:

- The only interests affected by the changes relate to the interest a person (e.g. a close friend or affiliate of a Councillor) has in their principal place of residence; and
- The Councillor has disclosed the affected interests.

Council has been requested to amend the Model Code of Conduct to reflect the amendment to Part 4.29 and as the advice was received from the Office of Local Government on 17 December 2015, this is the first Council Meeting since receiving the advice that has enabled consideration of this matter.

### RECOMMENDATION:

That:

1. **The Model Code of Conduct Version 2.0 incorporating the amendment to Part 4.29, be adopted; and**



2. In accordance with Section 161(2) of the Local Government Act 1993 the Model Code of Conduct Version 2.0 not be publicly exhibited as the amendment is not substantial as it is a consequence of changes to the Local Government Act 1993 and it only affects Councillors.

## **REPORT:**

The Local Government Amendment (Councillor Misconduct and Poor Performance Act) 2015 commenced on 13 November 2015. This report deals with the proposed amendment to the Model Code of Conduct to complement the changes to the Local Government Act 1993.

Part 4.29 of the Model Code of Conduct has been enhanced and the changes mean that councillors with significant non-pecuniary conflicts of interests in the making, amendment, alteration or repeal of an environmental planning instrument applying to the whole or a significant part of their local government area will no longer be permitted to participate in consideration of those matters unless:

- The only interests affected by the changes relate to the interest a person (e.g. a close friend or affiliate of a Councillor) has in their principal place of residence; and
- The Councillor has disclosed the affected interests.

This change is designed to promote community confidence in Council planning decisions by amending the provision of the Local Government Act 1993 that prevents Councillors to participate in consideration of the making, amendment, alteration or repeal of an environmental planning instrument where they have other property interests other than the principal place of residence.

Council has been requested to amend the Model Code of Conduct to reflect the amendment to Part 4.29 and as the advice was received from the Office of Local Government on 17 December 2015, this is the first Council Meeting since receiving the advice that has enabled consideration of this matter.

## **OPTIONS:**

This is a mandatory change flowing from amendments to the Local Government Act 1993 and Council is required to update its Model Code of Conduct.

## **CONCLUSION:**

That:

1. The Model Code of Conduct Version 2.0 incorporating the amendment to Part 4.29, be adopted; and
2. In accordance with Section 161(2) of the Local Government Act 1993 the Model Code of Conduct Version 2.0 not be publicly exhibited as the amendment is not substantial as it is a consequence of changes to the Local Government Act 1993 and it only affects Councillors.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Code of Conduct (Model) v2.0

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

Not Applicable.

**c. Legal:**

Office of Local Government Circular 15 – 41 / 17 December 2015

**d. Communication/Engagement:**

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

As the proposed amendment to the Model Code of Conduct has been instigated by the commencement of the Local Government Amendment (Councillor Misconduct and Poor Performance Act) 2015, and as it only affects councillors, there is no necessity to advertise the revised Model Code.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Model Code of Conduct Version 2.0 (ECM 3907661).

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19 [CS-CM] Draft Community Sponsorship Policy Version 1.0

SUBMITTED BY: Director

Valid



**Civic Leadership**



**Supporting Community Life**

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**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
- 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 draft Community Sponsorship Policy is presented in this report for endorsement by Council and public exhibition. The purpose of this Policy is to establish Tweed Shire Council's position in relation to the provision of financial assistance by way of a sponsorship agreement to local community groups and organisations that deliver enhancements to the identity and character, environment, health, well-being and connectedness of Tweed Shire Council residents.

**RECOMMENDATION:**

**That Council exhibits the draft Community Sponsorship Policy Version 1.0 for a period of 28 days and accepts public submissions for a period of 42 days as per Section 160 of the Local Government Act 1993.**

## REPORT:

Council provides a range of support and resources both financial and in-kind, to a number of community organisations who deliver a variety of services and projects to residents of The Tweed Shire.

Whilst this support and resources have traditionally been provided via both formal and informal mechanisms, there has been an annual grants program that was conducted under the Donations (Financial Assistance) Policy. It is proposed that the Donations (Financial Assistance) Policy Version 1.2 will be replaced by the adoption of this draft Policy.

The draft Community Sponsorship Policy continues to offer assistance to local community organisations ensuring priority is given to the objectives identified by the community through the development of the Community Strategic Plan (2013-2023).

The most relevant objectives within the Community Strategic Plan in relation to the Community Sponsorship Program are:

- 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.*
- 2.1.3 *Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities.*
- 2.1.6 *Provide social, economic and cultural initiatives which enhance access, equity and community well-being.*

The Guiding Principles of this policy are:

- Transparency
- Access & Equity
- Fairness
- Capacity to deliver
- Partnerships and Collaboration
- Integrity
- Accountability

All applications will be assessed against eligibility by relevant Council officers and all eligible applications will then be presented to Councillors at a Councillor Workshop for discussion and consideration. The results of the Councillor Workshop will be documented in a report to the next Council meeting for determination of the recommended applications.

Full or Partial or No funding for the applications may be recommended by Council and all applicants will be advised of the outcome of their application within one (1) week of the Council decision.

Further information regarding Eligibility and Selection Criteria are in the draft Policy as attached.

**OPTIONS:**

1. That the draft Community Sponsorship Policy is placed on public exhibition for a period of 28 days and Council accepts public submissions for a period of 42 days.
2. That the draft Community Sponsorship Policy is not placed on public exhibition and Council seeks further information.

**CONCLUSION:**

Tweed Shire Council recognises the importance of assisting local community groups and organisations that deliver enhancements to the identity and character, environment, health & well-being and connectedness of Tweed Shire Council residents. The draft Community Sponsorship Policy ensures this objective is met in an equitable and transparent manner, and outcomes are linked to the Tweed Shire Council Community Strategic Plan 2013/2023.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Donations (Financial Assistance) Policy Version 1.2.

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

Council's *Community Strategic Plan 2013/2023* provides for an annual budget to be allocated for assistance made in accordance with this Policy.

**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 Community Sponsorship Policy Version 1.0 (ECM3915997).

Attachment 2. Draft Community Sponsorship Application Form (ECM3916034).

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**20 [CS-CM] Compliments and Complaints Analysis Report for Period 1 July to 30 September 2015**

**SUBMITTED BY: Director**

Valid



## **Civic Leadership**

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

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

### **SUMMARY OF REPORT:**

At its meeting held 2 December 2015, the Executive Management Team decided:

*"that the Executive Management Team receives and notes the Compliments and Complaints Analysis Report for the period 1 July to 30 September 2015 and submits the report to Council".*

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

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

The compliments and complaints analysis report for the period 1 July to 30 September 2015 identifies 66 compliments and 8 complaints and is provided for the information of Council.

### **RECOMMENDATION:**

**That Council receives and notes the Compliments and Complaints Analysis Report for the period 1 July to 30 September 2015.**

## REPORT:

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

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

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

A complaint is an expression of dissatisfaction, made in:

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

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

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

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

Complaints principally refer to the:

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



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

Council received **66** compliments for the period 1 July to 30 September 2015, as follows:

Compliment Type	Ref	Details of Compliment	Comments
<b>Office of General Manager</b>	1.1	Thanking staff for the professional way in which they dealt with the recreational vehicle issue with the Pottsville Beach Sports Club.	Noted by General Manager.
	1.2	Complimenting all Council staff for the great things they do and their treatment of residents, well done.	Compliment forwarded to all Staff.
<b>Corporate Services</b>	2.1	11 Compliments – Council Customer Service Staff, excellent courteous and patient service	Referred to appropriate Staff members.
	2.2	Compliment to the Records Section on the fantastic job they are doing in the organisation.	Referred to appropriate Staff members.
	2.3	Commend various Officers from Murwillumbah Office and congratulate Tweed Shire Council on its excellent level of customer service.	Referred to appropriate Staff members.
<b>Planning and Regulation</b>	3.1	Applaud Environmental Health Officers for their great assistance within the Palm Lakes Resort.	Referred to appropriate Staff members.
	3.2	Compliment from 'A Day in Our Shoes' Participant in the Strategic Planning and Urban Design and Development Assessment Units.	Referred to appropriate Staff members.
	3.3	Compliment to a Regulatory Services Officer in dealing with an animal request	Noted by Staff member
	3.4	Thank you from a 'Day in our Shoes Participant' in the Environment Health Unit for allowing me to spend some time in your shoes last week. I enjoyed the afternoon & learnt a few things.	Referred to appropriate Staff members.
	3.5	Acknowledging the effort of the planning staff in putting together the Kingscliff Enquiry by Design Workshop.	Referred to appropriate Staff members.
	3.6	Thank you to the Environment Health Officers for the swift attention to the noise issue.	Noted by Staff member.
	3.7	Compliment Development Assessment Officer for the handling of a customer & the whole process was nothing short of exceptional.	Noted by Staff member.
<b>Engineering</b>	4.1	Compliment to Works staff for repairing & tidying up Pigeonberry Road Nobbys Creek. Have done a fabulous job.	Referred to appropriate Staff members.
	4.2	Compliment, thank you to Works Staff for installing the seat I requested at the junction of Park Avenue & North Arm Road.	Noted by Staff member.

Compliment Type	Ref	Details of Compliment	Comments
	4.3	Thank you to Works Staff for painting parking allocation lines in Marine Parade, Kingscliff.	Referred to appropriate Staff members.
	4.4	Compliment to Works Staff- Job well done slashing the roadside that was done on Ophir Glen Road in Burringbar last month.	Referred to appropriate Staff members.
	4.5	Congratulations to Works staff for the great clean-up of the River Bank from Condong to Greenhills. Congratulations also on the installation of the new wharf at Chinderah. This area has great potential.	Noted by Manager Roads and Stormwater.
	4.6	Thanks to Works Staff for road resurfacing on Kingscliff Street from Ozone corner.	Referred to appropriate Staff members.
	4.7	Thank you to Works Staff for putting a pedestrian island on Kennedy Drive.	Noted by Staff member.
	4.8	Mount Bilinga Circuit Bilambil Heights - Appreciation for assistance to Works Staff for maintenance to unformed road.	Noted by Manager Roads and Stormwater.
	4.9	Many thanks to the two young men from Water and Wastewater who checked my sewer / drainage pipes on Monday 14 September.	Referred to appropriate Staff members.
	4.10	Pine Log Road -Appreciation to Works Staff for slashing of vegetation, has made a tremendous difference to safety of vehicles using road.	Noted by Staff member.
<b>Community and Natural Resources</b>	5.1	Huge compliment to Staff member who cleans toilets at Pottsville, outstanding for such high usage amenities.	Noted by Staff member.
	5.2	Thanking Council for its assistance with various workshops at Flower & Garden Expo in Tweed Heads Civic Centre Saturday 12 September 2015.	Referred to appropriate Staff members.
	5.3	Reserve behind 38 Riversdale Boulevard, walkway and reserve area have been mown, best job ever done.	Referred to appropriate Staff members.
	5.4	Compliment - impressed with the Burringbar Public Toilet, cleaner does a brilliant job.	Referred to appropriate Staff member.
	5.5	Compliment for the Staff member for the design of Bay Street street scaping works, looks great.	Noted by Staff member.
	5.6	2 Compliments to learn to swim coaching conducted at the South Tweed Indoor Pool.	Noted by Staff member.
	5.7	National Tree Day 2015 - Uki tree planting event, very successful.	Referred to appropriate Staff members.
	5.8	Complimenting Staff, work well done at the Murwillumbah General Cemetery, give the public good service.	Referred to appropriate Staff members.
	5.9	Compliment to the Recreation Services Staff members who maintain Leisure Drive and Western Drainage System Behind Riversdale Boulevard Banora Point.	Referred to appropriate Staff members.
	5.10	Compliment to Tweed Valley Cemetery Staff for excellent customer service.	Referred to appropriate Staff members.

Compliment Type	Ref	Details of Compliment	Comments
	5.11	Thank you for the erection of Poole Reserve Signage, sign looks great.	Referred to appropriate Staff member.
	5.12	Thank you for the difficult work done in maintaining toilets in Kingscliff.	Noted by Manager Recreation Services.
	5.13	Appreciation to Recreation Services Officers for the reduction in the Art Gallery's electricity accounts.	Referred to appropriate Staff members.
	5.14	Compliment to Recreation Services Officers for arranging plant propagation workshop, Saturday, 15 August 2015 at Tweed Shire Council Nursery. Feedback was very positive.	Noted by Staff member.
	5.15	Thank you from an 'A Day in Our Shoes' participant in the Natural Resource Management Unit, very enjoyable.	Referred to appropriate Staff members.
	5.16	Compliment – thank you for your attention to the removal of the Pandanus Palm & the garden located on the nature strip on the corner of Keith Compton & Island Drives Tweed Heads.	Referred to appropriate Staff members.
	5.17	Congratulations for the Cabarita Headland Playground being erected so quickly.	Noted by Manager Recreation Services.
	5.18	Compliment to Tweed Cemetery Staff, work being done at the Tweed Cemetery is great.	Referred to appropriate Staff members.
	5.19	Compliment to Tweed Cemetery Staff for very appreciative customer service.	Referred to appropriate Staff members.
	5.20	Thank you for the removal of our tree last week, a tidy, efficient & professional job.	Referred to appropriate Staff members.
	5.21	Compliment to Recreation Services relief Staff member for great job in cleaning the toilets and BBQ's.	Referred to Staff member.
	5.22	Compliment many thanks to Community Services Staff for arranging the repairs to the Tweed Unlimited Arts Building, main roof and verandah.	Referred to appropriate Staff members.
	5.23	Compliment thank you for the park upgrade at 22 Lobelia Crescent, Casuarina.	Referred to appropriate Staff members.
	5.24	Compliment to Recreation Services Staff for the prompt attention to the tree pruning request in Winders Place.	Noted by Manager Recreation Services.
	5.25	Compliment to Staff for information provided at Tweed Regional Museum.	Noted by Staff member.
	5.26	Congratulations to Cemetery Staff for success in the Murwillumbah Garden Club Competition.	Referred to appropriate Staff members.
	5.27	Thank you for Council's generous gift of a garden seat and \$500 worth of plants for the grounds of the Fernvale School Hall.	Noted by Manager Community & Cultural Services.
	5.28	Feedback from the Public - Appreciation for maintenance on fish cleaning table at Cudgen Creek.	Referred to appropriate Staff members.

Compliment Type	Ref	Details of Compliment	Comments
	5.29	Appreciation for the response regarding tennis facilities at Arkinstall Park & that Council is taking an approach that should ensure great facility is able to be used by whole community.	Noted by Manager Recreation Services.
	5.30	Compliment to Recreation Services Officers for a great job done in tree clearing at the Bray Park Wastewater Treatment Plant.	Referred to appropriate Staff members.
	5.31	Compliment to Council Officer for support and help during the Tyalgum Music Festival application approval process.	Noted by Staff member.
	5.32	Compliment thank you for the donation of native seedlings for Grandparents and National Tree Planting Day.	Noted by Manager Recreation Services.
	5.33	Compliment to Recreation Services Staff for the duck signs at Korora Parkway - duck pond. The locals are happy to see them up.	Referred to appropriate Staff members

During this quarter 8 complaints have been recorded as follows:

Complaint Type	Ref	Details of Complaint	Comments
<b>Office of General Manager</b>	1.1	Complainant now preparing a report for the Minister of Local Government in relation to the noise coming from the TRAC-Murwillumbah Aquatic Centre.	Email sent noting advice of preparation of a report to the Minister of Local Government Contact details also provided of NSW Ombudsman and NSW Environmental Protection Authority who may assist with complaint investigation.
<b>Corporate Services</b>	2.1	Feedback form, your signage to the Tweed Heads council offices & the library are abysmal - This would be good to address as it is not a good advert for the Shire Council.	Complainant contacted and thanked for feedback. Appropriate signage will be erected in conjunction with buildings reconstruction.
	2.2	Complainant unable to contact Council's customer service centre by telephone over debt recovery issue.	Email sent providing information on Council's debt recovery processes. Further requested information on the customer service complaint. No response received from complainant.
	2.3	Complaint regarding lack of response regarding legal cost for serving of outstanding debt papers for rates recovery.	Email sent detailing the process for the recovery of outstanding rates. Further email received providing additional information, now subject to an investigation.

Complaint Type	Ref	Details of Complaint	Comments
Planning and Regulation	3.1	191 Kennedy Drive Tweed Heads - The excuse of being too wet was not true & Tree Preservation Order on property in the centre of two blocks of units is ridiculous - Request Overgrown Vegetation Notice be issued out on entire property.	Email sent providing a detailed response to issues raised including advising that the land did not require mowing except for a small wet area and the requirements of Council's Tree Preservation Orders. Site revisited, no requirement to issue notice.
	3.2	Tweed River Hacienda Holiday Park- Formal Complaint Council Officers non-action regarding the removal of a constructed solid carport wall.	Email sent advising that the matters raised were considered in the July 2015 Land and Environment Court case and decision.
	3.3	Complaint regarding rejection of a proposed deck extension.	Further meeting conducted on 21 October 2015, issues discussed. Subsequent detailed email sent outlining NSW Planning system, heritage advice and where the complainant can access related information.
Engineering	4.0	Nil	Nil
Community and Natural Resources	5.1	Still waiting for response regarding: Council Staff locking gates at Pottsville Environment Park at 2.30pm on 10 July 2015, they were leaving park as I was entering.	Email sent apologising for inconvenience and advising that they did not observe your vehicle in the Park.

**OPTIONS:**

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

**CONCLUSION:**

The Compliments and Complaints Analysis Report for the period 1 July to 30 September 2015 be received and noted, and submitted to the Council Meeting scheduled for 10 December 2015.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Compliments and Complaints Handling v1.4

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

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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21 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report  
for Period Ending 31 December 2015

SUBMITTED BY: Financial Services

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.1 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 **\$236,172,722** invested as at **31 December 2015** and the accrued net return on these funds was **\$652,034** or **3.31%** 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 December 2015 totalling \$236,172,722 be received and noted.

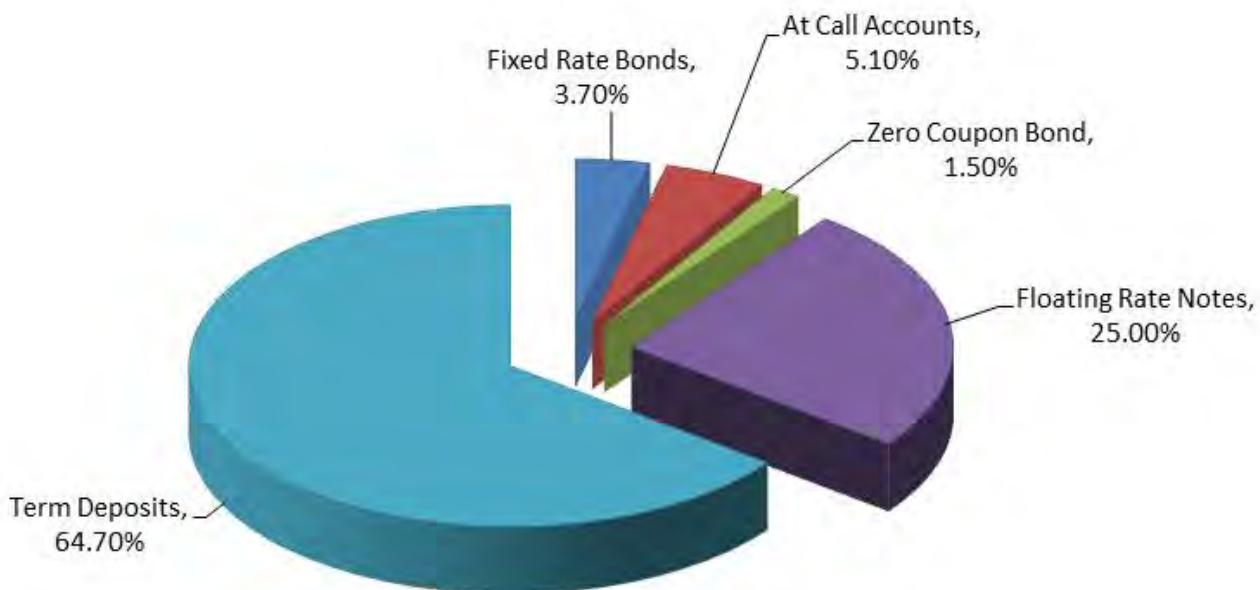
**REPORT:**

**1. Restricted Funds as at 1 September 2015**

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

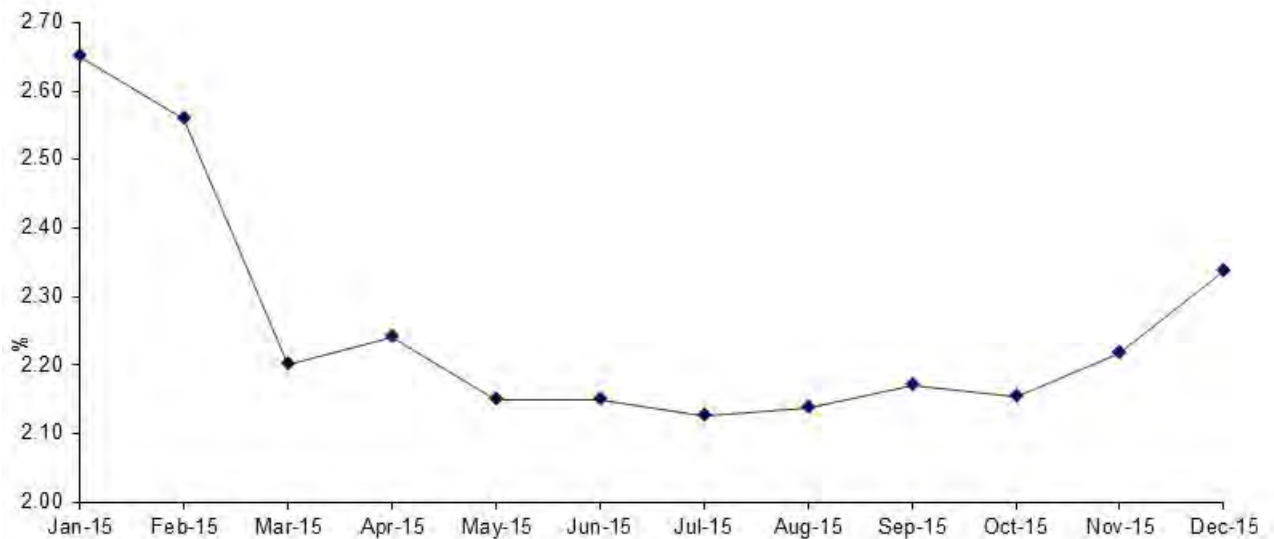
*Note: Restricted Funds Summary updated September 2015, corresponding with the Annual Financial Statements as at 30 June 2015*

**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
AMP (Morgans) (6/18)	1,000,000.00	<b>1,003,110.00</b>	3.18	FRN	06-Jun-18
AMP (RIMSEC) (05/17)	2,500,000.00	<b>2,523,900.00</b>	3.37	FRN	29-May-17
ANZ (04/20)	1,600,000.00	<b>1,599,968.00</b>	2.96	FRN	17-Apr-20
ANZ (11/18)	1,000,000.00	<b>1,008,520.00</b>	3.03	FRN	06-Nov-18
* ANZ Green Bond (06/20)	2,000,000.00	<b>1,993,780.00</b>	3.25	Fixed Rate Bond	03-Jun-20
* Bendigo (RBS) (05/17)	3,000,000.00	<b>3,030,450.00</b>	3.34	FRN	17-May-17
* Bendigo (RBS) (11/18)	1,000,000.00	<b>1,012,860.00</b>	3.49	FRN	14-Nov-18
* Bendigo (Westpac) (Aug 2020)	1,000,000.00	<b>997,660.00</b>	3.34	FRN	18-Aug-20
* Bendigo (Westpac) (Aug 2020)	3,000,000.00	<b>2,992,980.00</b>	3.34	FRN	18-Aug-20
* Bendigo (Westpac) (Aug 2020)	2,000,000.00	<b>1,995,320.00</b>	3.34	FRN	18-Aug-20
* BOQ (06/18)	1,000,000.00	<b>1,002,840.00</b>	3.35	FRN	12-Jun-18
* BOQ (06/18)	1,000,000.00	<b>1,022,270.00</b>	4.00	Fixed Rate Bond	12-Jun-18
* BOQ (11/19)	2,000,000.00	<b>2,001,360.00</b>	3.26	FRN	06-Nov-19
CBA (04/19)	1,000,000.00	<b>1,007,420.00</b>	3.03	FRN	24-Apr-19
CBA (07/20)	2,000,000.00	<b>2,001,340.00</b>	3.04	FRN	17-Jul-20

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
CBA (08/16)	1,000,000.00	<b>1,010,440.00</b>	3.27	FRN	02-Aug-16
CBA (10/19)	2,000,000.00	<b>2,008,460.00</b>	2.99	FRN	18-Oct-19
CBA (CBA) (10/18)	2,000,000.00	<b>2,010,660.00</b>	2.92	FRN	19-Oct-18
CBA Bond (04/19)	1,000,000.00	<b>1,043,710.00</b>	4.25	Fixed Rate Bond	24-Apr-19
CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	<b>3,663,163.60</b>	7.17	Fixed Rate Bond	22-Jan-18
CUA (03/17)	1,000,000.00	<b>1,002,720.00</b>	3.66	FRN	20-Mar-17
CUA (03/17) (CBA)	1,000,000.00	<b>1,002,720.00</b>	3.66	FRN	20-Mar-17
CUA (12/17) ANZ	1,000,000.00	<b>1,000,350.00</b>	3.56	FRN	22-Dec-17
Heritage (Morgans) (05/18)	2,000,000.00	<b>2,007,880.00</b>	3.35	FRN	07-May-18
Heritage (RBS/RIMSEC) (06/17)	1,500,000.00	<b>1,575,000.00</b>	7.25	Fixed Rate Bond	20-Jun-17
Heritage (Westpac) (05/18)	1,000,000.00	<b>1,003,940.00</b>	3.35	FRN	07-May-18
ING Bond(RBS) (08/16)	1,000,000.00	<b>1,023,060.00</b>	4.25	Fixed Rate Bond	23-Aug-16
Macquarie (ANZ) (10/18)	1,000,000.00	<b>1,004,770.00</b>	3.20	FRN	26-Oct-18
Macquarie (RIMSEC) (03/20)	2,000,000.00	<b>1,996,920.00</b>	3.40	FRN	03-Mar-20
* ME Bank (04/18)	1,000,000.00	<b>1,010,650.00</b>	3.44	FRN	17-Apr-18
* ME Bank (ANZ) (11/17)	1,000,000.00	<b>1,002,330.00</b>	3.14	FRN	17-Nov-17
* ME Bank (CBA) (11/16)	1,000,000.00	<b>1,007,180.00</b>	3.52	FRN	28-Nov-16
* ME Bank (Morgans) (11/16)	1,000,000.00	<b>1,007,180.00</b>	3.52	FRN	28-Nov-16
NAB (06/16) NPBS (Morgans) (02/18)	2,000,000.00	<b>2,010,740.00</b>	3.53	FRN	21-Jun-16
Rabo (Morgans) (02/20)	1,000,000.00	<b>1,000,280.00</b>	3.23	FRN	27-Feb-18
Rabo (RBS) (09/18)	2,000,000.00	<b>1,999,960.00</b>	3.26	FRN	11-Feb-20
* Suncorp (04/19)	1,000,000.00	<b>1,004,130.00</b>	3.50	FRN	25-Sep-18
* Suncorp (11/19)	2,000,000.00	<b>2,023,080.00</b>	3.26	FRN	23-Apr-19
* Suncorp (CBA) (08/19)	1,000,000.00	<b>1,000,200.00</b>	2.90	FRN	05-Nov-19
	1,000,000.00	<b>1,000,230.00</b>	3.19	FRN	20-Aug-19

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	Suncorp (NAB) (08/20)	3,000,000.00	<b>3,017,550.00</b>	3.39	FRN	20-Oct-20
*	Suncorp Covered (RIMSEC) (12/16)	2,000,000.00	<b>2,044,400.00</b>	4.75	Fixed Rate Bond	06-Dec-16
*	Westpac (JP Morgans) (02/19)	2,000,000.00	<b>2,015,440.00</b>	3.20	FRN	25-Feb-19
*	Westpac (07/20)	2,000,000.00	<b>1,999,820.00</b>	3.04	FRN	28-Jul-20
*	Westpac (RBS) (02/17)	1,000,000.00	<b>1,018,280.00</b>	3.90	FRN	20-Feb-17
*	Westpac (WBC)	1,000,000.00	<b>1,005,700.00</b>	3.22	FRN	28-Oct-20
	<b>Total</b>	<b>71,600,000.00</b>	<b>71,714,721.60</b>	<b>3.55</b>		
<b>LEGEND</b>		ABS = Asset Backed Security				
Investment Type		Bond = Fixed Rate Bond				
		FRN = Floating Rate Note				
<b>Counterparty</b>		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
	AMP (RIMSEC) (May 2016)	11-Aug-15	10-May-16	10/05/2016	<b>3,000,000.00</b>	2.90
	Auswide Bank (Curve) (Feb 2017)	03-Feb-15	07-Feb-17	07/02/2017	<b>1,000,000.00</b>	3.50
	Auswide Bank (RIMSEC) (Mar 2016)	25-Mar-15	22-Mar-16	22/03/2016	<b>1,000,000.00</b>	3.06
	Auswide Bank Bank (Dec 2016)	08-Dec-15	13-Dec-16	13/12/2016	<b>3,000,000.00</b>	3.76
*	Bankwest (Mar 2016)	17-Mar-15	15-Mar-16	15/03/2016	<b>1,000,000.00</b>	3.00
*	Bankwest (Nov 2015)	10-Nov-15	09-Feb-16	09/02/2016	<b>2,000,000.00</b>	2.90
*	Bankwest (Oct 2015)	27-Oct-15	23-Feb-16	23/02/2016	<b>1,000,000.00</b>	2.85
	BCU (Feb 2017)	19-Feb-15	18-Feb-16	21/02/2017	<b>1,000,000.00</b>	3.20

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Bendigo (Curve) (Feb 2017)	11-Aug-15	09-Feb-16	14/02/2017	<b>2,000,000.00</b>	2.95
*	Bendigo Bank (Curve) (April 2017)	13-Oct-15	13-Oct-16	18/04/2017	<b>2,000,000.00</b>	3.00
*	Bendigo Bank (Dec 2015)	15-Dec-15	18-Dec-17	18/12/2017	<b>2,000,000.00</b>	3.15
*	Bendigo Bank (March 2017)	08-Sep-15	14-Mar-17	14/03/2017	<b>1,000,000.00</b>	2.80
*	Bendigo Bank (Sept 2019)	01-Sep-15	03-Sep-16	03/09/2019	<b>1,000,000.00</b>	4.15
*	BOQ (Aug 2015)	11-Aug-15	06-Aug-16	08/08/2017	<b>3,000,000.00</b>	3.00
*	BOQ (Aug 2016)	11-Aug-15	06-Aug-16	08/08/2017	<b>1,000,000.00</b>	3.00
*	BOQ (Aug 2017)	05-Aug-15	08-Aug-16	08/08/2017	<b>2,000,000.00</b>	3.00
*	BOQ (Feb 2016)	23-Feb-15	23-Feb-16	23/02/2016	<b>3,000,000.00</b>	4.05
*	BOQ (Feb 2016)	23-Nov-15	23-Feb-16	23/02/2016	<b>1,000,000.00</b>	3.85
*	BOQ (Jan 2016)	02-Jun-15	12-Jan-16	12/01/2016	<b>2,000,000.00</b>	3.00
*	BOQ (Jan 2016)	15-Sep-15	19-Jan-16	19/01/2016	<b>2,000,000.00</b>	2.80
*	BOQ (Mar 2016)	02-Sep-15	01-Mar-16	01/03/2016	<b>1,000,000.00</b>	2.85
*	BOQ (Sept 2015) annual interest	21-Sep-15	22-Mar-16	22/03/2016	<b>2,000,000.00</b>	2.95
*	BOQ (Sept 2016) quarterly interest	21-Dec-15	21-Mar-16	20/09/2016	<b>2,000,000.00</b>	3.66
	CBA (Feb 2020)	13-Nov-15	13-Feb-16	13/02/2020	<b>1,000,000.00</b>	3.14
	CBA May (2020)	19-May-15	19-May-16	19/05/2020	<b>2,000,000.00</b>	3.41
	CBA May (2020)	19-Nov-15	19-Feb-16	19/05/2020	<b>1,000,000.00</b>	3.11
	Defence Bank (Curve) (Oct 2017)	27-Oct-15	26-Oct-16	24/10/2017	<b>1,000,000.00</b>	3.00
	Gateway CU (RIMSEC) (June 2016)	08-Sep-15	07-Jun-16	07/06/2016	<b>2,000,000.00</b>	2.86
*	IMB (Jan 2020)	06-Oct-15	06-Jan-16	06/01/2020	<b>1,000,000.00</b>	3.17
*	IMB (Nov 2017)	05-Nov-15	05-Feb-16	06/11/2017	<b>1,000,000.00</b>	3.05
	ING (RIMSEC) (Feb 2020)	11-Nov-15	11-Feb-16	11/02/2020	<b>1,000,000.00</b>	3.34
	ING (RIMSEC) (Jan 2019)	29-Oct-15	29-Jan-16	29/01/2019	<b>2,000,000.00</b>	2.99

	<b>Counterparty</b>	<b>Lodged or Rolled</b>	<b>Interest Due</b>	<b>Maturity Date</b>	<b>Principal</b>	<b>% Yield</b>
*	Investec (July 2016)	26-Oct-15	25-Jan-16	26/07/2016	<b>2,000,000.00</b>	3.25
*	Investec (RIMSEC) (Jun 2016)	10-Dec-15	10-Mar-16	14/06/2016	<b>1,000,000.00</b>	3.45
	Macquarie Bank (RIMSEC) (Feb 2016)	13-May-15	08-Feb-16	08/02/2016	<b>1,000,000.00</b>	3.00
	Maitland MBS (Mar 2016)	01-Sep-15	01-Mar-16	01/03/2016	<b>2,000,000.00</b>	3.00
*	MEB (Curve) (Mar 2016)	25-Feb-15	25-Feb-16	01/03/2016	<b>2,000,000.00</b>	4.07
*	MEB (Jul 2016)	29-Jul-15	29-Jul-16	26/07/2016	<b>2,000,000.00</b>	3.71
	NAB (Aug 2015)	11-Aug-15	16-Feb-16	16/02/2016	<b>4,000,000.00</b>	2.95
	NAB (Aug 2015)	18-Aug-15	16-Feb-16	16/02/2016	<b>1,000,000.00</b>	2.95
	NAB (Dec 2019)	21-Dec-15	21-Mar-16	17/12/2019	<b>2,000,000.00</b>	3.41
	NAB (Feb 2016)	17-Feb-15	16-Feb-16	16/02/2016	<b>2,000,000.00</b>	3.17
	NAB (Feb 2020)	03-Nov-15	03-Feb-16	03/02/2020	<b>1,000,000.00</b>	3.70
	NAB (Jan 2020)	16-Oct-15	18-Jan-16	21/01/2020	<b>2,000,000.00</b>	3.75
	NAB (Mar 2016)	15-Sep-15	22-Mar-16	08/03/2016	<b>4,000,000.00</b>	3.15
	NAB (Mar 2016)	24-Sep-15	22-Mar-16	22/03/2016	<b>2,000,000.00</b>	3.00
	NAB (May 2016)	20-May-15	20-May-16	24/05/2016	<b>3,000,000.00</b>	4.00
	NAB (May 2020) annual interest	12-Nov-15	12-Feb-16	12/02/2020	<b>2,000,000.00</b>	3.40
	NAB (Oct 2016)	21-Dec-15	21-Jan-16	18/10/2016	<b>2,000,000.00</b>	3.00
	NAB (Sept 2016)	04-Sep-15	04-Sep-16	06/09/2016	<b>4,000,000.00</b>	4.25
	P&N Bank (RIMSEC) (Sept 2017)	22-Sep-14	21-Sep-17	21/09/2017	<b>1,000,000.00</b>	4.00
	QLD PCU (RIMSEC) (Mar 2016)	03-Sep-15	05-Sep-16	04/09/2018	<b>1,000,000.00</b>	3.05
	Rabo (Curve) (Aug 2018)	26-Aug-15	26-Aug-16	28/08/2018	<b>3,000,000.00</b>	3.00
	Rabo (Curve) (Jul 2018)	26-Nov-15	26-Nov-16	03/07/2018	<b>3,000,000.00</b>	3.10
	Rabo (RIMSEC) (Feb 2018)	19-Aug-15	18-Aug-16	20/02/2018	<b>3,000,000.00</b>	3.00
	Rabo Bank (Curve) (Aug 2018)	21-Aug-15	21-Aug-16	21/08/2018	<b>2,000,000.00</b>	4.10

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
Rabo Bank (Curve) (Sept 2019)	01-Sep-15	01-Sep-16	03/09/2019	<b>1,000,000.00</b>	4.05
Rabo Bank (Mar 2017) (RIMSEC)	04-Mar-14	07-Mar-17	07/03/2017	<b>2,000,000.00</b>	4.15
RaboDirect (Curve) (Aug 2019)	07-Aug-15	07-Aug-16	13/08/2019	<b>2,000,000.00</b>	4.30
RaboDirect (Curve) (Feb 2017) annual interest	10-Feb-15	10-Feb-16	14/02/2017	<b>1,000,000.00</b>	3.40
RaboDirect (Curve) (Jan 2015)	13-Jan-15	15-Jan-19	15/01/2019	<b>1,000,000.00</b>	4.00
RaboDirect (Curve) (Jul 2016)	28-Jul-15	26-Jul-16	26/07/2016	<b>1,000,000.00</b>	5.40
RaboDirect (Curve) (Nov 2016) annual interest	11-Nov-15	22-Nov-16	22/11/2016	<b>1,000,000.00</b>	6.30
RaboDirect (RIMSEC) (Mar 2016) annual interest	22-Mar-15	22-Mar-16	22/03/2016	<b>1,000,000.00</b>	7.15
Rural Bank (Curve) (Jul 2016)	01-Jul-15	05-Jul-16	05/07/2016	<b>1,000,000.00</b>	3.00
Rural Bank (Curve) (Mar 2016)	01-Sep-15	01-Mar-16	01/03/2016	<b>3,000,000.00</b>	2.90
Rural Bank (Curve) (Mar 2016)	03-Sep-15	08-Mar-16	08/03/2016	<b>1,000,000.00</b>	2.85
* Suncorp (Apr 2016)	24-Dec-15	19-Apr-16	19/04/2016	<b>5,000,000.00</b>	3.05
* Suncorp (Aug 2015)	25-Aug-15	23-Feb-20	23/02/2020	<b>2,000,000.00</b>	2.85
* Suncorp (Aug 2015)	25-Aug-15	23-Feb-20	23/02/2020	<b>2,000,000.00</b>	2.85
* Suncorp (Jan 2016)	25-Jun-15	19-Jan-16	19/01/2016	<b>3,000,000.00</b>	3.05
* Suncorp (Jan 2016)	02-Jul-16	27-Jan-16	27/01/2016	<b>2,000,000.00</b>	3.05
* Suncorp (Mar 2016)	15-Sep-15	22-Mar-16	22/03/2016	<b>4,000,000.00</b>	2.92
* Suncorp (Sept 2015)	01-Dec-15	31-May-16	31/05/2016	<b>3,000,000.00</b>	3.05
* Westpac ( Jan 2016)	12-Oct-15	11-Jan-16	11/01/2016	<b>8,000,000.00</b>	3.43

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
* Westpac (Apr 2016) quarterly interest	07-Oct-15	07-Jan-16	07/04/2016	<b>2,000,000.00</b>	3.47
* Westpac (Aug 2020)	25-Aug-15	24-Aug-16	25/08/2020	<b>2,000,000.00</b>	3.00
* Westpac (Feb 2016)	18-Nov-15	18-Feb-16	18/02/2016	<b>2,000,000.00</b>	3.45
<b>Total</b>				<b>154,000,000.00</b>	3.39
<b>LEGEND</b>					
<b>Counterparties</b>					
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  
**\$111,691,525** which represents **46.95%** of the total portfolio  
*Source: Australian Ethical - [www.australianethical.com.au](http://www.australianethical.com.au)*

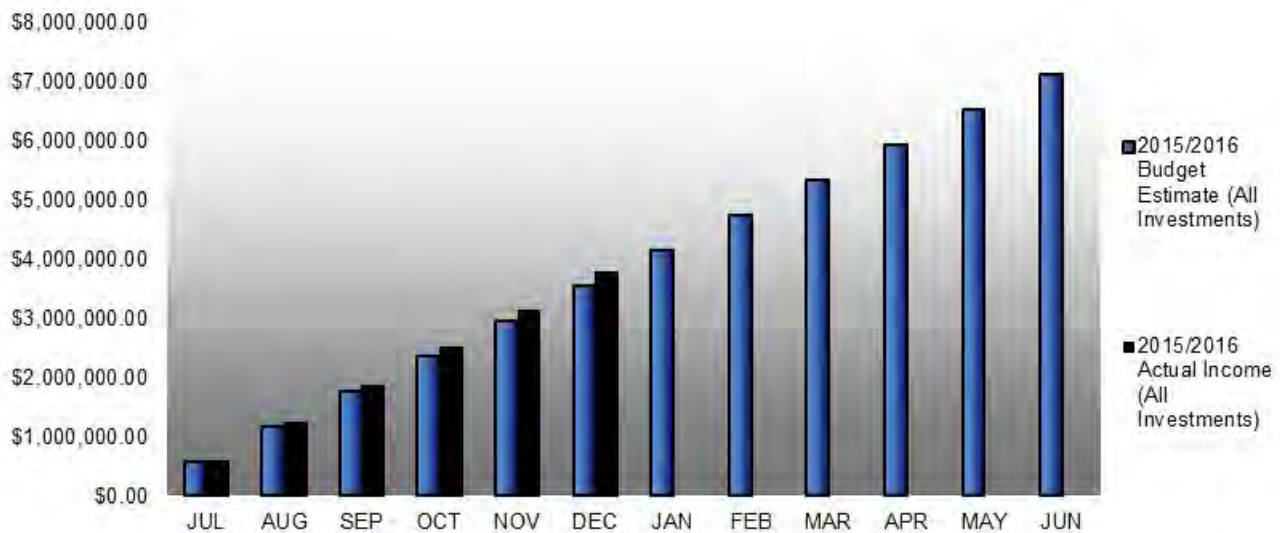
## 7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return	Above or (Below) 90 day BBSW Benchmark	
Overnight Money Market	10,458,000.00	<b>10,458,000.00</b>	2.08%	-0.26%	
Bonds & FRNs	71,600,000.00	<b>71,714,721.60</b>	3.55%	1.22%	
Term Deposits	154,000,000.00	<b>154,000,000.00</b>	3.39%	1.05%	
Benchmark 90 Day UBS Bank Bill Index	2.34%	236,058,000.00	<b>236,172,721.60</b>	2.34%	0.67%

**Performance by Category Compared with Benchmark**



**8. Total Portfolio Income v Budget**





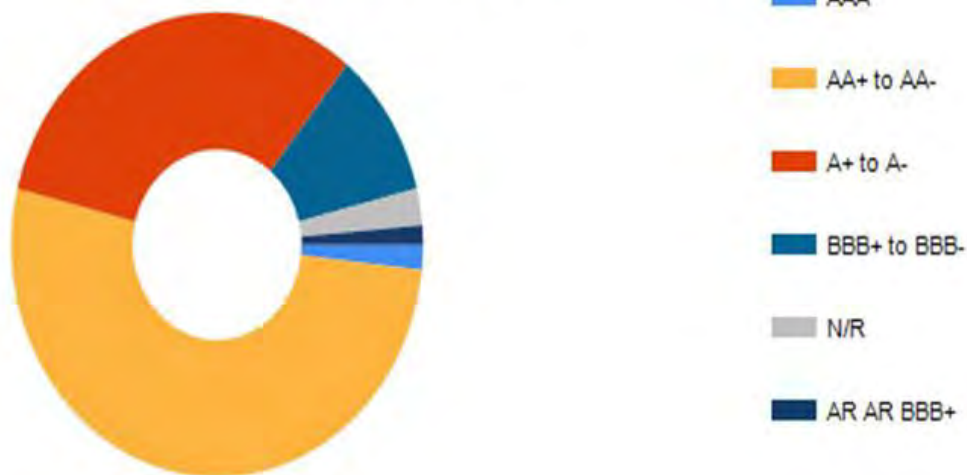
**9. Investment Policy Diversification and Credit Risk**

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings	Investment Policy Limit	Actual Portfolio	Short-Term Credit Ratings	Investment Policy Limit	Actual Portfolio
AAA Category	100%	<b>0.86%</b>	A-1+	100%	<b>13.52%</b>
AA Category	100%	<b>25.81%</b>	A-1	100%	<b>11.35%</b>
A Category	60%	<b>15.83%</b>	A-2	60%	<b>16.82%</b>
BBB Category	20%	<b>5.71%</b>	A-3	0%	<b>0.00%</b>
Unrated	10%	<b>1.27%</b>	Unrated	10%	<b>8.83%</b>

**Market Value by Security Rating Group (Short Term)**



**Market Value by Security Rating Group (Long Term)**



## 10. Term to Maturity

Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	48.02%	Minimum 40%
More than 365 days and less than 3 years	28.56%	Maximum 60%
3 years and less than 5 years	23.42%	Maximum 35%
Total	100.00%	

### Market Value by Term Remaining

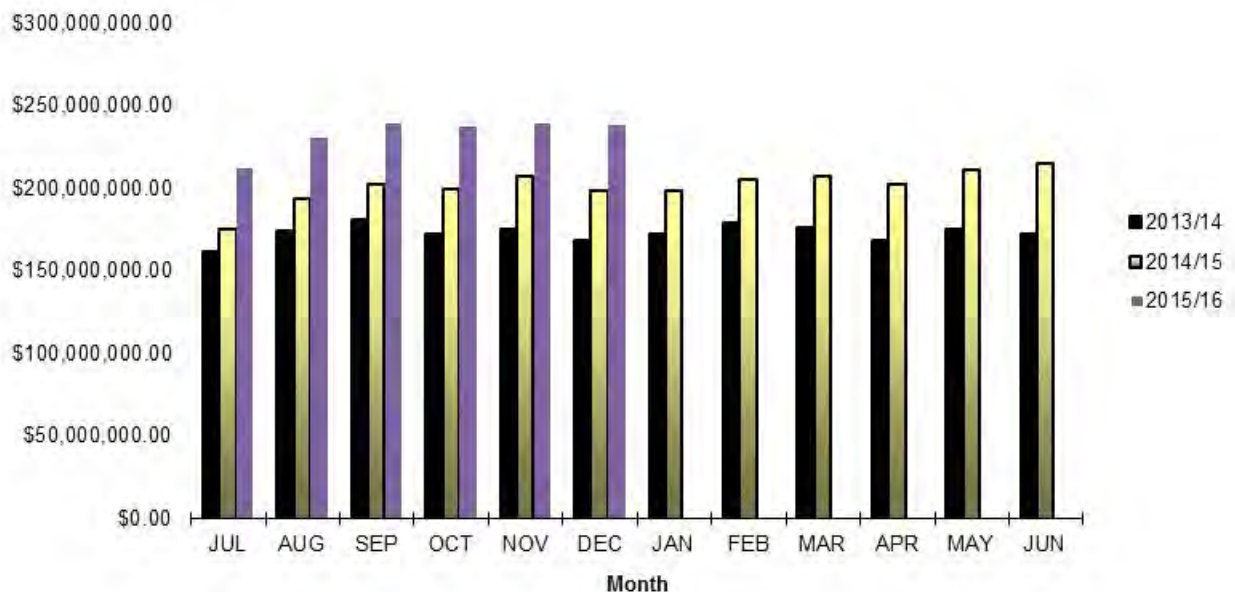


## 11. Investment Alternatives Explained

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
At Call Cash	At Call	Immediate to a few months	Highly liquid - same day access to funds with no impact on capital	Not a capital growth asset
			Highly secure as a bank deposit	Underperforms other asset classes in the long term
Bank Bill	1 - 180 days	Less than 1 year	Highly liquid - same day access to funds, usually with no or minimal impact on capital	Not a growth asset
			Highly secure (bank risk)	Underperforms other asset classes in the long term
				May incur a small loss for early redemption
Term Deposit	Up to 5 years	Less than 2 years	Liquid - same day access to funds	Will incur a small capital loss for early termination
			Highly secure as a bank deposit	Underperforms growth assets in the longer term

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
Floating Rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses if sold ahead of maturity and market interest rates have risen
			Coupon interest rate resets quarterly based on 90 day bank bill swap rate	Credit exposure to company issuing the paper
			Relatively liquid	May not be bank guaranteed
			Less administration than bank bills	Underperforms other asset classes in the long term
Fixed Rate/Bond	1 - 5 years	Greater than 3 years	Can accrue capital gain if sold before maturity and market interest rates have fallen	Can incur capital losses if sold before maturity and market interest rates have risen
			Fixed return - semi annual coupons	Credit exposure to company issuing paper
			Generally liquid	
			Can be government or corporate issuer	

## 12. Monthly Comparison of Total Funds Invested



### 13. Section 94 Developer Contributions - Monthly Balances & Receipts

Contribution Plan	Plan Description	End of Month Balance	Contributions Received for Month
1	DCP3 Open Space	4,300,467	
2	Western Drainage	611,962	
3	DCP3 Community Facilities	1,656	
4	TRCP Road Contributions	12,384,023	61,872
5	Open Space	376,646	
6	Street Trees	192,845	
7	West Kingscliff	462,949	
10	Cobaki Lakes	-1,370	
11	Libraries	2,067,650	847
12	Bus Shelters	89,240	64
13	Cemeteries	65,384	124
14	Mebbin Springs	91,560	
15	Community Facilities	1,071,850	1,404
16	Surf Lifesaving	399,698	
18	Council Administration/Technical Support	1,180,954	2,273
19	Kings Beach	743,521	
20	Seabreeze Estate	764	
21	Terranora Village	33,049	
22	Cycleways Shirewide	258,420	478
23	Carparking Shirewide	1,428,773	
25	SALT	1,138,034	
26	Open Space Shire wide	1,001,895	-975
27	Tweed Heads Masterplan	178,360	
28	Seaside City	343,119	
91	DCP14	109,574	
92	Public Reserve Contributions	137,363	
95	Bilambil Heights	535,822	
	<b>Total</b>	<b>29,204,208</b>	<b>66,087</b>

### 14. Economic Commentary

#### Australian and World Economy and Cash Rate

The Reserve Bank of Australia (RBA) did not meet in January so the cash rate remained unchanged at 2 per cent.

There was also no RBA economic commentary for the month of December. Instead economic commentary this month is brought to you by David Flanagan, Director Interest Rate Markets at Curve Securities.

*"As we head into the new year, 2016 is poised to be a big year of change.*

*The US Federal Reserve Open Market Committee and their commitment to normalising rates will continue to be one of the dominant themes of the year ahead. This will have wide reaching implications for economies around the world. While the Greek situation has drifted off the front page of the papers, Europe will likely be back in the headlines this year as elections get underway in Spain. The Japanese continue to fight a never ending war with deflation, something which the rest of the world could be drawn into over the years ahead.*

*China will also be a big talking point, not only locally, but globally, as Chinese officials continue to steer the economy through a tricky transition away from export led growth, aiming to avoid the trap that the Japanese fell into.*

*All of these developments will also have an effect on Australia as we continue to navigate our own transition. We are entering 2016 in fiscal shape and are further along the path of transition away from mining investment led growth however challenges remain. We will also face a Federal election which could see political instability once again ripple through the economy."*

### **Council's Investment Portfolio**

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with 69.8% of the portfolio held in cash and term deposits. Term deposits and bonds particularly are paying just above average margins over the 90 day bank bill rate.

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

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

All investment categories, except cash at call, out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from higher yielding bonds and term deposits purchased before interest rate margins began contracting. Overall, the investment portfolio has returned an average 0.67% 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	12,365,383.60	
FLOATING RATE NOTES	59,349,338.00	
ASSET BACKED SECURITIES	0.00	
FUND MANAGERS	0.00	
TERM DEPOSITS	45,000,000.00	
CALL ACCOUNT	10,458,000.00	<b>127,172,721.60</b>

### WATER FUND

TERM DEPOSITS	44,000,000.00	
FUND MANAGERS	0.00	<b>44,000,000.00</b>

### SEWERAGE FUND

TERM DEPOSITS	65,000,000.00	
FUND MANAGERS	0.00	<b>65,000,000.00</b>

<b>TOTAL INVESTMENTS</b>		<b>236,172,721.60</b>
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It should be noted that the General Fund investments of \$127 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.

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## ORDERS OF THE DAY

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### Civic Leadership

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

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

## **22 [NOR] Water Supply Augmentation - Selection of Preferred Option**

### **NOTICE OF RESCISSION:**

Councillor K Milne, G Bagnall and B Longland hereby give notice that at the next Ordinary meeting of Council we will move that the resolution from the meeting held on Thursday 19 November 2015 at Minute No 599 Item No 24 titled [E-CM] Water Supply Augmentation - Selection of Preferred Option being:

*"... that this matter be deferred for consideration at 18 February 2016 Council meeting and arrangements made for a series of independently facilitated Workshops to be held with the interested stakeholder groups."*

***be rescinded.***

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**23 [NOR] Mayoral Minute - Water Augmentation and Review**

**NOTICE OF RESCISSION:**

Councillor C Byrne, W Polglase and B Longland hereby give notice that at the next Ordinary meeting of Council we will move that the resolution from the meeting held on 10 December 2015 at Minute No 661 Item No a3 titled [MM-CM] Mayoral Minute - Water Augmentation and Review being:

*"that:*

*...*

- 2. Concurrently a comprehensive independent review of Council's Water Supply-Demand options is undertaken as a matter of priority, to ascertain further consideration of the most ecologically sustainable, climate change resilient, cost effective and socially acceptable long term water management and augmentation options available. Such a review should include, but not be limited to, a full range of demand management, drought security, and supply options.*
- 3. The community working group that was previously established to consider the water augmentation options be reconvened (with the exception for new Councillor representatives, and any vacancies to be advertised), to recommend the terms of reference for the review, recommend the selection criteria and weightings for selecting a preferred consultant for the review, and as a project reference group for the review."*

***be rescinded.***

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## 24 [NOM] Water Augmentation and Review

### NOTICE OF MOTION:

Councillor B Longland moves that Council staff continue to monitor industry developments in their pursuit of best practice options for water efficiency and demand management and, as necessary, engage with stakeholders and the wider community (including, but not limited to, the membership of the 2009 Tweed District Water Supply Augmentation Community Working Group) to provide input to this process.

### Councillor's Background Notes

#### Recommended Priority:

The search for best practice options for water efficiency needs to be as broad as possible. While those members that might be still available from the 2009 Community Working Group will be an important resource to provide input to this process, Council needs the authority to engage more widely as it seeks to garner community insight for this work.

#### Description of Project:

Nil.

### Management Comments:

#### Delivery Program:

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

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#### Budget/Long Term Financial Plan:

Not applicable.

#### Legal Implications:

Not applicable.

#### Policy Implications:

Not applicable.

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**25 [NOM] Black Rocks Sports Field**

**NOTICE OF MOTION:**

**Councillor B Longland moves that Council officers bring a brief report to the February 2016 Ordinary 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 the recently installed solar powered gate at Council's Eviron Cemetery facility, and**
- 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.**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

- Item 2. The solar powered gates at the Eviron cemetery have not yet been installed; therefore an assessment of effectiveness and reliability will not be feasible for the February Council meeting.

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:

Resources to complete the report are considered to be minimal with much of the information readily available (with the exception of a response to Item 2 as noted above). Costs of the various options, capital and maintenance, will be included in the report for consideration.

Legal Implications:

Nil

Policy Implications:

Any recommended actions need to be consistent with the intent of the *Tweed Coast Koala Plan of Management, 2015* and the *Generic Plan of Management for Community Land Categorised as a Sportsground, 2012*.

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26 [NOM] Compact of Mayors

**NOTICE OF MOTION:**

**Councillor K Milne moves that Council brings forward a report on Council joining the pledge for the "Compact of Mayors".**

**Councillor's Background Notes**

Recommended Priority:

**WHAT IS THE COMPACT OF MAYORS?**

Launched at the [2014 United Nations Climate Summit](#), the Compact of Mayors is the world's largest coalition of city leaders addressing climate change by pledging to reduce their greenhouse gas emissions, tracking their progress and preparing for the impacts of climate change.

The Compact of Mayors is a global coalition of mayors and city officials committing to reduce local greenhouse gas emissions, enhance resilience to climate change and track their progress publicly. It is an agreement by city networks – and then by their members – to fight climate change in a consistent and complimentary manner to national efforts.

The Compact collects the significant climate action data that cities are already reporting in a consistent, transparent manner and makes that data available in a single place.

The Compact builds on existing cooperative efforts, partnering with other initiatives to better measure and communicate the impact of city action.

The Compact represents the greatest opportunity to bring attention to, and quantify, city action, both in the lead-up to Paris and beyond.

**THE HISTORY OF THE COMPACT OF MAYORS**

The Compact of Mayors was launched at the 2014 United Nations Climate Summit. It was formed by:

UN Secretary-General Ban Ki-moon

Michael R. Bloomberg, U.N. Secretary-General's Special Envoy for Cities and Climate Change

ICLEI-Local Governments for Sustainability (ICLEI)

C40 Cities Climate Leadership Group (C40)

United Cities and Local Governments (UCLG)

United Nations Human Settlements Programme (UN-Habitat)

The Compact of Mayors was formally signed into action in September 2014 with a statement that read in part:

“The Compact of Mayors is an agreement by city networks—and then by their members—to undertake a transparent and supportive approach to reduce city-

level emissions, to reduce vulnerability and to enhance resilience to climate change, in a consistent and complimentary manner to national level climate protection efforts. The Compact of Mayors builds on the ongoing efforts of Mayors that increasingly set ambitious, voluntary city climate commitments or targets for greenhouse gas (GHG) emissions reduction and to address climate risk; report on progress towards achieving those targets by meeting robust, rigorous and consistent reporting standards (as established through City Networks); and make that information publically available by reporting through a recognized city platform."

Compact of Mayors benefits:

- New and widespread recognition of innovative and impactful city action already underway for years
- Platform to demonstrate commitment to be part of the global solution
- Consistent, standardized and reliable assessment of city impact and progress toward meeting commitments
- Evidence of the greenhouse gas impact of city action
- Increased investor confidence and capital flows into cities
- Mechanism for national governments to recognize and resource local commitments

## **WHAT MAKES THE COMPACT OF MAYORS UNIQUE?**

**Builds on Initiatives for Greater Impact and Recognition:**

The Compact is the broadest coalition to unite cities, networks and other global partners with a common aim—to support more climate action in cities, and share the impact of city action with the international community.

**Standardizes Measurement and Reporting:**

For the first time, the Compact will standardize the way city climate data is reported, establishing a universal approach to data collection. The data can be aggregated to highlight the collective impact of city actions, which will increase global and investor confidence.

**Makes Data Available to the Public:**

Cities primarily report their climate data/actions through two major platforms—CDP ([www.cdp.net](http://www.cdp.net)) and carbon Climate Registry ([carbonn.org](http://carbonn.org))—both of which are partners to the Compact. The Compact will make this data centrally and publicly available through the carbon Climate Registry to highlight commitments and allow for easy search ability.

Any city or town in the world may commit to the Compact of Mayors—regardless of size or location. A city has up to three years to meet a series of requirements and fully comply, culminating in the creation of a full climate action and adaptation plan, and it will be recognized as each step is met. Many cities have already completed some of the activities and can be compliant in fewer than three years.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid



## Civic Leadership

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

1	Civic Leadership
1.1	Ensure actions taken and decisions reached are based on the principles of sustainability
1.1.3	Prepare for climate change through adaptation and mitigation strategies

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Budget/Long Term Financial Plan:

Minimal resources required to prepare the report as information on reporting mechanisms and requirements to comply are readily available.

Legal Implications:

Nil

Policy Implications:

The Compact of Mayors initiative aligns with several of Council's existing commitments:

- to 'develop and implement a climate change action plan' as stated in the Tweed Shire Council Environmental Sustainability Prioritisation Strategy 2015.
- to be self-sufficient in renewable energy, including work underway to assess technical and economic solutions to deliver this resolution.

Council would need to consider required reporting compatibility with Council's Integrated Planning and Reporting system.

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## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

27 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 13 November 2015

SUBMITTED BY: Community and Cultural Services



### 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 13 November 2015 are reproduced in the body of this report for the information of Councillors.

#### RECOMMENDATION:

That:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 13 November 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

##### **GB1.Naming of Drain on Kirkwood Road**

***That no action be taken on the naming of waterways/water due to resourcing constraints, as previously resolved at Item 37 - Minute 648 of the Council meeting held Thursday 19 November 2015.***



## REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 13 November 2015 are reproduced as follows for the information of Councillors.

Venue:

Tweed Byron Local Aboriginal Land Council

Time:

10.10am

Present:

Leweena Williams (Tweed Aboriginal Corporation for Sport), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Des Williams (Tweed Byron Local Aboriginal Land Council representative), Desrae Rotumah (Tweed Aboriginal Co-operative Society), Victor Slockee (Canowindra representative) (arrived at 10.25am).

Ex-officio:

Tracey Stinson, Anne McLean, Robert Appo (Tweed Shire Council), Gabby Arthur (Tweed Shire Council) (Minutes).

Guests (in order of arrival):

Tina Williams (NSW Aboriginal Land Council), Dale Williams, Tim Robins (Everick) (arrived at 10.30am), Matt Shinkel, Norbert Benton and Bianca Carrol (Gold Coast Airport) (arrived at 10.30am), Colleen Forbes (Tweed Shire Council) (arrived at 10.30am).

Apologies:

Joyce Summers (Canowindra representative), Cr Gary Bagnall, Mayor Katie Milne, Robyn Grigg (Tweed Shire Council).

In the absence of a quorum, the meeting commenced as a discussion with notes being taken. It was noted that the AAC would not be able to make any recommendations/resolutions until a quorum was achieved.

Robert welcomed Tina Williams, Councillor for the northern region, NSW Aboriginal Land Council to the meeting and provided her with background in relation to the AAC and the important role it plays in providing advice to Council. Tracey confirmed that Council respects the advice provided by the AAC and advised that Council is working on its Reconciliation Action Plan (RAP).

Tina thanked the AAC for welcoming her to the meeting and acknowledged the Aboriginal Elders past and present. NSW Aboriginal Land Council looks after 119 Local Aboriginal Land Councils and provides support, advice and advocacy for each of those councils. Tina encouraged the Local Land Council to contact her if she can assist them and confirmed that the AAC and Aboriginal people in the Shire can rely on her support.

Victor Slockee arrived at the meeting at 10.25am

A quorum was achieved at 10.25am.

Chair: Des Williams  
Moved: Desrae Rotumah  
Seconded: Victor Slockee

RESOLVED that the Chair was declared vacant and nominations were called. Des Williams was nominated and was unanimously elected to Chair the meeting.

Des Williams opened the meeting with a welcome to all present and paid respect to Elders past and present.

Agenda suspended for Item 2.

A2. Tim Robins - Everick

(a) Gold Coast Airport - *Let's Invest for Tomorrow* Project LIFT (Matt Shinkel, Norbert Benton, Bianca Carrol Gold Coast Airport in attendance)

Norbert advised that the Gold Coast Airport (GCA) is developing the Aboriginal Cultural Heritage Management Plan (ACHMP) for the Airport site. A site walkover was recently conducted over a period of five days and Everick is now using that information together with discussions with the community to prepare the ACHMP.

Recent discussions have been held with Aboriginal stakeholders regarding Aboriginal employment opportunities. GCA is working with *AES Aboriginal Employment Strategy* (AES) in Brisbane. GCA has requested that local Aboriginal people are employed on Project Lift. Leweena enquired about how AES will ensure that employment is provided to local Aboriginal people. Norbert advised that GCA is planning to engage a lead contractor to progress an Aboriginal Employment Strategy and are putting in place internal practices to ensure local Aboriginal people are employed during this process by engaging all workers through AES.

Leweena advised that the local Aboriginal community needs to be involved as early as possible and throughout this process to ensure that AES employs local Aboriginal people. Norbert assured the AAC that GCA will be working collaboratively to ensure local Aboriginal people are employed. Des noted that the community needs to understand the range of skills required for employment opportunities to enable pre-employment training. Leweena noted that there are local Aboriginal-owned companies and it would be preferable that avenues be put in place to enable them to tender for the work.

GCA advised that AES is a not-for-profit organisation which is funded by the Federal Government with the flexibility to work with local people for indigenous employment opportunities. Norbert advised that GCA's Human Resources Manager is assisting with the process.

Leweena stressed that it is essential for the employment of local Aboriginal people due to the cultural significance of the site. Des advised that First Sun is a local Aboriginal Employment Agency based in Tweed Heads.

Robert enquired whether the GCA will be adopting an Aboriginal Employment Strategy for the long term. Norbert advised it is something GCA is considering in the context of the ACHMP. Norbert explained that GCA is looking at long term operational positions but in the short term the focus is on Project Lift. Both avenues will be working in tandem. Project Lift may provide other opportunities. Matt advised that GCA will work with the Aboriginal community to provide as much Aboriginal employment as possible.

Tim advised that Everick has provided all Aboriginal stakeholders with a copy of the draft excavation report, which includes a number of commitments, processes and possible actions to be undertaken by GCA, which have been drafted in accordance with discussions with the Aboriginal stakeholders. Not all AAC stakeholders had a copy of the excavation report and Tim undertook to email a copy through to all AAC members.

Recommendations for ongoing cultural heritage management in the report include:

- Surface collection of cultural material which will be recorded before construction commences
- Monitoring plan of all areas where physical artefacts are found
- Cultural interpretation

Des commented that the area near the top of the pond will require monitoring.

Tim asked if there is an alternate temporary storage place for the 32 artefacts currently stored at Everick's Brisbane office. Des and Lewena confirmed that the artefacts should be returned to TBLALC until the Aboriginal community decides where to keep them. Des advised that Minjungbal Aboriginal Museum and Cultural Centre is the Aboriginal community's keeping place and should be utilised. Tim advised that he will add this item to the GCA Agenda and will seek consensus on transferring the artefacts to Minjungbal Museum.

The AAC was advised that the Excavation Strategy is included in the ACHMP and will be submitted to the Department for assessment next week. The approval process will take a number of months and is expected in March 2016. The final Master Development Plan (MDP) will be published before work can commence. The draft MDP is currently available on GCA's website. Matt advised that Chapter 13 of the document has been updated since the Excavation Report regarding cultural heritage information. Des requested that the draft MDP be provided to the AAC for further comment as the AAC has concerns regarding the interpretation of the information included in the chapter as it has been prepared by a non-Aboriginal person. Matt advised that there isn't an opportunity to make changes to the final MDP as it is with the printer however GCA will provide the AAC with a copy of the report being submitted to the Minister for consideration, via Robert. Norbert noted that if Minister Warren Truss may request that further conditions be included in the report as part of the approval process. Following approval by the Minister, there are 50 days for the GCA to make any edits the Minister may require. Des requested that a copy of the MDP also be submitted to Minister Scullion for consideration.

Tim noted that ACHMP will be the main form of engagement moving forward which will be a very complex document and that there is still ongoing engagement with the community. Jackie commented that the report is going to be very detailed and additional time will be required by the stakeholders to provide feedback. Tim noted that due to the complexity of the ACHMP, continued dialogue will be required around what needs to be put in place.

Des advised that the Aboriginal community would like a continued association with GCA as it is an extremely important gathering place for the Aboriginal community.

Norbert gave an update in relation to the new Board at GCA and advised that they are aware of the Aboriginal significance of the site. Norbert advised that they will continue to update the Board as things progress with the project.

Action: CDO-Aboriginal to request Everick to provide a copy of the excavation report for AAC members.

Action: GCA to provide the AAC with a copy of the MDP being submitted to the Minister Warren Truss, via CDO-Aboriginal

Action: GCA requested to provide a copy of the MDP to Minister Scullion for consideration.

Matt Shinkel, Norbert Benton and Bianca Carrol left the meeting at 11.19am.

(b) Cobaki Lakes Precincts 6-12 Bulk Earthworks Application

Tim tabled enlarged concept plans in relation to Cobaki Lakes and advised that Leda is working through the staging plan for Cobaki Lakes. Leda is in the process of lodging a Staged Development Application over Precincts 6-12 - the first stage of the approval is the bulk earthworks which will be over Precincts 6, 7, 8 with fill coming from Precincts 9 and 11.

Everick indicated there were no plans to place fill over the cultural heritage parks as part of the bulk earthworks process and that Leda will seek further advice from the registered Aboriginal stakeholders (stakeholders) as a condition of their concept plan approval.

Tim advised that three heritage parks were identified in the approved Aboriginal Cultural Heritage Management Plan (ACHMP) however this was prior to the results of the dating process. Tim further advised that Everick were approached to provide comment on the extension of the northern cultural heritage park to the matching size of the middle park which has been excised from the concept plan, resulting in no net loss of cultural heritage park area through a concept plan modification.

It was noted that Leda will need to amend the Cultural Heritage Management Plan to address the two revised cultural heritage parks. Colleen confirmed that Leda will also have to seek to have the ACHMP amended and signed off by the stakeholders. Colleen advised that the Department of Planning has confirmed this requirement.

Tracey asked what possible dual uses, if any, would be acceptable on or within a cultural heritage park. Tim advised that further engagement with the stakeholders will be required to ascertain the uses. Members of the AAC stated that other than revegetation and interpretive signage, no other dual uses should be considered for these parks. Colleen advised that Council would have major issues regarding combining a cultural heritage park with other more active uses such as a playground. Council does not support dual use of the park unless it is confirmed by the Aboriginal stakeholders.

The ACHMP specifies that agreement must be reached and a process put in place to reach agreement prior to commencement of any works. This will necessitate at least three landscape design meetings for the stakeholders to discuss and arrive at agreement prior to final design.

Tim advised he has been instructed to seek advice from the AAC and the stakeholders on how they wish to engage regarding design and management of the park. Tim suggested that it would be beneficial to meet on site with the landscape architects as this will provide a spatial appreciation of the site. Tim advised that Leda is investigating a consistent theme throughout the cultural heritage parks across the whole development.

Colleen noted that any open space needs to meet subdivision requirements and be within walking distance from the residential blocks. Tracey confirmed that open space requirements would need to be in addition to the cultural heritage parks. The AAC is of the view that the cultural heritage parks need to be separate from other open space requirements.

Colleen noted that Council needs guidance about maintenance requirements such as mowing, fencing, weed management etc. or any installation in the cultural heritage parks particularly if there is potential for ground disturbance.

Colleen noted that in accordance with the ACHMP, Leda is required to facilitate meetings and obtain agreement on the use of the cultural heritage parks prior to any work being able to be completed in the area. The ACHMP needs to be amended through the Department of Planning and feedback will be required from the stakeholders prior to any works taking place.

*Action: Director Community and Natural Resources requested that the Community Development Officer-Aboriginal work with Council's Manager Recreation Services and Open Space Officer regarding any specific requirements including additional infrastructure and maintenance of the cultural heritage parks.*

Colleen confirmed that Council's preference will be for separate parks; two cultural heritage parks and any other casual open space requirements under the DCP 45 (Subdivision manual).

Colleen enquired whether it would be appropriate for her to attend the three site landscape design meetings. The AAC agreed that it would be positive for Colleen to attend and Tim didn't have any objections. Colleen noted that the landscape architect should also be included in the meetings.

*Action: Everick be requested to email to Council a copy of the revised cultural heritage parks within Precinct 8 as tabled at the meeting.*

*Action: Everick to advise Leda that Colleen Forbes will need to be invited to attend landscape architect site meetings.*

(c) Wooyung Development Application

Tim reminded the AAC about a previous Cultural Heritage study in 2012 in relation to one single eco-dwelling development proposal at Wooyung. Tim tabled the Aboriginal Cultural Heritage Management Plan (ACHMP) for one single eco-dwelling.

Colleen advised that Denise Galle is the Development Assessment Planner and has requested some feedback from the AAC so that she can progress the application.

Tim advised that Everick are of the view that the development site has been previously sand mined as evidenced in the historical aerial photographs attached to the report. Jackie reminded Tim that artefacts can be found at depth in coastal/sand dune locations. Victor advised that he worked in that area and they sand mined nearly 30 metres deep near the beach. It was agreed that the sand mining in this area would have been very deep.

The development includes the construction of a services trench and formalisation of a driveway along the existing track, together with a pole house with deep footings.

Tim advised that the development has a relatively light footprint on a small part of the allotment.

Desrae noted that this application is for one eco-house and the previous application was for five houses.

Colleen advised that this is a staged Development Application lodged with Council and the dwelling is not on the current Development Application but is planned for a future Development Application. Colleen confirmed that the site has high level environmental constraints as it is within an Environmental Zone.

Colleen has been requested to seek any comment or feedback from the AAC re the Wooyung Development Application. Des advised that the AAC is only concerned with Aboriginal Cultural Heritage and can't comment on other development matters.

Tim referred to page 59 of the Aboriginal Cultural Heritage Management Plan which indicates that the dwelling is approximately 20m from the shell scatter and 100m from the midden. The shell scatter has been disturbed as a result of sand mining. Legally every piece of shell is protected where it is linked to Aboriginal use.

Colleen advised that if the AAC wishes for a site monitor to be engaged during construction, that it needs to advise accordingly prior to the assessment of the Development Application as this would be a condition of the approval. Lewena confirmed that the AAC requires further information before it can make a recommendation.

Tracey Stinson left the meeting at 12.36pm

*Action: AAC members to provide information to their Boards. Item to be included on the Agenda of the next AAC meeting for recommendation.*

*Action: CDO-Aboriginal to request a copy of the Wooyung Development Application documentation tabled by Everick as there were insufficient copies available at the meeting.*

Suspension of business for lunch 12.30pm

Colleen Forbes left the meeting at 12.45pm  
Tina Williams left the meeting at 1.00pm

(d) Kingscliff Holiday Park

Tim advised that Tweed Coast Holiday Park is seeking feedback from the AAC regarding the Due Diligence Cultural Heritage Report for the Kingscliff Holiday Park. It was noted at the AAC meeting on 4 September 2015 that: '*a site inspection previously conducted in 2007 by Cyril Scott and Adrian Piper (Everick) concluded that there was sand mining on the site however a more recent inspection now indicates that it was not sand mined but quarried to a level of the dune. The sand was taken and redistributed to the local area to level the site.*'

Tim stated that Everick is of the view that the site is highly disturbed as per the Due Diligence guidelines but are seeking advice/recommendation from the AAC in relation to the

Kingscliff Beach Holiday Park. It was noted that the proposed seawall will also serve the redevelopment of Kingscliff foreshore and central park.

Tim confirmed the scope of works will include the removal of existing infrastructure and putting in new services.

Moved: Desrae Rotumah

Seconded: Victor Slookee

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.

Tim Robins left the meeting at 1.25pm

Minutes of Previous Meeting:

Moved: Leweena Williams

Seconded: Jackie McDonald

RESOLVED that the Minutes of the Aboriginal Advisory Committee meeting held Friday 2 October 2015 be accepted as a true and accurate record of the proceedings of that meeting with the exception that:

Item A3 2016 *Local Government Aboriginal Network (LGAN) Conference* - all references to the 'Bundjalung Mapping Project' be changed to the 'Tweed Shire Council Aboriginal Cultural Heritage Mapping Project'.

Business Arising:

Business Arising from Meeting held on 4 September 2015 and 2 October 2015

A2. Yabby Research

Robert confirmed that this item has been added as an Agenda item for the next meeting of the Tweed River Committee.

Business Arising from Meeting held on 10 April 2015, 1 May 2015, 26 June 2015, 4 September 2015 and 2 October 2015

GB2. Crown Lands Review

Robert confirmed that the letters have now been sent to Minister of Aboriginal Affairs, NSW Aboriginal Land Council and Jan Barham MLC.

Business Arising from Meeting held on 4 September 2015 and 2 October 2015

GB1. Naming of Drain on Kirkwood Road

Robert advised that it would be a five year project for all of the waterways/water courses in the Shire to be identified and named. Recommendation regarding naming of the waterways/water courses as suggested by Mayor Milne to be withdrawn as the AAC would prefer to see Council resources committed to other priorities and initiatives because of the size and complexity of the task for the CDO-Aboriginal. This will not prevent the AAC making future recommendations as they see fit.

Moved: Leweena Williams

Seconded: Jackie McDonald

RECOMMENDATION that the unnamed waterways/water courses proposal from the Aboriginal Advisory Committee Minutes of 2 October 2015 be withdrawn.

Agenda Items:

A1. Outstanding Matters Report  
Held over to next meeting.

A3. Robert Appo (Tweed Shire Council)

(a) Opportunities for Aboriginal designs and artworks within the SCU building  
Held over to next meeting.

(b) RAP and MOU  
Held over to next meeting.

(c) 2016 Local Government Aboriginal Network Conference - Potential projects  
Held over to next meeting.

(d) Kirkwood Road Scarred Tree placement in Arkinstall Park - Update  
Robert advised that the Kirkwood Road Scarred Tree will be relocated to within a metre or so of where it was originally situated. It is anticipated the Scarred Tree will be installed next week. The AAC raised concern that if the Scarred Tree is relocated almost back in its original position, why was it removed in the first place?

Inwards Correspondence:

IC1. Letter from Leda Manorstead Pty Ltd dated 8 October 2015 re Cobaki Aboriginal Cultural Heritage  
Held over to next meeting.

Outwards Correspondence:

Held over to next meeting.

General Business:

Nil.

Next Meeting:

The next meeting of the Aboriginal Advisory Committee will be held on Friday 4 December 2015.

The meeting closed at 2.00pm.

**EXECUTIVE MANAGEMENT TEAM COMMENTS:**

***GB1. Naming of Drain on Kirkwood Road***

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

***GB1. Naming of Drain on Kirkwood Road***

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*That no action be taken on the naming of waterways/water due to resourcing constraints, as previously resolved at Item 37 - Minute 648 of the Council meeting held Thursday 19 November 2015.*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Adopted 19 September 2013 (ECM 3146605).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**28 [SUB-CHAC] Minutes of the Community Halls Advisory Committee Meeting held Monday 23 November 2015**

**SUBMITTED BY: Community and Cultural Services**

Valid



## **Civic Leadership**

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

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

### **SUMMARY OF REPORT:**

The Minutes of the Community Halls Advisory Committee Meeting held Monday 23 November 2015 are reproduced in the body of this report for the information of Councillors.

### **RECOMMENDATION:**

**That the Minutes of the Community Halls Advisory Committee Meeting held Monday 23 November 2015 be received and noted.**

## REPORT:

The Minutes of the Community Halls Advisory Committee Meeting held Monday 23 November 2015 are reproduced as follows for the information of Councillors.

Venue:

Coolamon Centre, 3-5 Tumbulgum Road, Murwillumbah

Time:

11.00am

Present:

Reg Robinson (Crabbes Creek Hall) (Chair), Pamela Gray (Limpinwood Hall), Sue & Brian Breckenridge (Tumbulgum Hall), Steve Sweetnam (Doon Doon Hall), Peter Hurcombe (Fernvale Hall), Ben Law (Crystal Creek Hall), Marlene Protheroe (Piggabeen Hall), Janet Tkachenko (Pottsville Beach Hall), Lisa Smith (Tweed Shire Council) (Minutes)

Apologies:

Maree Edwards (Chillingham Hall), Tracey Quinn (Crabbes Creek Hall), Margaret Hulbert (Crabbes Creek Hall)

Ex-officio:

Anne McLean (Tweed Shire Council), Shannon Rees (Tweed Shire Council)

Minutes of Previous Meeting:

Moved: Marlene Protheroe

Seconded: Janet Tkachenko

RESOLVED that the Minutes of the Community Halls Advisory Committee (CHAC) meeting held Monday 24 August 2015, be accepted as a true and accurate record of the proceedings of that meeting.

## OUTSTANDING MATTERS REPORT:

### OM1 Terms of Reference:

The Terms of Reference has been endorsed by Council. Shannon Rees confirmed that endorsed copies were circulated to committee members as required and those who requested a printed copy have now received it.

This item is now closed.

### OM2 Training on Model Code of Conduct for CHAC Representatives:

Shannon Rees confirmed that Neil Baldwin has been issued a copy of the attendance sheet as a record of the provision of the Code of Conduct training.

This item is now closed.

### OM3 Fire Safety Inspections and Certification:

Shannon Rees confirmed that, with the exception of Pottsville Beach Community Hall and Doon Doon Community Hall, certificates have now been received and issued during this meeting.

Action: *Shannon Rees of Tweed Shire Council (Council) to follow up provision of certificates of compliance for Pottsville Beach Community Hall and Doon Doon Community Hall.*

OM4 Draft Management Agreement (Community Hall Management Committee):  
Shannon Rees advised Council is still awaiting returned signed copy from Crystal Creek Hall. Ben Law of Crystal Creek Hall informed Shannon he would discuss the matter with her following the meeting.

Action: *Crystal Creek Hall Management Committee to submit signed Management Agreement.*

OM5 Community Hall Management Committee Guidelines:  
Held over to Agenda Item 3.

OM6 Safe Food Handling Regulations for Management Committees and hall hirers  
Shannon Rees confirmed that Council's Environmental Health Officers have reviewed all the halls and the findings of the Kitchen and Water Audits have been issued to all halls. This matter held over to Agenda Item 2.

Action: *Shannon Rees to forward copy of report for Limpinwood Hall to Pamela Gray now that her CHAC membership has been endorsed.*

OM7 Fire Blankets and First Aid Kits for Halls:  
Shannon Rees confirmed representatives from Crystal Creek and Fernvale Community Halls were to collect their First Aid Kit following the day's meeting. Invoices for these items have now been issued to all halls.

This item is now closed.

OM8 Community Infrastructure Framework (CIF):  
Held over to Agenda Item 1.

OM9 Draft Community Halls Governance Framework Issues Paper: Council to follow up regarding lighting issues for public toilets at Chillingham:  
Shannon Rees confirmed that matters relating to Chillingham Hall electrical readings have now been resolved by:

1. Installing a separate/private meter onto the power-board of Chillingham Hall to capture electricity use at Chillingham Hall public toilet block.
2. Installing a timer with override switch in the toilet block to ensure the lights in the toilet turn off at 10.00pm. The override switch will allow the Committee to keep toilet lights on longer if the hall is being used for an event or function.

This item is now closed.

OM10 Draft Community Halls Governance Framework Issues Paper: Hall capacity assessments by Coastline to be circulated.  
Shannon Rees confirmed that the Hall Capacity numbers have been circulated to all committee members and these numbers have been uploaded to the Council Website. Shannon Rees advised the committee that information provided to potential hall hirers will be amended to show the capacity numbers and will ask each hirer to confirm they are aware of this information upon hire of a hall.

Reg Robinson of Crabbes Creek Hall raised concerns regarding the capacity number advised for the halls and will hold discussions regarding options that can be taken to adjust this number depending on the type of event by means of, for example, including additional fire exits. Committee members who may have concerns regarding the capacity allocated to their individual hall are advised to contact Shannon Rees.

*Action: Reg Robinson of Crabbes Creek Hall and Shannon Rees of Tweed Shire Council to discuss options to adjust capacity numbers for specific events if appropriate.*

#### OM11 Draft Community Halls Policy

Shannon Rees informed the committee that this policy was endorsed by Council and has been issued to all members.

*Action: Shannon Rees to forward copy to Pamela Gray of Limpinwood Hall.*

#### OM12 Review Draft Templates

Held over to Agenda Item 4.

#### OM13 Committee Contact List

Held over to Agenda Item 5, 6 and 7.

#### Outstanding Matters Report:

Moved: Sue Breckenridge

Seconded: Ben Law

RESOLVED that the Outstanding Matters Report of the Community Halls Advisory Committee (CHAC) meeting held Monday 24 August 2015, be accepted as a true and accurate record of the actions arising from that meeting.

#### Agenda Items:

##### A1. Community Infrastructure Framework

Emma Whittlesea, Council's Community Development Officer - Social Planning, attended the meeting to share with the committee the findings of the Cultural Infrastructure Framework. Emma thanked committee members for their input when capturing the data and advised the next step is to look at network planning.

The direction Council will now be taking in relation to network planning includes evaluating facilities – who needs them, who wants them, how they are being managed and how to maximise opportunities for use. Council will be examining asset management on a broad level. This will also relate to the work Council is undertaking regarding 'Fit for the Future' requirements and will seek to ensure we have a clear direction with these facilities in the future.

Emma highlighted the need for all hall committees to focus on how they are capturing usage data as this information will be vital to fully inform Council on the use of community halls. Emma informed the committee that Council is considering an on-line booking system for all facilities and encouraged anyone who might be interested in testing out the system to advise Shannon Rees.

Emma and Shannon Rees will be preparing a list of key outcomes for each individual hall to consider and these will be discussed with the individual hall committees.

Reg Robinson, as Chair, thanked Emma for attending and assured her that the information contained within the presentation was very useful and informative.

*Action: Council to circulate a copy of Emma's presentation to the committee members.*

*Action: Committee members who are interested in testing the on-line booking system to contact Shannon Rees to discuss further.*

#### AI2. Kitchen and Water (NSW Health) Audits

Shannon noted that the audit reports had been circulated to all Hall committees. It was important to note that the kitchen audits were conducted in response to queries and concerns raised by committee members in relation to food safety and handling. However, the water audit was conducted due to new regulations from NSW Health regarding water management systems for private water supplies (e.g. rain water) at public facilities such as halls. Shannon emphasised that the water audits are the responsibility of Council to follow up and implement, and that hall committees will be kept informed of the progress of the required Quality Assurance Programs (QAPs) as they are developed.

Janet Tkachenko asked what the guidelines and requirements are to bring the hall up to standard required to sell food. Shannon Rees confirmed the items are listed in the individual audit reports provided to each Committee. Shannon noted that some items are quite minor and easily achievable.

Shannon Rees can arrange meetings with Environmental Health Officers to discuss the findings of either of these audits if needed.

*Action: Any CHAC Committee member who would like to meet with Council's Environmental Health Officers to discuss the findings of the reports needs to make contact with Shannon Rees to arrange.*

#### AI3. Draft Community Hall Management Committee Guidelines

Shannon Rees advised this document is in need of revision which will be completed and presented at the next meeting.

Anne McLean asked committee members to pay particular attention to the provision of a sliding scale fee structure. Each member is asked to make available their fee structure at the next meeting so that a consistent scale can be determined.

Discussion on this topic was brief and the matter is to be held over to the next CHAC meeting.

#### AI4. Review Draft Templates

Janet Tkachenko advised the committee that the Pottsville Beach Community Hall Management Committee would like to provide additional information on page 2 of the Hall Hire Agreement template and asked if this form could be made available via Council website.

Anne McLean advised it may be more appropriate to add these details in the "More Information" page rather than on the Hall Hire Agreement Form and requested the information be forwarded to Shannon Rees to be reviewed.

Shannon Rees to follow up with the Council Webmaster to determine if it is possible to place an individual template for each hall linked to the website. Further information will be provided at the next meeting.

Review of other templates held over to the next CHAC meeting.

*Action: Janet Tkachenko of Pottsville Beach Community Hall to forward additional information for Hall Hire Agreement Form to Shannon Rees for review.*

*Action: Shannon Rees to discuss the option of linking individual hall hire forms to the website with Tweed Shire Council Webmaster.*

#### AI5. CHAC Nominated Representatives List

Shannon Rees noted the endorsement by Council of Pamela Gray as a nominated delegate for Limpinwood Hall. In addition, Shannon highlighted that any correspondence specific to the Community Halls Advisory Committee will only be forwarded to the endorsed nominated delegates. Any members of the Hall Management Committees who are not endorsed delegates will not receive these communications. However, the information can always be shared by nominated delegates with their Hall Management Committees.

#### AI6. Hall Management Committees Contact List

Shannon Rees confirmed this list is now complete and ready for circulation. Shannon asked permission of each member to share their email and telephone details, and this was agreed to by all members present. Postal and residential addresses will remain private.

*Action: Shannon Rees to circulate Hall Management Committee Contact Lists.*

#### AI7. Communications

Shannon Rees, in recognition that all members are volunteers, impressed upon committee members the need to ensure their contact details are kept up to date with Council to ensure effective communication and ease of contact with each nominated delegate, and additionally, with the members of each Hall Committee. Shannon is in need of a postal address for the Piggabeen and Fernvale Hall Committees.

Reg Robinson as Chair, encouraged all committee members to remember that, following their upcoming AGM's, they ensure any changes to contact details are communicated to Shannon Rees.

*Action: Members from Piggabeen and Fernvale to provide postal address details to Shannon Rees.*

#### Inwards Correspondence:

##### 1. Insurance Certificates of Currency

These certificates were circulated to the individual hall committee members.

Outgoing Correspondence:

Nil.

General Business:

1. Scheduling Next Meeting - Crabbes Creek Hall

The committee agreed that the next meeting be held at Crabbes Creek Hall and that the time available for the meeting be extended by one hour due to the number of items being held over at each meeting. This time can be reviewed at each meeting.

Next Meeting:

The next meeting of the Community Halls Advisory Committee will be held 10.00am 22 February 2016 at Crabbes Creek Hall.

The meeting closed at 1.05pm.

**EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 16 April 2015 (ECM3635284).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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29 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 December 2015

SUBMITTED BY: Community and Cultural Services

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## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

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### SUMMARY OF REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 December 2015 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

That:

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 December 2015 be received and noted; and
2. The Executive Management Team's recommendations be adopted as follows:

**A2. Tumbulgum Quarry, Dulguigan**

*That the Aboriginal Advisory Committee rejection of the 'Cultural Heritage Assessment' on the grounds that it is a due diligence assessment as opposed to a full heritage assessment be noted.*

**A3(a) Wooyung Development**

*That Council notes further information from the Aboriginal Advisory Committee's (AAC) organisation on this development will be reported back to the next AAC meeting.*

**A4. Kingscliff Foreshore and Central Park**

*That Council notes the AAC resolution, being:*

*"That the:*

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1. ***Aboriginal Advisory Committee notes the proposed Kingscliff foreshore protection works and central park development project and endorses the recommended Aboriginal cultural heritage management approach, including the engagement of a cultural monitor during excavations beyond 2.6m associated with construction of the seawalls, with evaluation for the need for ongoing monitoring to be determined based on the level of disturbance encountered.***
2. ***Tweed Byron Local Aboriginal Land Council to be engaged for Aboriginal cultural heritage induction training."***

**A2(a) Tim Robins - Everick Gold Coast Airport - Let's Invest for Tomorrow  
Project LIFT**

***That Council notes the Aboriginal Advisory Committee request to Gold Coast Airport to provide appropriate resourcing in order to label, display and house the 32 artefacts from the Gold Coast Airport site temporarily at the Tweed Byron Aboriginal Land Council and then permanently at Minjungbal Aboriginal Museum and Cultural Centre or another agreed location.***

## REPORT:

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Minjungbal Aboriginal Museum and Cultural Centre

Time:

9.41am

Present:

Leweena Williams (Tweed Aboriginal Corporation for Sport), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative), Desrae Rotumah (Tweed Aboriginal Co-operative Society), Victor Slockee (Canowindra representative), Mayor Katie Milne (arrived at 11.35am).

Ex-officio:

Tracey Stinson, Robyn Grigg, Robert Appo (Tweed Shire Council), Gabby Arthur (Tweed Shire Council) (Minutes).

Guests (in order of arrival):

Denise Galle (Tweed Shire Council) (arrived at 9.50am), Tim Robins (Everick) (arrived at 10.45am), Mitchell Alward (Tweed Shire Council) (arrived at 10.45am).

Apologies:

Des Williams (Tweed Byron Local Aboriginal Land Council representative), Cr Gary Bagnall, Anne McLean (Tweed Shire Council), Joyce Summers (Canowindra representative).

In the absence of a quorum, the meeting commenced as a discussion with notes being taken. It was noted that the AAC would not be able to make any recommendations/resolutions until a quorum was achieved.

Agenda suspended for Item A5(b).

A5. Robert Appo (Tweed Shire Council)

(b) Reconciliation Action Plan (RAP) and Memorandum of Understanding (MOU)

Robert provided an update on the RAP and MOU. Robert advised the RAP has been distributed to the community and some feedback received. The RAP has been to the Executive Management Team (EMT) and Tracey Stinson (Director Community and Natural Resources) and Liz Collyer (Director Corporate Services) have self-nominated to champion the RAP within Council.

Following meetings with Tracey and Liz, a plan has been put together to progress the RAP, with a proposed implementation date of June 2016. Reconciliation Australia will be holding information sessions at Council to inform staff of what a RAP is and why it is important to the reconciliation process. It is expected that these sessions will be held in February 2016 with dates to be confirmed. AAC members are invited to attend the information sessions with Reconciliation Australia. The involvement of AAC members at the information sessions may also assist in introducing and advising Council staff of the functions of the AAC. A RAP Working Group will also be established within Council and staff will be encouraged to submit

an Expression of Interest to be involved in the internal Working Group. Robert is currently drafting the Terms of Reference for the Working Group which will be submitted to Robyn and Tracey in the near future. Tracey suggested that it may be advantageous for the Working Group to attend cultural awareness training.

Denise Galle arrived at 9.50am

Jackie encouraged AAC members to individually comment on the Southern Cross University's RAP.

Whilst a date has not yet been set, it is proposed to have a RAP workshop to inform Councillors and the AAC members will be invited to attend.

There are some significant dates in 2016 which could coincide with the launch of the RAP, such as NAIDOC Week or the Local Government Aboriginal Network (LGAN) Conference.

Council will be promoting and informing staff in relation to the RAP internally through the General Manager's blog on Council's intranet and articles in the InsideOUT staff newsletter.

#### A2. Dulguigan Quarry, Dulguigan - Denise Galle (Tweed Shire Council)

Denise Galle advised that she is the Assessing Officer for the Dulguigan Quarry application for a Section 96 Modification as a variation of the 2004 Development Approval seeking to expand the boundaries of the quarry. The boundary on the east is mapped in the Aboriginal Cultural Heritage Management Project (ACHMP) as a potential site. The applicant is also proposing to expand to the west however there are no mapped ACHMP sites within this area. The application includes some vegetation removal. The quarry has been mapped as a regionally significant resource in the NSW Far North Coast Regional Strategy.

Denise is seeking advice from the AAC as the site is within a predictive area of Council's Aboriginal Cultural Heritage Management Plan.

The Cultural Heritage Assessment was prepared by Converge and has concluded: 'that there is little from the desktop and site visit review that would suggest a high potential for Aboriginal cultural heritage to be present within the proposed expansion area'.

Robert noted from a cultural point of view, the base of the quarry terminates onto the floodplain and whilst it is highly disturbed there is potential for cultural heritage to be present which is why it is mapped as a predictive site.

Denise advised that the proposal includes a Conservation Management Plan on the north side and some of the west side and it will be protected in the future as a voluntary conservation area through a Section 88B instrument on the Certificate of Title. Denise advised that there have been objections from the neighbouring properties.

The AAC noted Converge's use of the Steele map (1978), which is in no way indicative of Aboriginal cultural heritage sites within the proximity of the site. The AAC raised concerns that the 'Cultural Heritage Assessment' report prepared by Converge dated October 2015 for Dulguigan Quarry, Dulguigan for Hy-Tec Industries (Queensland) Pty Ltd is actually a 'Due Diligence' Report and are of the opinion a more detailed Cultural Heritage Assessment report using up-to-date information should be prepared.

Denise advised that OEH is requesting further information regarding ecology and suggested that the AAC provide its concerns to Denise and she will forward that information to OEH.

Action: Denise Galle requested to provide coloured copies of the plans tabled at the meeting for the AAC members. Denise to provide copies to CDO-Aboriginal so that they can be forwarded out to AAC members.

The AAC is of the view that a comprehensive Cultural Heritage Assessment is required for the site given the site's significance to the local Aboriginal population. Upon receipt of such plan, the plan is to be forwarded to the AAC for review and final comment.

Due to the lack of a quorum, please refer to the AAC's recommendation in relation to Item A2 which appears later in the Minutes of Friday 4 December 2015.

Mitchell Alward arrived at 10.45am  
Tim Robins arrived at 10.45am

A3. Tim Robins (Everick)

(a) Wooyung Development

Robert advised Tim that as a quorum has not been achieved, no recommendations will be able to be made until a quorum had been achieved

Denise Galle advised that the current Development Application is for the site (house pad) rather than the dwelling. The Applicant has provided Council with Everick's Due Diligence Assessment dated August 2012 for both Wooyung Development projects within the site. Tim noted that a further Due Diligence Assessment has been prepared by Everick for the house site.

Tim advised that the proposed house site is located 100m from the midden and 60m from the shell scatter which is highly disturbed however is of cultural origin. There is an environmental buffer of approximately 60m around the house site which will be left to revegetate.

Tim advised that the current proposal is not to use the track where the shell scatter is located. Everick's conclusion from a physical heritage perspective is that there is no likely impact however acknowledged it is a very important landscape from an intangible perspective, which is well documented and was noted by the AAC.

Tim confirmed that both the midden and shell scatter sites are registered AHIM sites which are on private property.

Denise noted that from an ecological perspective, Council staff still have concerns, and from a bush fire perspective the applicant may be able to clear between 20m and 50m around the site in accordance with the 10/50 Vegetation Clearing Code of Practice for NSW. The applicant has indicated that such authority to clear would be waived as part of any DA Approval however how this is statutorily possible is unclear.

If the Applicant chose to clear 50m then there will no longer be a protective buffer to the shell buffer and midden. Tim requested advice from Denise re Council's concerns around ecological issues. Denise advised that the site is between two significant SEPP26 areas.

Denise noted that the house pad site might be okay between the SEPP26 areas but there is also likely to be edge effects that need to be taken into account

Everick has been instructed to request a resolution from the AAC re the proposal.

Jackie noted that given the significance of the site as a cultural landscape and with the ecological significance, the AAC members will need to report to their organisations and bring the information back to a later meeting. Leweenaa advised that she cannot commit to any recommendation until she has the opportunity to take the information back to her Board and Desrae and Jackie agreed that they must also seek advice from their organisation Boards. Tim was advised that the AAC member organisation meetings don't always happen between AAC meetings and requested that Tim provide that feedback to the developer. Robert advised that the AAC will not meet again until early February 2016.

Denise noted that the DA has been with Council for one year and the Applicant would very much like a decision made.

The AAC requested that Denise provide via email the previous Cultural Heritage report and updated plans for the development. Denise noted that it may be beneficial for Everick to provide a copy of its updated report for the single house site to Council.

*Action: Denise Galle to provide to CDO-Aboriginal via email the previous Cultural Heritage report and updated plans for the Wooyung development.*

Council has requested a copy of Everick's report tabled at the AAC meeting on 13 November 2015 as there were insufficient copies at the meeting and will forward the report to the AAC members when it is received. Everick was advised that at the time of the meeting, the report has not yet been received by Council.

Due to the lack of a quorum, please refer to the AAC's recommendation in relation to Item A3(a) which appears later in the Minutes of Friday 4 December 2015.

Please note: Subsequent to the AAC meeting on 4 December 2015, Council officers sought clarification of the recent revisions to the 10/50 vegetation legislation. This review indicates that 'the site is within a vegetation clearing entitlement area and yet the 10/50 Code may not apply due to:

- Occurrence of SEPP 26 Littoral Rainforest onsite; and
- 100m from NSW coastline or estuary

It would appear that technically if the vegetation falls outside the boundaries of these features (which may be the case on this site) clearing may still lawfully be undertaken under the Code to the extent that it remains outside the excluded areas and is undertaken in accordance with the Code. Notwithstanding, new provisions have been introduced enabling the overriding of the Code as prescribed under s7.8 titled 'Protection of vegetation to which a legal obligation exists to preserve that vegetation by agreement or otherwise' which includes (but is not limited to) a section stating that clearing under the Code cannot be inconsistent with the following:

- *Any condition of development consent or approval under the EP&A Act that identifies and requires the retention and management of vegetation for conservation purposes.*

Essentially Council could impose a condition requiring habitat/tree retention to prevent activities being undertaken under the Code. This couldn't be applied under the earlier version of the Code.'

A4. Kingscliff Foreshore Protection Works and Central Park Development - Mitchell Alward (Tweed Shire Council)

Mitchell Alward presented to the AAC regarding the Kingscliff Foreshore Protection Works and Central Park Development project. Mitchell noted that Everick has previously presented to the AAC at its meeting on 13 November 2015 regarding the upgrade of the Kingscliff Beach Holiday Park project. Both of these projects will be performed within the same land parcel however are separate projects and the Holiday Park cannot be upgraded until such time as the foreshore protection works are completed.

Mitchell advised that the Holiday Park proposal involves an upgrade to the existing Holiday Park within a reduced footprint however requires the proposed foreshore works prior to commencing. The proposal will reduce the footprint of the Holiday Park to the north.

Part of the foreshore protection works include a concrete stepped seawall back into the proposed central park development (made vacant by the Holiday Park redevelopment) and includes deep footings for the seawall construction.

Mitchell advised there is a confirmed story place within the southern area of the proposed Kingscliff Foreshore upgrade which is identified in the ACHMP. Mitchell advised that the likelihood of Aboriginal artefacts being in situ is low due to past disturbance of the site however Council is taking a cautious approach given the depth of works.

Mitchell's presentation on the Kingscliff Foreshore upgrade advised the AAC that Aboriginal cultural heritage induction training will be provided to all contractors and personnel prior to commencement of work. A cultural monitor will also be engaged for the excavation works associated with the construction of the seawall only. However, a cultural monitor will not be required for the Central Park works.

Mayor Milne arrived at 11.35am

Quorum achieved at 11.35am.

Jackie enquired about training opportunities for Aboriginal people during this project. Tracey advised that this project is subject to funding and no funding has yet been received.

Mitchell advised that it is important to distinguish between the two proposals; one for the Kingscliff Beach Holiday Park upgrade and the other the Foreshore Protection Works and Central Park Development. This is because both projects are being performed by different parties, the Holiday Park redevelopment by the Tweed Coast Holiday Parks Reserve Trust and the foreshore protection works and central park development by Tweed Shire Council, and each are being considered under different planning pathways with associated requirements for the consideration of cultural heritage.

Robyn noted that the Kingscliff Community Hall is not included in the current Foreshore Protection Works and Central Park Development proposal.

Everick noted that monitoring as part of the Holiday Park redevelopment is a precautionary measure during construction of the cabins and infrastructure upgrade and Everick is of the opinion that the previous monitoring recommendation should remain in place.

Robert noted that cultural heritage inductions for Council staff could be undertaken by a Council Environmental Scientist with support from a Tweed Byron Local Aboriginal Land Council representative.

Please refer to the AAC's recommendation in relation to Item A4 which appears later in the Minutes of Friday 4 December 2015.

Chair: Desrae Rotumah

Moved: Leweena Williams

Seconded: Jackie McDonald

RESOLVED that the Chair was declared vacant and nominations were called. Desrae Rotumah was nominated and was unanimously elected to Chair the meeting.

Desrae Rotumah opened the meeting with a welcome to all present and paid respect to Elders past and present.

Business suspended for Item A2.

A2. Tumbulgum Quarry, Dulguigan - Denise Galle (Tweed Shire Council)  
Update provided to Mayor Milne of today's discussions.

Moved: Jackie McDonald

Seconded: Leweena Williams

RECOMMENDATION that the AAC rejects the 'Cultural Heritage Assessment' report prepared by Converge dated October 2015 for Tumbulgum Quarry, Dulguigan for Hy-Tec Industries (Queensland) Pty Ltd as it is a Due Diligence Report and given the site's significance to the local Aboriginal population, the AAC requests a more detailed Cultural Heritage Assessment report be provided for discussion at a future meeting. In addition the AAC requests that Council staff forward the AAC Minutes to OEH for it to review the AAC's comments in regards to Aboriginal matters.

A3. Tim Robins (Everick)

(a) Wooyung Development

Update provided to Mayor Milne of today's discussions.

Moved: Leweena Williams

Seconded: Jackie McDonald

RECOMMENDATION that given the cultural landscape and ecological significance of the Wooyung development site, that AAC members will seek advice from their organisations and report back to the next AAC meeting for recommendation.

A4. Kingscliff Foreshore and Central Park - Mitchell Alward (Tweed Shire Council)  
Update provided to Mayor Milne of today's discussions.

Moved: Victor Slockee

Seconded: Jackie McDonald

RECOMMENDATION that the:



1. AAC notes the proposed Kingscliff foreshore protection works and central park development project and endorses the recommended Aboriginal cultural heritage management approach, including the engagement of a cultural monitor during excavations beyond 2.6m associated with construction of the seawalls, with evaluation for the need for ongoing monitoring to be determined based on the level of disturbance encountered.
2. Tweed Byron Local Aboriginal Land Council to be engaged for Aboriginal cultural heritage induction training.

A3(c) Pumpenbil Development - Tim Robins (Everick)

Tim requested to add a late Agenda item. Robyn advised that Agenda items need to be provided prior to the meeting as a matter of process. The AAC agreed that Tim could proceed given that the next AAC meeting is not scheduled until February 2016.

Tim advised that Everick has been engaged to undertake a desktop study only for an eco-tourist cabin development at Pumpenbil. Tim advised that a project plan is being developed and will be provided for distribution to the AAC. Tim sought feedback from the AAC as to their opinion of the desktop process.

Jackie suggested that Everick include a statement in each report noting that it is aware that the Aboriginal Cultural Heritage Mapping exists. The current process is for Council officers to use the Aboriginal Cultural Heritage Mapping during the assessment stage. Leweena advised that until the mapping is adopted by Council, the AAC needs to provide comments to Everick.

Everick asked that the AAC note that the Pumpenbil proposal will be tabled at the February meeting and in the meantime requested that members forward any comments.

*Action: Everick to provide project plan for Pumpenbil eco-tourism cabin proposal to CDO-Aboriginal for distribution to AAC prior to February 2016 meeting, and that this item be included on the AAC Agenda.*

A4(d) Cobaki Cultural Heritage - Tim Robins (Everick)

Tim was requested by Robert to update the AAC in relation to the Cobaki Cultural Heritage Parks in Precinct 8.

Tim advised that the University of QLD will be carrying out Electrical Resistivity work at the Aboriginal research site at Cobaki on 10 December 2015 at 8.30am (NSW time). Everick is hoping to receive the results of the work within a week and will provide advice to the AAC meeting in February 2016.

*Action: Cobaki Cultural Heritage Parks to be included as an Agenda item for the February 2016 meeting.*

Tim Robbins left the meeting at 12.09pm

A5. Robert Appo (Tweed Shire Council)

(a) Opportunities for Aboriginal designs and artworks within the SCU building

Robert reminded the AAC that they previously discussed opportunities for an Aboriginal acknowledgement at both the SCU (Tweed Administration) building and Murwillumbah Civic

Centre where the last recommendation of the AAC was that the acknowledgement be displayed prominently at the buildings.

Robyn suggested that the Communications and Customer Service Team prepare some designs for discussion at the February meeting. Leweena asked whether paperbark or mangrove elements could be incorporated into the signage.

Leweena suggested a steel form of paperbark incorporating the wording out the front of the building as you walk up to the front door. Leweena advised she would like to see something different to the normal Council signage.

*Action: CDO-Aboriginal to work with Communications and Customer Service Team to bring some design and site options to the February 2016 meeting.*

(c) 2016 Local Government Aboriginal Network (LGAN) Conference - Potential projects  
Robert provided an update in relation to the LGAN conference and advised that he will be seeking cultural advice from the AAC re cultural site visits for the conference delegates. The first day is open to cultural visits which includes the community welcoming the delegates and allowing them to look around the Shire before the conference business commences.

Suggestions for Day 1 (Wednesday 24 August 2016):

- Informal welcome and registration at Twin Towns
- Bus transport to Tweed Regional Museum, Murwillumbah
- Lunch at Crams Farm, Doon Doon
- Visit to Tweed Regional Gallery and Margaret Olley Art Centre
- Visit to Minjungbal Aboriginal Museum and Cultural Centre for Aboriginal Welcome to Country
- Mayor's welcome in the evening

Robert requested that the AAC provide feedback that Crams Farm, Doon Doon is a suitable location for a cultural visit. As there isn't any Aboriginal interpretative signage currently at Crams Farm, this could be a possible project prior to the LGAN conference.

Leweena noted that at a previous meeting two other locations were flagged including Joongurrabah (Razorback) and Fingal Head. Robert noted that Razorback is not accessible to everyone and so would be unlikely to be utilised as a cultural tour for the conference. Leweena suggested that the bus route should incorporate sites that indicate the Aboriginal battle to preserve culture due to high development. Robert advised the AAC that time is quickly passing and decision needs to be made so that the signage can be fabricated and installed in time for the conference.

*Action: That CDO-Aboriginal to investigate content options for interpretative signage at three or four sites which will be narrowed down to two locations at the next AAC meeting.*

(d) Village Entry Signage

Robert advised the AAC of the Village Entry Signage project and read out item 3 of Council's resolution of 22 October 2015. The four key locations for signage replacement in 2015/16 are Murwillumbah, Tumbulgum, Tyalgum and Chillingham.

Business suspended at 12.43pm.

Meeting recommenced at 1.00pm.

Inwards Correspondence:

IC1. Letter from Leda Manorstead Pty Ltd dated 8 October 2015 re Cobaki Aboriginal Cultural Heritage

Robert tabled letter from Letter from Leda Manorstead Pty Ltd dated 8 October 2015 re Cobaki Aboriginal Cultural Heritage and read the contents to the AAC.

Outwards Correspondence:

OC1. Letter from Tweed Shire Council to Leda Manorstead Pty Ltd dated 27 October 2015 re Cobaki Aboriginal Cultural Heritage

Robert tabled letter from Council to Leda Manorstead Pty Ltd dated 27 October 2015 re Cobaki Aboriginal Cultural Heritage and read the contents to the AAC.

Mayor Milne declared a non-specific, non-pecuniary interest in matters regarding Leda due to ongoing legal proceedings with the Chairman of Leda Developments. Mayor Milne advised that she would stay in the meeting and will consider the matters on their merits.

Moved: Victor Slockee

Seconded: Leweena Williams

RESOLVED: That the AAC notes the Inwards and Outwards Correspondence as tabled at its meeting on 4 December 2015.

Minutes of Previous Meeting:

Moved: Victor Slockee

Seconded: Leweena Williams

RESOLVED that the Minutes of the Aboriginal Advisory Committee meeting held Friday 13 November 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising from meeting held on 13 November 2015:

A2(a) Tim Robins - Everick Gold Coast Airport - Let's Invest for Tomorrow Project LIFT  
In relation to the storage of the 32 artefacts from the Gold Coast Airport, Jackie noted that the AAC should also be seeking appropriate resourcing in order to label, display and house the artefacts.

Moved: Jackie McDonald

Seconded: Leweena Williams

RECOMMENDATION that the AAC requests the Gold Coast Airport to provide appropriate resourcing in order to label, display and house the 32 artefacts from the Gold Coast Airport site temporarily at the Tweed Byron Aboriginal Land Council and then permanently at Minjungbal Aboriginal Museum and Cultural Centre or another agreed location.

The AAC noted that Council has requested a copy Chapter 13 of the Master Development Plan from the Gold Coast Airport however it has not yet been received.

Business Arising Meeting held on 4 September 2015, 2 October 2015 and 13 November 2015

A2. Yabby Research

Robert tabled and provided the AAC members with a copy of the Department of Primary Industries document 'NSW Recreational Charter Fishing sector Code of Practice for land based charter fishing activities in the Tweed River' dated December 2015. This document was provided to the AAC by Tweed River Committee by way of update.

Mayor Milne reported that some members of the Tweed River Committee carried out a site visit at the identified sandbanks. A representative of Catch-a-Crab will be attending the Tweed River Committee meeting on 9 December 2015.

Discussion regarding AAC representation at the Tweed River Committee meeting on an ongoing basis and Victor agreed to represent the AAC. If Victor is unable to attend the meetings, he will arrange for an alternate to attend.

*Action: CDO-Aboriginal to advise Coordinator Natural Resource Management, Jane Lofthouse that the AAC has nominated Victor Slockee or his alternate to attend the Tweed River Committee meetings on an ongoing basis.*

*Action: Jackie McDonald to email to Mayor Milne a copy of the letter from John Clarke for tabling at the Tweed River Committee meeting on 9 December 2015.*

General Business:

GB1. Cultural Heritage Mapping Project - Article in Tweed Link

Robert alerted the AAC to an article in the Tweed Link dated 1 December 2015 which indicated that the Cultural Heritage Mapping Project was awaiting Council endorsement for public exhibition and that this is incorrect. Robyn Eisermann is aware that the article is incorrect and is liaising with the Communication and Customer Service Unit.

GB2. Crown Lands Review

Mayor Milne advised the Councillors attended a workshop with Crown Lands on 26 November 2015 re the Crown Lands Review Pilot Project. Tracey advised she will provide to the AAC a copy of the paper from the Crown Lands workshop as it is not a confidential document.

*Action: Director Community and Natural Resources to provide copy of Crown Lands paper from the Councillor workshop on 26 November 2015 to CDO-Aboriginal for distribution to AAC members.*

Next Meeting:

The next meeting of the Aboriginal Advisory Committee will be held Friday 5 February 2016.

The meeting closed at 1.40pm.

**EXECUTIVE MANAGEMENT TEAM COMMENTS:**

**A2. Tumbulgum Quarry, Dulguigan - Denise Galle (Tweed Shire Council)**

**The applicant has been requested to address the Aboriginal Advisory Committee concerns and the application will be reported back to Aboriginal Advisory Committee for further consideration.**

**A3(a) Wooyung Development**

The application will not be determined until Aboriginal Advisory Committee comments have been received and considered.

**A4. Kingscliff Foreshore and Central Park - Mitchell Alward (Tweed Shire Council)**

Nil.

**A2(a) Tim Robins - Everick Gold Coast Airport - Let's Invest for Tomorrow Project LIFT**

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

**A2. Tumbulgum Quarry, Dulguigan - Denise Galle (Tweed Shire Council)**

*That the Aboriginal Advisory Committee rejection of the 'Cultural Heritage Assessment' on the grounds that it is a due diligence assessment as opposed to a full heritage assessment be noted.*

**A3(a) Wooyung Development**

*That Council notes further information from the Aboriginal Advisory Committee 's organisation on this development will be reported back to the next Aboriginal Advisory Committee meeting.*

**A4. Kingscliff Foreshore and Central Park - Mitchell Alward (Tweed Shire Council)**

*That Council notes the Aboriginal Advisory Committee resolution, being:*

*"That the:*

- 1. Aboriginal Advisory Committee ( notes the proposed Kingscliff foreshore protection works and central park development project and endorses the recommended Aboriginal cultural heritage management approach, including the engagement of a cultural monitor during excavations beyond 2.6m associated with construction of the seawalls, with evaluation for the need for ongoing monitoring to be determined based on the level of disturbance encountered.*
- 2. Tweed Byron Local Aboriginal Land Council to be engaged for Aboriginal cultural heritage induction training."*

**A2(a) Tim Robins - Everick Gold Coast Airport - Let's Invest for Tomorrow Project  
LIFT**

*That Council notes the Aboriginal Advisory Committee request to Gold Coast Airport to provide appropriate resourcing in order to label, display and house the 32 artefacts from the Gold Coast Airport site temporarily at the Tweed Byron Aboriginal Land Council and then permanently at Minjungbal Aboriginal Museum and Cultural Centre or another agreed location.*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Adopted 19 September 2013 (ECM 3146605).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**30 [SUB-TRC] Minutes of the Tweed River Committee Meeting held Wednesday 9 December 2015**

**SUBMITTED BY: Natural Resource Management**

Valid



## **Caring for the Environment**

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

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

### **SUMMARY OF REPORT:**

The Minutes of the Tweed River Committee Meeting held Wednesday 9 December 2015 are reproduced in the body of this report for the information of Councillors.

### **RECOMMENDATION:**

**That the Minutes of the Tweed River Committee Meeting held Wednesday 9 December 2015 be received and noted.**

**REPORT:**

The Minutes of the Tweed River Committee Meeting held Wednesday 9 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Canvas & Kettle Meeting Room

Time:

9.00am

Present:

Rhonda James (Restoration Industry); (Chair); Cr Katie Milne; Ben Fitzgibbon (Office of Environment and Heritage); Pat Dwyer (Department of Primary Industries - Fisheries NSW); Robert Quirk (NSW Cane Growers' Association); Claire Masters (Tweed Landcare Inc.); Sam Dawson (Caldera Environment Centre); Eddie Norris (Community Representative); Scott Petersen (Tweed River Charter Operators); Max Boyd (Community Representative); Bob Modystack (Community Representative); Lindy Smith (Community Representative); Victor Slockee (Aboriginal Advisory Committee member); Tracey Stinson, Jane Lofthouse, Tom Alletson, Eli Szandala, Mark Kingston (Tweed Shire Council).

Guests:

Rob Appo (Community Development Officer - Aboriginal); Robert Eyre (Catch-a-Crab); Charlie Howe (stakeholder); Rick James (Riparian Management Services).

Informal:

Cathey Philip (Minutes Secretary).

Apologies:

Cr Gary Bagnall; Carl Cormack (Roads and Maritime Services); Scott Hetherington (Tweed Shire Council).

Minutes of Previous Meeting:

Moved: Max Boyd

Seconded: Lindy Smith

RESOLVED that the Minutes of the Tweed River Committee meeting held Wednesday 14 October 2015 be accepted as a true and accurate record of the proceedings of that meeting.

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Business Arising:

BA1. Upper Catchment Water Quality Investigations

Tom advised that a revised upper catchment water quality report has been received by Council. Overall, water quality in the upper catchment is good, with some notable exceptions identified. The results of the investigation provide Council with useful information to target water quality problems in the upper catchment. The project will continue throughout 2016 with an expanded number of Water Quality monitoring sites, and event based monitoring. Tom advised that he would be publicising the results of the water quality investigation in the new year.



BA2. Boormans Road

Tom referred to previous minutes and comments from Council's Director Planning & Regulation. It was advised that Council will not undertake further review of the Bormann's road case. Tom also provided advice to the committee regarding Office of water Investigations into reported instances of unapproved activities occurring within Hopping Dicks Creek upstream of Bormann's Road.

BA3. Workshops for Contractors on Waterway Environment Regulations and Best Practice

Tom advised that discussion between himself, Patrick Pahlow (DPI Water) and Patrick Dwyer (DPI Fisheries) has confirmed that a series of workshops with earthmoving contractors would be practical and positive.

Pat provided more detail on similar forums he has been delivering and provided an update on possible content and recommendations for workshops to undertake this in 2016.

There was discussion on who should be invited to the workshops and it was generally agreed that all earthmoving contractors who work in Tweed Shire should be invited to attend.

It is hoped the workshops will take place in the first quarter of 2016 and Tom and Pat will work together to organise.

---

Agenda Items:

A1. Yabby Pumping in Terranora Broadwater

Robert Eyre presented his case in relation to his charter vessel business and potential impacts of tour participants on yabby populations. Robert was accompanied by Charlie Howe, a local recreational fisherman. In summary, Robert and Charlie advised that they do not agree with opinions previously advised to the Tweed River Committee regarding the impact of tour groups accessing the intertidal banks on yabby populations.

There was general discussion on the various points of view and Tom advised that Council's position on the matter is to support all parties observing the code of practice, and await results of scientific investigations being undertaken by DPI.

Tom also provided an update on the progress of investigations being undertaken by DR Rowan Chick, who is leading research on bait populations in NSW.

*Robert and Charlie left at 10am*

A2. NSW Coastal Policy Reforms and Tweed Estuary Coastal Zone Management Plan

Tom advised that the community consultation phase on the NSW Government Coastal Management Reforms has commenced. Ben Fitzgibbon provided a detailed overview of the components of the coastal reform package, the current information available for public review, and the process by which the committee could provide a submission on the new/proposed legislation and guidelines.

Tom also advised the committee of Council's success is gaining a grant of \$97,500 from the Office of Environment and Heritage to prepare a Coastal Zone Management Plan for the Tweed estuary. Tom advised that a thorough update on the proposed scope and methodology for the CZMP would be presented at the February TRC meeting.

**Action Item:** Tom to provide a detailed briefing on the proposed scope and methodology of the Tweed estuary CZMP at the February meeting.

*Bob Modystack left the meeting at 10.30am  
Rob & Victor left the meeting at 10.50am*

A3. Bank Stabilisation and Habitat Enhancement Designs for Browns Land Murwillumbah  
Rick James from Riparian Management Services presented an overview of the plans for bank stabilisation works that Council is proposing to undertake downstream of Murwillumbah.

There was general discussion with various questions and answers.

Tom advised that a part V application and Review of Environmental Factors for the project will be finalised and submitted in the new year, with construction to commence following the end of the typical wet period in the first quarter of 2016.

A4. Tweed Sustainable Agriculture Strategy Development  
Eli provided an update of the Sustainable Agriculture Strategy development and opportunities to provide input during this consultation phase. Eli encouraged TRC members to make comment of the draft strategy, which can be accessed from Council's website, or by contacting him directly.

A5. Climate Change and Impacts on Tweed Agriculture  
Robert presented information on expected climate changes in the Tweed and the impact this will have on agriculture.

A6. E-zones  
Mark Kingston updated the Committee with latest information on E-zones.

**Action Item:** Mark to provide a more detailed presentation at the February TRC meeting.

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General Business:

GB1. NSW Shark Management Strategy  
Jane provided information of a media release received from the State Government regarding trials of new technology relating to shark management. To be included are:

- Drone trials at Coffs Harbour - commenced 9 December.
  - Barrier technology and smart drum lines at a number of North Coast locations - to commence in near future.
  - Additional aerial surveillance for the North Coast in near future.
-

Next Meeting:

The next meeting of the Tweed River Committee will be held 10 February 2016.

The meeting closed at 12.40pm.

**EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Adopted by Council 24 January 2013 (ECM2939677)

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**31 [SUB-TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 9 December 2015**

**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 9 December 2015 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 9 December 2015 be received and noted.**

## REPORT:

The Minutes of the Tweed Coastal Committee Meeting held Wednesday 9 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Canvas & Kettle Meeting Room

Time:

1.20pm

Present:

Cr Barry Longland (Chair); Cr Katie Milne; Ben Fitzgibbon (Office of Environment and Heritage); Rhonda James (Restoration Industry); Suzi Bourke (Cabarita Beach-Bogangar); Michael Munday (Bogangar); Tim Jack Adams (Kingscliff); David Cranwell (Pottsville); Roger Graf (Fingal Head); Jane Lofthouse, Tom Alletson, Marama Hopkins, Stewart Brawley (Tweed Shire Council).

Informal:

Cathey Philip (Minutes Secretary).

Apologies:

Jason Pearson (Kingscliff); Pat Dwyer (Department of Primary Industries - Fisheries NSW); John Harbison (Mooball); Peter Sloan (Hastings Point).

Minutes of Previous Meeting:

Moved: David Cranwell

Seconded: Roger Graf

RESOLVED that the Minutes of the Tweed Coastal Committee meeting held Wednesday 14 October 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

Nil.

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Agenda Items:

A1. Tweed Coast Koala Study 2015

Marama provided a briefing on the recently completed Koala Study for the Tweed Coast. The Study used the same sites and methodology as the 2010 study and measures the levels of koala activity at those sites.

Marama advised that there has been an overall decline in koala activity across the Tweed Coast and that a copy of the study is available from Council's website.

General discussion on the study and future options.

A1. Kingscliff Coastal Zone Management Plan Process

Jane provided an update advising that Council has received \$9.81M from the Federal Government's Stronger Regions Development Fund for foreshore protection at Kingscliff. Discussion on completing the Kingscliff Coastal Zone Management Plan under the current legislation or awaiting the Coastal Reforms. Consensus was to complete the Plan.

**A2. Dredging Program**

Jane provided an update on the dredging of the Tweed River and advised that the nourishment of Fingal Head beach should be completed by 11 December 2015.

**A3. NSW Shark Management Strategy**

Jane provided information of a media release received from the State Government regarding trials of new technology relating to shark management. To be included are:

- Drone trials at Coffs Harbour - commenced 9 December.
- Barrier technology and smart drum lines at a number of North Coast locations - to commence in near future.
- Additional aerial surveillance for the North Coast in near future.

**A4. NSW Coastal Policy Reform**

Jane advised that the community consultation phase on the NSW Government Coastal Management Reforms has commenced. Ben provided a detailed overview of the components of the coastal reform package, the current information available for public review, and the process by which the committee could provide a submission on the new/proposed legislation and guidelines.

**A5. Tweed DuneCare Coordinating Committee**

Marama provided an update on the meeting held 26 November. Main points are:

- Concern about volunteer numbers reducing. Council to carry out a media drive in 2016 to try to encourage new members.
- Several groups received "highly commended" awards in the NSW Blue Star Awards.
- Groups engage with schools and run regular planting days.
- Council to carry out a blitz on illegal camping along the Tweed Coast.
- Roadside Vegetation Management Strategy - coloured markers to be put up to identify areas of high conservation and threatened species. A media release was put out today providing further information.

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**General Business:**

**GB1. NSW Coastal Conference**

Barry provided information on the conference, in particular, the predictions for sea level rise. This led into a general discussion.

**GB2. Signage regarding Dogs on Beaches**

Roger asked for update and Jane advised that Council's Compliance Unit is doing a review - currently work in progress. Community feedback will be sought through the Tweed Link.

**GB3. Cane Farms**

Michael expressed concern about the amount of land taken up by cane farming. Jane recommended he look at the Sustainable Agriculture Strategy on Council's website and make a submission.

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**Next Meeting:**

The next meeting of the Tweed Coastal Committee will be held Wednesday 10 February 2016.

The meeting closed at 3.30pm.

**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.

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**32 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 10 December 2015**

**SUBMITTED BY: Community and Cultural Services**

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## **Supporting Community Life**

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

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

### **SUMMARY OF REPORT:**

The Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 10 December 2015 are reproduced in the body of this report for the information of Councillors.

### **RECOMMENDATION:**

**That the Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 10 December 2015 be received and noted.**



## REPORT:

The Minutes of the Tweed Regional Museum Advisory Committee Meeting held Thursday 10 December 2015 are reproduced as follows for the information of Councillors.

Venue:

Coolamon Centre

Time:

2.00pm

Present:

Cr Barry Longland; Robyn Grigg (Manager Community and Cultural Services); Gary Fidler (Community); Peter Budd (Community); Jim Sachs (Tweed Heads Historical Society); Jayne Parrott (Uki & South Arm Historical Society); Max Boyd (Murwillumbah Historical Society); Tony Clark (Murwillumbah Historical Society); Janet Swift (Community); Debbie Campbell (Tweed Heads Historical Society); Fay O'Keeffe (Community).

Apologies:

Judy Kean (Museum Director); Tracey Stinson (Director Community and Natural Resources); Helena Duckworth (Uki & South Arm Historical Society); Sandra Flannery (Community).

Minutes of Previous Meeting:

Moved: Janet Swift

Seconded: Peter Budd

RESOLVED that the Minutes of the Tweed Regional Museum Advisory Committee meeting held Tuesday 10 November 2015 be accepted as a true and accurate record of the proceedings of that meeting.

Agenda Items:

A1. Election of new Museum Advisory Committee chair (in accordance with Council Policy) In accordance with Council's policy, the Committee is required to elect a Chairperson until the end of the term of Council. Max Boyd was nominated as Chairperson and accepted the nomination.

Moved: Tony Clark

Seconded: Peter Budd

RESOLVED that Max Boyd be appointed Chairperson of the Tweed Regional Museum Advisory Committee until the end of the term of Council.

The Motion was Carried.  
FOR VOTE - Unanimous.

Business Arising:

Nil.

Agenda Items:

A2. Museum Director's Report including proposed acquisitions and de-accessions  
Report was previously sent to members.

No specific queries have been received in relation to the Museum Director's Report.

Moved: Tony Clark

Seconded: Jim Sachs

RESOLVED that the Museum Director's Report be endorsed by the Committee.

The Motion was Carried.

FOR VOTE - Unanimous.

Moved: Fay O'Keeffe

Seconded: Jim Sachs

RESOLVED that the proposed acquisitions be accepted by the Committee.

The Motion was Carried.

FOR VOTE - Unanimous.

There were no de-accessions for consideration.

A3. Murwillumbah Historical Society Report  
Report was previously sent to members.

Discussion re visitor numbers to the Murwillumbah Museum. Robyn explained the measuring outcomes project. Max enquired whether surveys are being completed by visitors. Jayne advised the volunteers are collecting postcodes when visitors arrive at the museum.

Jayne advised she has received some enquiries as to whether there is still the option to 'book a tour with the curator'. Robyn noted that this option has been advertised and is available.

Moved: Tony Clark

Seconded: Max Boyd

RESOLVED that the Murwillumbah Historical Society report be noted by the Committee.

The Motion was Carried.

FOR VOTE - Unanimous.

A4. Tweed Heads Historical Society Report  
Report was previously sent to members.

Debbie noted that the Tweed Heads Historical Society is collecting engagement measurements and this information is included in the report. The Society noted recent successes with its display at the Murwillumbah Show and Tweed Mall. The Society has raised \$120 from the sale of the Friends of the Museum calendar.

Peter raised his interest in the Coolangatta Airport runway research topic. Debbie advised that according to the original maps, the position of the runway has altered since its original construction by 90 degrees. Peter and Debbie to liaise to arrange a meeting between Peter and the researcher.

Moved: Debbie Campbell

Seconded: Jim Sachs

RESOLVED that the Tweed Heads Historical Society report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A5. Uki and South Arm Historical Society Report  
Report was previously sent to members.

Jayne confirmed that visitor numbers for the year total 1792 as set out in the Report. The Museum opening hours have changed and is now open on Wednesdays and Thursdays. This information will be included in new advertising. The Society has sold 18 Friends of the Museum calendars and hope to sell the balance at the upcoming Sunday market.

Jim advised that he recently escorted a bus group of war widows to the Uki Museum and they were very impressed with its military collection.

Moved: Jayne Parrott

Seconded: Janet Swift

RESOLVED that the Uki & South Arm Historical Society report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A6. Friends of Tweed Regional Museum Report  
Report was previously sent to members.

Gary advised that since the Report, the official opening of the Friends courtyard was celebrated, with Dr Betty Marks and Gary cutting of the ribbon. The event was attended by approximately 30 people, all of whom signed the ribbon.

The Friends next fundraiser will be the Bunnings barbecue on 10 January 2016.

Moved: Gary Fidler

Seconded: Janet Swift

RESOLVED that the Friends of Tweed Regional Museum report be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

A7. Tweed Regional Museum Deductible Gift Recipient (DGR) Report  
Report tabled at meeting.

Gary noted that the tabled report appeared to be missing a page which sets out the donations and income. Robyn located the additional page entitled 'Tweed Regional Museum Deductible Gift Recipient (DGR) Fund - Report to Museum Advisory Committee meeting 11 June 2015' and Gary agreed this was the correct page. Robyn tabled the additional page and supplied copies to members. Robyn noted that the additional page which reports on the period to 10 April 2015 provides a more detailed explanation.

Moved: Fay O'Keeffe

Seconded: Peter Budd

RESOLVED that the Tweed Regional Museum Deductible Gift Recipient (DGR) report including the additional page entitled 'Tweed Regional Museum Deductible Gift Recipient (DGR) Fund - Report to Museum Advisory Committee meeting 11 June 2015' be noted by the Committee.

The Motion was Carried.  
FOR VOTE - Unanimous.

General Business:

GB1. Workshop meetings in 2016

Robyn advised that Judy has been discussing opportunities to build more workshops into the 2016 Museum Advisory Committee meeting program.

GB2. Acknowledgement of contribution by members

Max thanked the Museum Advisory Committee members for their contributions made over the past 12 months.

Next Meeting:

The next meeting of the Tweed Regional Museum Advisory Committee will be held Thursday 11 February 2016.

The meeting closed at 2.35pm.

**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 (ECM3283132).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**33 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 17 December 2015**

**SUBMITTED BY: Roads and Stormwater**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

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### SUMMARY OF REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 17 December 2015 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

**That:**

- 1. The Minutes of the Local Traffic Committee Meeting held Thursday 17 December 2015 be received and noted; and**
- 2. The Executive Management Team's recommendations be adopted as follows:**

**A1. Mooball Street, Murwillumbah**

***That the 'No Stopping' zone on Mooball Street adjacent to the School be extended from Murwillumbah Street to the north by 10m.***

**A2. Bilambil Public School Parking Zones - Bilambil Road**

***That:***

- 1. The Bilambil Road on road parking spaces south of the Bilambil Public School car park exit to the bus zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".***
- 2. 4 spaces in the school car park adjacent to the drop off zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".***

**A3. Casuarina Way, Casuarina (Moved from Item B2)**

***That the 'No Stopping' line north of the Cotton Beach Resort exit driveway on Casuarina Way, Casuarina be extended by 10m.***

**REPORT:**

The Minutes of the Local Traffic Committee Meeting held Thursday 17 December 2015 are reproduced as follows for the information of Councillors.

**VENUE:**

Mt Warning Meeting Room

**TIME:**

Commencing at 10.00am

**PRESENT:**

Committee Members: Cr Barry Longland, Miss Jessica Healey and Mr Josh Buckham, Roads and Maritime Services of NSW, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed.

Informal: Mr Ray Clark (Chairman), Miss Alana Brooks, Ms Judith Finch (Minutes Secretary).

**APOLOGIES:**

Mr Thomas George MP, Member for Lismore, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Mr Nick Tzannes, Snr Constable Tony Darby, NSW Police.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

MIN1 [LTC] Confirmation of Previous Minutes - Meeting held 19 November 2015

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 19 November 2015 be adopted as a true and accurate record of proceedings of that meeting.

*FOR VOTE - Unanimous*

**SCHEDULE OF OUTSTANDING RESOLUTIONS**

SCH1 [LTC-SOR] Schedule of Outstanding Resolutions - 17 December 2015

From Meeting held 23 July 2015

1. [LTC] Berkleys Lane, Pottsville (Item B2)

FILE NO: ECM 3723387; Traffic - Committee; Local Area Traffic Management; Traffic - Pedestrian Crossings; Traffic - Safety; Berkleys Lane; Coronation Avenue

**SUMMARY OF REPORT:**

*Request received for:*

"1. A left turn only at the eastern exit to direct vehicle traffic to the existing traffic management device being the Eastern round about therefore reducing traffic congestion & possible collisions.



2. *Create two pedestrian crossings in the above area one being across Berkeley Lane to facilitate pedestrian traffic too and from Coronation Avenue connecting the existing footpaths for the two council caravan parks, public primary school and the medium density residential area at North Pottsville Beach. The second being just west of this new intersection across Coronation Avenue to facilitate the massive amount of pedestrians that presently cross the main street at this point from Phillip street being Sunday Market, Pottsville Waters & Black Rocks Estate pedestrian traffic.*
3. *Public toilet location signs being the Pottsville tennis court oval facility & the Pottsville creek reserve facility."*

*The above point number two is extremely important as I have personally witnessed extremely dangerous situations that may have resulted in serious injury or death as my office is located on this intersection, there are similar precedents in the Tweed Shire Road network that are now successful and safe."*

COMMITTEE ADVICE:

That:

1. *Once the service lane becomes operational that the request to limit right turns from the eastern leg of Berkleys Lane be reviewed.*
2. *The RMS guidelines for pedestrian warrants are not met in relation to marked pedestrian crossings on Coronation Avenue at Philip Street and Berkleys Lane and the installation therefore cannot be supported.*

Current Status: This item to remain on the Schedule of Outstanding resolutions from Local Traffic Committee meeting held 19 November 2015.

This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 23 July 2015.)

From Meeting held 17 December 2015

*Cr Longland arrived at 10.30am*

Further inspections of the site since opening of the Berkleys Lane service lane have been conducted and the lane is operating satisfactorily and there is no need to limit right turns on the eastern leg of Berkleys Lane.

The Chairman requested that this item be removed from the Schedule of Outstanding Resolutions.

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From Meeting held 23 July 2015

2. [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.*

Current Status: This item to remain on the Schedule of Outstanding resolutions from Local Traffic Committee meeting held 19 November 2015.

This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 23 July 2015.)

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From Meeting held 22 October 2015

3. [LTC-LATE] Kennedy Drive Off Ramp (Item B5)

ORIGIN:  
Roads & Stormwater

FILE NO: Traffic - Committee; Traffic - Safety; Kennedy Drive, Tweed Heads

SUMMARY OF REPORT:

*Late item raised by the Police Representative who reported issue with motorists travelling southbound on Gold Coast Highway towards Kennedy Drive turning around proceeding against the one way traffic flow. It was suggested that Council install directional pavement arrows and / or advisory signage on the Kennedy Drive on ramp to provide visual clarification to motorists of one-way direction of the on ramp.*

*The Chairperson requested that this item be added to the B Section of the Minutes - General Traffic Advice - Tweed Heads.*

COMMITTEE ADVICE:

*That Council officers investigate existing conditions with a view to provide additional pavement markings and signage on the Kennedy drive on ramp.*

Current Status: This item to remain on the Schedule of Outstanding resolutions from Local Traffic Committee meeting held 19 November 2015.

This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 22 October 2015.)

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From Meeting held 17 December 2015

Pavement markings will be installed as soon as practicable.

The Chairman requested that this item be removed from the Schedule of Outstanding Resolutions.

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BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

A1 [LTC] Mooball Street, Murwillumbah

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3840388; Traffic - Committee; School Zones; Speed Zones; Traffic - Safety; Bus Services - General; Schools - Mt St Patricks Primary & College; Mooball Street; Byangum Road; Queensland Road

SUMMARY OF REPORT:

Request received regarding the speed at which cars and buses travel between Byangum Road, Murwillumbah Street and Mooball Street. Council officers met with the customer who requested:

1. A pedestrian crossing at the bus zone on Mooball Street.
2. A pedestrian crossing on Mooball Street at the roundabout with Murwillumbah Street.
3. Traffic calming on Mooball Street.

The Committee was advised that there is no defined pedestrian desire line on Mooball Street and previous consultation with the school recommended that parents are not to be encouraged to park on Mooball Street; rather they were to use Queensland Road and use the recently installed formed footpath. No current data was provided to confirm vehicle speeds or pedestrian movements in this area. Increasing the "no stopping" zone on Mooball Street adjacent to the School would improve sight distance for pedestrians and of pedestrians for motorists.

Whilst there was no formal warrant assessment of the requested existing refuge on Mooball Street at the roundabout intersection, the site was not considered suitable for a pedestrian crossing due to its close proximity to the roundabout and low pedestrian movements.

Mooball Street currently has a 40km/h School Zone in place. The RMS representative advised that they are currently reviewing locations for additional School Zone Flashing Lights and Mooball Street could be considered.

COMMITTEE ADVICE:

That:

1. The request for a pedestrian crossing at the bus zone in Mooball Street is not supported. However, further vehicle and pedestrian counts could be submitted in the future should a request be received from the School for a crossing facility on Mooball Street.
2. This location would not meet the warrants for a marked pedestrian crossing; however, sight distance could be improved by extending the 'No Stopping' zone on Mooball Street at the intersection.
3. The installation of traffic calming devices should only be carried after a full review of the area and generally traffic calming devices are not installed on streets that carry high bus volumes such as this section of Mooball Street. Council's traffic advisory radar will be installed on Mooball Street when available.
4. The RMS to consider Mooball Street for future installations of School Zone Flashing Lights.

RECOMMENDATION TO COUNCIL:

That the 'No Stopping' zone on Mooball Street adjacent to the School be extended from Murwillumbah Street to the north by 10m.

FOR VOTE - Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services

A2 [LTC] Bilambil Public School Parking Zones - Bilambil Road

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3885495; Traffic - Committee; Parking Zones; School Zones; Bilambil Public School; Bilambil Road

SUMMARY OF REPORT:

Request received for timed parking spaces on Bilambil Road outside the Bilambil Public School boundary from the bus bay entrance to where the pre-school building is located. The request is for 15 minute parking between 8:00-9:30am and from 2:00-3:30pm adjacent to the PreSchool and 4 spaces in the school car park adjacent to the drop off zone.

COMMITTEE ADVICE:

That:

1. The Bilambil Road on road parking spaces south of the Bilambil Public School car park exit to the bus zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".

2. 4 spaces in the school car park adjacent to the drop off zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".

RECOMMENDATION TO COUNCIL:

That:

1. The Bilambil Road on road parking spaces south of the Bilambil Public School car park exit to the bus zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".
2. 4 spaces in the school car park adjacent to the drop off zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".

*FOR VOTE - Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services, Mr Rod Bates - on behalf of Member for Tweed*

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A3 [LTC] Casuarina Way, Casuarina

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3730728; 3880814; Traffic - Committee; Traffic - Safety; Parking Zones; Casuarina Way, Casuarina

SUMMARY OF REPORT:

This location was considered by the Local Traffic Committee at its meeting held 27 August 2015 with the following outcome:

*"That installation of additional edge lines on Casuarina Way adjacent to the Cotton Beach development is not supported as drivers should only exit a driveway when it is safe to do so."*

A further request has been received regarding visibility when cars are parked to the right of the exit from Cotton Beach and the customer has requested an extension of the yellow no stopping line effectively removing an additional 3 car parking spaces on Casuarina Way.

Further site inspections were conducted at the site and whilst the emphasis is on drivers to exit the site when it is safe to do so and in view of increased traffic movements on Casuarina Way and the driveway's location opposite an intersection, increasing the 'No Stopping' adjacent to the driveway was supported.

The Chairperson requested that this item be moved to the A section of the Minutes.

COMMITTEE ADVICE:

In view of increased traffic movements on Casuarina Way and the driveway's location opposite an intersection increasing the 'No Stopping' adjacent to the driveway was supported.

RECOMMENDATION TO COUNCIL:

That the 'No Stopping' line north of the Cotton Beach Resort exit driveway on Casuarina Way, Casuarina be extended by 10m.

*FOR VOTE - Cr Barry Longland, Miss Jessica Healey, Roads and Maritime Services, Mr Rod Bates - on behalf of Member for Tweed*

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE - MURWILLUMBAH

Nil.

GENERAL TRAFFIC ADVICE - TWEED HEADS

B1 [LTC] Oyster Point Road, Banora Point

ORIGIN:

Roads & Stormwater

FILE NO: ECM 3811931; Traffic - Committee; Traffic Parking Zones; Oyster Road, Banora Point

SUMMARY OF REPORT:

The customer has requested LTC advice on addressing perceived parking issues on Oyster Point Road.

Council officers have inspected the site at times specified by the customers on several occasions and have not witnessed any parking problems. The five year crash history did not reveal any crashes at this location.

COMMITTEE ADVICE:

That prohibitive signage or linemarking is not supported to be installed on Oyster Point Road, Banora Point.

B2 Casuarina Drive, Casuarina was moved to Section A - Tweed Heads - Item A3

B3 [LTC] Murraba Crescent and Kent Street, Tweed Heads

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3863726; Traffic - Committee; Local Area Traffic Management; Traffic - Safety; Murraba Crescent; Kent Street

SUMMARY OF REPORT:

Request received for the installation of a mirror at the corner of Kent Street and Murraba Crescent, Tweed Heads.

To improve sight distance the mirror would have to be installed at the top of the hill at a distance too great to be of any benefit to drivers exiting Murraba Crescent.

An intersection advisory sign has been recently installed to advise approaching motorists and it is considered that the 85<sup>th</sup> percentile speeds on Kent Street around this urban area are low.

COMMITTEE ADVICE:

The request received for the installation of a mirror at the corner of Kent Street and Murraba Crescent, Tweed Heads is not supported as its placement would be remote from the intersection and would provide little benefit to motorists.

B4 [LTC] Lalina Avenue, Tweed Heads West

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3839901; Traffic - Committee; Local Area Traffic Management; Parking Zones; Lalina Avenue

SUMMARY OF REPORT:

Request received for review of the traffic and parking in Lalina Avenue, Tweed Heads West. Surfside Buslines representatives have also approached Council with difficulties in negotiating Lalina Avenue for their school bus route.

COMMITTEE ADVICE:

That the Road Safety Officer initiate a road parking and safety campaign to encourage courteous and compliant parking on Lalina Avenue, Tweed Heads West.



B5 [LTC] Buchan Avenue, Tweed Heads

ORIGIN:  
Roads & Stormwater

FILE NO: ECM 3863584; ILL15/1261; Traffic - Committee; Parking - Illegal (including Street Parking); Buchan Avenue, Tweed Heads

SUMMARY OF REPORT:

Request received to limit parking on the Banks Avenue side of Buchan Avenue to fifteen minutes or designate Buchan Avenue a "one way" street running South to North from Tupia Avenue.

Designated street as one way may lead to undesirable outcomes such as speeding and non-compliance. Site inspections did not indicate a significant congestion problem. Further signage limiting parking was not supported at this stage however it is acknowledged that the limited parking availability at the hospital is contributing to the on road parking demand.

COMMITTEE ADVICE:

That the Tweed Heads Hospital precinct area be included in the scope of the Parking Study to be conducted in the new year.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held Thursday 11 February 2016 in the Mt Warning Meeting Room commencing at 10.00am.

There being no further business the Meeting terminated at 11:35am.

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

**A1. Mooball Street, Murwillumbah**

*That the 'No Stopping' zone on Mooball Street adjacent to the School be extended from Murwillumbah Street to the north by 10m.*

**A2. Bilambil Public School Parking Zones - Bilambil Road**

*That:*

- 1. The Bilambil Road on road parking spaces south of the Bilambil Public School car park exit to the bus zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".*
- 2. 4 spaces in the school car park adjacent to the drop off zone be sign posted as "15 minute parking 8.00 – 9.30am and from 2.30 – 4.00pm – School Days".*

**A3. Casuarina Way, Casuarina (Moved from Item B2)**

*That the 'No Stopping' line north of the Cotton Beach Resort exit driveway on Casuarina Way, Casuarina be extended by 10m.*

**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.

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## CONFIDENTIAL ITEMS FOR CONSIDERATION

### REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

### REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

#### C1 [GM-CM] Kingscliff Foreshore Revitalisation Project Management

#### REASON FOR CONFIDENTIALITY:

This report contains staffing matters.

#### 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: -

- (a) personnel matters concerning particular individuals (other than councillors).

Valid



**Civic Leadership**



**Caring for the Environment**

#### 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
  - 4 Caring for the Environment
  - 4.1 Protect the environment and natural beauty of the Tweed
  - 4.1.2 Protect, regulate and maintain natural assets (the coastline, coastal and inland waterways, biodiversity, bushland and scenic landscapes) for current and future generations
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