



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

Councillors: P Allsop
R Byrnes
C Cherry (Deputy Mayor)
R Cooper
J Owen
W Polglase

Agenda

Ordinary Council Meeting Thursday 16 February 2017

held at **Council Chambers, Murwillumbah Civic & Cultural Centre,**
Tumbulgum Road, Murwillumbah commencing at 5.00pm

Principles for Local Government

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

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

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

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

(2) Decision-making

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

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

(3) Community participation

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

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CONFIRMATION OF MINUTES

- 1 [CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meeting held Thursday 2 February 2017

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

The Minutes of the Ordinary and Confidential Council Meeting held Thursday 2 February 2017 are attached for information and adoption by Council.

RECOMMENDATION:

That:

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 2 February 2017 be adopted as a true and accurate record of proceedings of that meeting.**
2. **ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (f) **matters affecting the security of the council, councillors, council staff or council property.**

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Attachment 1	Minutes of the Ordinary Council Meeting held Thursday 2 February 2017 (ECM 4401987).
(Confidential) Attachment 2	Minutes of the Confidential Council Meeting held Thursday 2 February 2017 (ECM 4401899).

SCHEDULE OF OUTSTANDING RESOLUTIONS

2 [SOR-CM] Schedule of Outstanding Resolutions



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

CODE OF MEETING PRACTICE:

Section 2.8 Outstanding Resolutions

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

16 JULY 2015

ORDERS OF THE DAY

31 [NOM] Parking Requirements for Small Businesses

408

Cr K Milne

Cr P Youngblutt

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

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

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

21 JULY 2016

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

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

337

**Cr W Polglase
Cr P Youngblutt**

RESOLVED that:

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

Current Status: Letter received from South Murwillumbah Business and Owners Group stating they have a signed petition of over 350 customers. They are vehemently opposed to the closure of two car parks in River Street and do not support turning them into a park. They are seeking a meeting with Council to put their position. The Economic Development Officer - Business Facilitation will meet with the 23 businesses and will provide Councillors feedback on the concept before any further work is taken to progress the concept plan.

15 SEPTEMBER 2016

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

C1 [GM-CM] Murwillumbah Railway Station

C 29

That Council:

1. Authorises the General Manager to enter into lease negotiations for the Murwillumbah Railway Station.
 2. A report be brought back to a future Council meeting which includes the terms and conditions of the future potential lease.
-

Current Status: Council officers have finalised and sent an Expression of Interest document to commence formal lease negotiations with NSW Transport.

The General Manager and Council officers attended an onsite meeting with NSW Transport on 7 December 2016 to further negotiate the lease provisions.

Murwillumbah District Business Chamber has entered into a sub-licence for an office on the site to 19 June 2017.

15 SEPTEMBER 2016

aC1 [GM-CM] Murwillumbah Airfield - Lease Negotiations

That Council:

- a) Bring forward a report investigating all development and leasing options available for the Murwillumbah Airfield; and
- b) Advise the potential lessee that the current lease negotiations for the western side of the Murwillumbah Airfield will be suspended until this report is determined by Council.

Current Status: Airport Projects have been appointed to undertake this investigation. They have commenced the background research and conducted a meeting with lessees and users at the Airfield on 7 November 2016. It is anticipated that the final report will be presented to Council by early 2017.

The potential lessee has been notified by letter and invited to participate in the discussions to assist the background research of the report.

Workshop scheduled for Thursday 23 February 2017, with report to Council at the March Ordinary Meeting.

17 NOVEMBER 2016

10 [CNR-CM] Licence for Pottsville Men's Shed at Black Rocks

528

Cr R Cooper
Cr K Milne

RESOLVED that:

1. The determination of the licence be deferred to a future Council meeting, and that Council:
-

2. Notes the community's support of a Men's Shed in Pottsville and that Council writes an urgent letter to the State Member Geoff Provest requesting information related to the process by which Crown Lands has to date worked to help the Pottsville and District Men's Shed (PDMS) to find a permanent home as per the Memorandum of Understanding (MOU) between Crown Lands and the Australian Men's Shed Association formulated in 2013, specifically requesting:
- a) A diagram identifying all potentially available Crown Lands in Pottsville.
 - b) A copy of the assessment made as to the suitability of a permanent home for the PDMS for each of the sites identified.
 - c) A list of the further sites that could be investigated for the purposes of a permanent home for the Pottsville and District Men's Shed and advice on the suitability of these sites.

Current Status: Meetings with State Member have been held. Two potential sites have been identified, however, it is noted that these are both in private ownership.

Scheduled meeting with relevant Minister and State Member postponed due to NSW State Government ministerial changes.

The Pottsville Men's Shed building is currently being stored at the Kingscliff Wastewater Treatment Plant.

MAYORAL MINUTE

3 [MM-CM] Mayoral Minute for December 2016 - January 2017

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

- 1 December Richmond Tweed Regional Library Governance Review - Cavanbah Centre, 249 Ewingsdale Road, Byron Bay.
-

INVITATIONS / MAYORAL REPRESENTATION:

Attended by the Mayor

- 5 December Seagulls Thank You Event for Kennedy Drive Completion - Seagulls Club, Gollan Drive, Tweed Heads. Crs Allsop, Byrnes, Cherry, Owen and Polglase also attended.
- 7 December Tweed River High School Presentation Ceremony - Tweed River High School, 4 Heffron Street, Tweed Heads South.
- 8 December Murwillumbah High School Presentation Ceremony - Murwillumbah High School, Riverview Street, Murwillumbah.
- 10 December Opening of South Sea Islander Room - Tweed Heads Administration Office, Brett Street, Tweed Heads. Crs Allsop, Byrnes, Cooper and Polglase also attended.
- 15 December Official Opening of Kingscliff Bridge - Sutherland Street, Kingscliff. Crs Allsop, Byrnes, Cooper, Owen and Polglase also attended.

- 15 December Tweed Shire Council Corporate Awards and Christmas Lunch - Tweed Civic Centre, Tumbulgum Road, Murwillumbah. Crs Cherry and Owen also attended.
- 10 January Official Opening Community Resource Centre - Stotts Creek Resource Recovery Centre, Leddays Creek Road, Stotts Creek. Crs Cherry and Cooper also attended.
- 26 January Australia Day Awards and Citizenship Ceremony Main Event - Twin Towns, Wharf Street, Tweed Heads. All Councillors attended.
- 26 January Australia Day Community Event - Lions Park, Marine Parade, Kingscliff. Crs Cooper, Owen and Polglase also attended.
- 26 January Australia Day Community Event - Brian Breckenridge Field, Bawden Street, Tumbulgum.
- 26 January Australia Day Community Event - Burringbar Sports Club, Fourth Avenue, Burringbar.
- 30 January Tweed/Byron Suicide Prevention Steering Committee - North Coast Primary Health Network, 145 Wharf Street, Tweed Heads.

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

- 2 December Lighting of the Tweed Heads Christmas Tree - ANZAC Precinct, Jack Evans Boat Harbour, Wharf Street, Tweed Heads. Cr Polglase attended.
- 9 December NSW Rugby League Festive Season Celebration - Mantra on Salt Beach, Gunnamatta Avenue, Kingscliff. Crs Allsop, Byrnes, Cooper, Owen and Polglase attended.
- 10 December Australian Navy Cadets Annual Inspection and Ceremonial Parade of TS Vampire - Dry Dock Road, Tweed Heads South. Cr Cherry attended.
- 10 December Rededication of Oxley Cove Historical Monument - Lillie Park, Old Ferry Road, Banora Point. Cr Polglase attended.
- 11 December Carols at the College Event - Tweed Valley Adventist College, 9 Hall Drive, Murwillumbah. Cr Polglase attended.
- 12 December Wollumbin High School Presentation Ceremony - Wollumbin High School, North Arm Road, Murwillumbah. Cr Cherry attended.
- 27 January Official Announcement of signing of Memorandum of Understanding between NSW and QLD Governments - Border Crossing, Wharf Street, Tweed Heads. Crs Owen and Polglase attended.

Inability to Attend by or on behalf of the Mayor

- 14 December Tweed Heads South Public School Presentation Ceremony - Tweed Heads South Public School, 10 Heffron Street, Tweed Heads South. All Councillors invited, none were available.
-

REQUESTS FOR WORKSHOPS:

Councillors did not request any additional workshops during December 2016 and January 2017.

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

Councillors did not attend any conferences during December 2016 and January 2017.

Information on Conferences to be held

- 21-23 March Cities 4.0 Summit - Pullman Melbourne, Albert Park VIC
 - Get insights from world leading smart city leaders, designers and innovators. Understand how emerging technologies are transforming the way that cities function. Unlock the secrets to creating more liveable, resilient cities through the use of data. Hear how smart city design is shaping the experiences of citizens and stimulating economic growth. Get involved in collaborative fast sprint sessions designed to solve major city challenges.
 - Registration \$2095.00, two flights, three night's accommodation www.cities4pointzero.com.au
 - 27 March Community and Stakeholder Engagement Training - Sydney CBD
 - Many tasks at the core of a council's operations require effective engagement - with local communities, the business sector, NGO's and other levels of government. These engagement tasks can often be challenging, with a need to balance and respond to many different points of view. This program is designed to give the participants improved skills and insights into effective community and stakeholder engagement. With a specific Local Government focus, the program addresses key aspects of the engagement process, drawing on participant and presenter experience to provide context in operational areas such as corporate strategy, community development, service delivery and land use planning.
 - Registration \$ 660.00, two flights. <http://www.lgnsw.org.au/events>
 - 3-5 May Australian Coastal Councils Conference - Redcliffe QLD
-

The Australian Coastal Councils Conference is an important national event for representatives of local government, policy makers and researchers with a stake in the future of the Australian coastal zone and communities. This successful annual event is programmed to be informative and topical with high quality speakers.

Earlybird Registration \$990.00, two night's accommodation.
www.coastalcouncils.org.au/conference

(At Council Meeting of 15 December 2016 Crs Milne, Cherry and Owen nominated to attend)

- 12-14 June Safe Cities Conference and Making Cities Liveable Conference - Brisbane QLD

The Safe Cities Conference is being held on Monday 12 June. Focussing on community and public safety, the conference provides knowledge that will assist delegates to improve community safety and resilience through urban design, crime prevention measures, social investment and digital intelligence. Safe cities encompasses security, safety and quality of life for those who live, work, visit, study or play in any physical environment within our urban communities.

This conference will be followed by the two day Liveable Cities Conference. The three day feature program provides the opportunity to attend either the Safe Cities Conference 12 June, the Making Cities Liveable Conference 12-13 June, or both.

Earlybird registration \$1155.00 (\$855 without Safe Cities Conference), two-three night's accommodation. <http://healthycities.com.au>

- 18-21 June National General Assembly - Canberra ACT

Australia's Councils will play a critical role in shaping tomorrow's communities, both in our cities and towns and in regional Australia. Making our cities smarter, more efficient, more resilient and stronger is just one part of the role that local government will play. This is an opportunity to influence the national agenda, engage with federal politicians, shape policy and priorities, represent our council and community and have your say.

Registration NGA \$ 929.00, Regional Co-operation and Development Forum (day one) \$ 225.00, two flights, three to four night's accommodation. [www.alga .asn.au](http://www.alga.asn.au)

SIGNING OF DOCUMENTS BY THE MAYOR:

- 15 December Transfer Document - Land Acquisition for Road - Kyogle Road, Uki.
- 16 December Lease Document - Council Lease from Crown Lands - Murwillumbah Community Centre, Knox Park, Murwillumbah.

- 22 December Creation of Easement - to drain sewage over Lot 5 DP1121923 Pottsville.
 - 22 December Acquisition of Easements - Tumbulgum Road.
 - 22 December Land Acquisition - Clarrie Hall Dam - 683 Doon Doon Road, Doon Doon.
-

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 months of December 2016 and January 2017 be received and noted.**
 2. **The attendance of Councillors at nominated Conferences be authorised.**
-

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

RECEIPT OF PETITIONS

4 [ROP-CM] Receipt of Petitions

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

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

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

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

RECOMMENDATION:

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

- Petition dated 13 January 2017 containing 90 signatories "in Regard to Unlawful Behaviour Occurring on/in the Vicinity of the Bridge on Island Drive Tweed Heads" as follows:

"The following signatories would like to petition Tweed Shire Council to take appropriate action against those persons committing acts of unlawful behaviour on and in the vicinity of the bridge on Island Drive Tweed Heads.

These unlawful acts include:

Diving from the railings of the bridge causing danger to themselves and others. Use of explicit/ offensive language to nearby residents.

Obstructing bridge traffic by running in front of cars.

Urinating in public in front of nearby residents.

Currently, signage at the bridge gives a risk warning and states "diving DANGEROUS and PROHIBITED to do so at your own risk". Another sign states "Danger - No jumping from any part of the bridge - Max Penalty 30 Penalty Units".

Please find enclosed photos relating to the issues that we are drawing to the attention of council.

We, the undersigned would like to petition Tweed Shire Council to:

- 1) Change the signage at the bridge to effectively read "It is illegal to jump from the bridge and penalties do apply to the extent of \$..... for offenders."**
 - 2) Erect mesh barricades on top of the exiting timber rails to prevent people climbing on and/or jumping from the top of the railings.**
 - 3) Council Rangers and Police to have regular patrols and to ENFORCE the law."**
- **Petition received on 1 February 2017 containing 352 signatories advising as follows:**

"We the undersigned members of the community hereby request the construction of a roundabout on the intersection of Wommin Bay Road and Sand Street, Kingscliff."

REPORT:

As per Summary

OPTIONS:

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

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

CONCLUSION:

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

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

5 [GM-CM] High Consumption Charges

SUBMITTED BY: Water and Wastewater

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Council introduced High Consumption Charges for water and sewerage to be applied in lieu of s64 Developer Charges for commercial and industrial developments in some circumstances.

It has been proposed that the availability of the High Consumption Charges be extended to all commercial and industrial development to assist in the development of businesses in the Tweed area.

Extending the availability of the High Consumption Charges to all commercial and industrial development would have minimal impact on the Water and Wastewater budgets in the short term and would improve the position of the Water and Wastewater budgets in the medium to long term.

Extending the availability of the High Consumption Charges to all commercial and industrial development will have a significant impact on businesses wanting to establish in the Tweed. It will reduce the upfront costs of establishing the business by moving the s64 Developer Charge costs from an upfront capital cost to a significantly lesser annual expense.

RECOMMENDATION:

That the option of the High Consumption Charges to be applied in lieu of s64 Developer Charges be made available to all commercial and industrial development after the subdivision of land and the relevant changes to the Revenue Policy and Business Investment Policy be advertised as part of the Integrated Planning and Reporting process for implementation from 1 July 2017.

REPORT:

On 16 July 2015 Council introduced Excess Use Charges for water and sewerage to be applied in lieu of s64 Developer Charges for commercial and industrial developments in some circumstances. Excess Use Charges could not be applied in the initial subdivision of land. They could not be applied on the initial development of that lot but they could be applied for any subsequent development of that lot.

On 22 October 2014 Council resolved to rename the Excess Use Charge to "High Consumption Charge (Non Residential) for water supply" and "High Consumption Charge (Non Residential) for sewerage services."

For the 2016/2017 financial year, the water High Consumption Charge is \$5.20 per kL of water used in excess of entitlement which comprises the standard user charge of \$2.85 per kL plus an additional amount in lieu of s64 charges of \$3.35 per kL. The s64 Developer Charge to purchase an additional 1 Equivalent Tenement (ET) water entitlement is \$13,386.

For sewerage the High Consumption Charge is \$3.45 per kL of sewage discharged in excess of entitlement which comprises the standard user charge of \$1.60 per kL plus an additional amount in lieu of s64 charges of \$1.85 per kL. The s64 Developer Charge to purchase an additional 1 ET sewerage entitlement is \$6,431.

The High Consumption Charges have been in place since 1 July 2016 with 6 businesses choosing the option of High Consumption Charges in lieu of s64 Developer Charges. These businesses are predominantly food processing, food manufacturing and laundry businesses with high water consumption. A further 4 businesses have been offered the option but have yet to advise Council of their preference.

Since the introduction of the High Consumption Charges there has been a high degree of interest in having the option available for the initial development of all commercial and industrial developments and for the expansion of existing commercial and industrial development on lots adjoining the existing development.

OPTIONS:

The two options available are:

1. Extend the availability of High Consumption Charges to all commercial and industrial development on subdivided land.
2. Maintain the availability of high consumption charges to subsequent commercial and industrial developments only.

To extend the availability of High Consumption Charges to all commercial and industrial development on subdivided land would provide a further incentive to business to locate in Tweed Shire by reducing upfront costs to the establishment of new businesses. It would also allow Council to ensure that users of water are given strong price signals about their use of water and sewerage services.

The extension of the availability would have a very small impact in cash flow to Council in the short term. Developer Charges presently collected "up front" would not be received and would be replaced by an, in perpetuity, revenue stream.

Based on an analysis of historical data, less than 10% of assessments are commercial or industrial assessments. For the purposes of this report it is therefore assumed that less than 10% of the revenue from Developer Charges comes from commercial and industrial development. Of that development, the majority is for the expansion or change of use of an existing development and as such is already provided with the option of high consumption charges. New commercial and industrial development is estimated at less than 30% of all commercial and industrial development. Based on these estimates and the total revenue received from Developer Charges, the initial impact on the Water and Sewerage Budgets is estimated at approximately \$200,000 in an income budget of over \$65,000,000. A variance of \$200,000 is within the normal budget variances experienced in the Water and Sewerage Funds. It should also be noted that this \$200,000 reduction will be replaced by revenue from the High Consumption Charge in the short term (estimated as less than 3 years).

Although the High Consumption Charges have been introduced for some 9 months there is no quantitative information on the additional revenue received in lieu of the s64 Developer Charges due to the small take up and the incentive of businesses with the High Consumption Charge to conserve water.

CONCLUSION:

Council has already introduced High Consumption Charges for water and sewerage to be applied in lieu of s64 Developer Charges for commercial and industrial developments in some circumstances.

It has been proposed that the availability of the High Consumption Charges be extended to all commercial and industrial development to assist in the development of businesses in the Tweed area.

Extending the availability of the High Consumption Charges to all commercial and industrial development would have minimal impact on the Water and Wastewater budgets in the short term (less than 0.5% reduction in revenue) and would improve the position of the Water and Wastewater budgets in the medium to long term.

Extending the availability of the High Consumption Charges to all commercial and industrial development will have a significant impact on businesses wanting to establish in the Tweed. It will reduce the upfront costs of establishing the business by moving the s64 Developer Charge costs from an upfront capital cost to a significantly lesser annual expense.

COUNCIL IMPLICATIONS:

a. Policy:

The 2017/2018 Draft Revenue Policy will reflect the proposed change if Council resolve that High Consumption Charges can be applied in lieu of s64 Developer Charges for all commercial and industrial development after the subdivision of land. The Revenue Policy will be advertised in accordance with the requirements of the Local Government Act 1993.

The Business Investment Policy will also require amendment to reflect this change.

b. Budget/Long Term Financial Plan:

The initial impact on Council's Budget and Long Term Financial Plans is minimal, that is within the normal budget variances. Over time the revenue from the s64 Developer Charges for Commercial and Industrial development will be replaced by a higher revenue stream coming from High Consumption Charges.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

6 [GM-CM] NOROC Representative to North Coast Local Land Services Community Advisory Board

SUBMITTED BY: General Manager

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Northern Rivers Regional Organisation of Councils (NOROC) is represented on the North Coast Local Land Services Community Advisory Board. Membership of the Board is comprised of people from the community and key stakeholder groups including Mid North Coast Regional Organisation of Councils (MIDROC) and NOROC. Appointments are for a term of three years.

The North Coast Local Land Services Community Advisory Group is a high level advisory entity that provides advice to the North Coast Local Land Services Board on regional priorities, emerging issues, communication networks and opportunities for collaboration and/or partnerships. It is expected that the North Coast Local Land Services Board response to climate related issues will be one focus for the next term.

The group meets four times a year, usually in Grafton. The NOROC representative is required to report outcomes of the meetings back to NOROC.

The previous representative from NOROC was Councillor Ernie Bennett of Richmond Valley Council and following Councillor Bennett's retirement from local government another representative is now required to be appointed.

RECOMMENDATION:

That:

- 1. The nomination and appointment of a Council representative as the Northern Rivers Regional Organisation of Councils (NOROC) representative to the North Coast Local Land Services Community Advisory Group be endorsed.**

2. **Advice of this nomination be provided to NOROC for their consideration at their next meeting.**

REPORT:

The Northern Regional Organisation of Councils (NOROC) is represented on the North Coast Local Land Services Community Advisory Board. Membership of the Board is comprised of people from the community and key stakeholder groups including Mid North Coast Regional Organisation of Councils (MIDROC) and NOROC. Appointments are for a term of three years.

The North Coast Local Land Services Community Advisory Group is a high level advisory entity that provides advice to the North Coast Local Land Services Board on regional priorities, emerging issues, communication networks and opportunities for collaboration and/or partnerships. It is expected that the North Coast Local Land Services Board response to climate related issues will be one focus for the next term.

The group meets four times a year, usually in Grafton. The NOROC representative is required to report outcomes of the meetings back to NOROC.

The previous representative from NOROC was Councillor Ernie Bennett of Richmond Valley Council and following Councillor Bennett's retirement from local government another representative is now required to be appointed.

At the NOROC meeting conducted on Friday 3 February 2017, member Councils were invited to nominate a representative for consideration as the NOROC representative to this Advisory Group. These nominations from the member Councils will be considered at the next meeting of NOROC.

This report seeks Council's endorsement of that nomination and ultimate appointment.

OPTIONS:

1. That Council endorses the nomination of a representative to NOROC for consideration as a representative to the North Coast Local Land Services Community Advisory Group.
2. That Council does not endorse the nomination of a representative to the North Coast Local Land Services Community Advisory Group and advises NOROC accordingly.

CONCLUSION:

That Council endorses the nomination of a representative as the NOROC representative to the North Coast Local Land Services Community Advisory Group.

COUNCIL IMPLICATIONS:

a. Policy:

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

b. Budget/Long Term Financial Plan:

Adequate allowance is made within the Mayor and Councillor Expenses for attendance at various Committee Meetings. There is the opportunity to claim reimbursement for costs incurred with attending the meetings.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

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

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

(a) the provisions of:

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

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

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

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

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

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

- (2) Compliance with non-discretionary development standards-development other than complying development If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:
- (a) is not entitled to take those standards into further consideration in determining the development application, and
 - (b) must not refuse the application on the ground that the development does not comply with those standards, and
 - (c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,
- and the discretion of the consent authority under this section and section 80 is limited accordingly.
- (3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:
- (a) subsection (2) does not apply and the discretion of the consent authority under this section and section 80 is not limited as referred to in that subsection, and
 - (b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.
- Note:** The application of non-discretionary development standards to complying development is dealt with in section 85A (3) and (4).
- (4) Consent where an accreditation is in force A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.
- (5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).
- (6) Definitions In this section:
- (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and
 - (b) "non-discretionary development standards" means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

7 [PR-CM] Adapting to Climate Change A-0070 - Developing and Trialling a Northern Rivers Emerging Response Plan (EVRP)

SUBMITTED BY: Building and Environmental Health

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Tweed Shire Council has been successful with a Building Resilience to Climate Change grant of \$58,400 (ex GST) from Local Government NSW for the project Developing and Trialling a Northern Rivers Emerging Vector Response Plan (EVRP). This is a regional Northern Rivers initiative with resources being offered by Ballina, Clarence and Kyogle Councils. A letter of support was received from Honourable Thomas George Member for Lismore.

In accordance with the application, Council's contribution to the project consists of officer time through project coordination, survey, promotion and administrative support. This is within existing staff budgets and no additional expenditure is envisaged.

The project will develop and implement a Northern Rivers Emerging Vector Response Plan (EVRP). The EVRP is an important adaptive capacity building and public health initiative that will improve regional resilience to climate change.

The Northern Rivers EVRP will:

- Develop a comprehensive 'how to' response manual that can mitigate current and emerging vector risks.
- Create a targeted education package designed to build adaptive capacity, resilience and cause behaviour change.
- Conduct a mock outbreak scenario to determine a full risk profile and test the effectiveness of education messages.
- Undertake evaluation to ensure maximum effectiveness of the EVRP.

The purpose of this report is for Council to note the success of the Building Resilience to Climate Change grant.

RECOMMENDATION:

That Council notes the success of the Building Resilience to Climate Change grant of \$58,400 (excluding GST) from Local Government NSW for the project “*Developing and Trialling a Northern Rivers Emerging Vector Response Plan (EVRP)*” and notes the corresponding expenditure within the next Quarterly Budget Review.

REPORT:

Tweed Shire Council has been offered a Building Resilience to Climate Change grant of \$58,400 (ex GST) from Local Government NSW for the project Developing and Trialling a Northern Rivers Emerging Vector Response Plan (EVRP).

The project covers work in participating local government areas in the Northern Rivers. One of the key vulnerabilities identified in the cross government Integrated Vulnerability Assessment undertaken for the region was an increased frequency in vector/mosquito borne disease that would have significant impacts on the regions health services.

Building Resilience to Climate Change is a partnership program between LGNSW and the NSW Office of Environment and Heritage (OEH) to address identified climate change risks and vulnerabilities facing NSW councils.

Grants of \$15,000 - \$80,000 were available for projects delivered within 15 months. Collaboration with one or more councils, regional organisations, private sector or government agencies and other organisations was encouraged through the grant application process. Tweed, Ballina, Clarence and Kyogle are all collaborating in this exciting project. The project will be overseen by a steering committee consisting of representatives of participating Northern Rivers Councils.

The project will develop and implement a Northern Rivers Emerging Vector Response Plan (EVRP). The EVRP is an important adaptive capacity building and public health initiative that will improve regional resilience climate change.

The Northern Rivers EVRP will:

- Develop a comprehensive 'how to' response manual that can mitigate current and emerging vector risks.
- Create a targeted education package designed to build adaptive capacity, resilience and cause behaviour change.
- Conduct a mock outbreak scenario to determine a full risk profile and test the effectiveness of education messages.
- Undertake evaluation to ensure maximum effectiveness of the EVRP.

The project will build resilience through the development of a professional network that works together over multiple local government areas in the Northern Rivers to develop a response strategy and to be able to effectively respond to any future public health risks.

In accordance with the application, Tweed Shire Council's contribution to the project consists of staff time through project coordination, survey, promotion and administrative support. This is within existing staff budgets and no additional expenditure is envisaged.

OPTIONS:

1. That Council accepts the Building Resilience to Climate Change grant of \$58,400 (excluding GST) from the Local Government NSW for the project Developing and Trialling a Northern Rivers Emerging Response Plan (EVRP).

2. That Council does not accept the Building Resilience to Climate Change grant of \$58,400 (excluding GST) from Local Government NSW for the project Developing and Trialling a Northern Rivers Emerging Vector Response Plan (EVRP).

CONCLUSION:

The project is an important adaptive capacity building and public health initiative that will improve regional resilience to the effects of climate change. The aims of the project align with one of the key vulnerabilities identified in the cross government Integrated Vulnerability Assessment undertaken for the region relating to increased frequency in vector/mosquito borne disease that would have significant impacts on the regions health services.

This is the first regional initiative of this type and is of critical importance as the Northern Rivers is the gateway to NSW for pest vectors migrating south from Queensland due to climate change or via aircraft entering Gold Coast Airport. This project will complement existing vector incursion plans for the Gold Coast Airport precinct and South East Queensland.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

In accordance with the application, Council's contribution to the project consists of staff time only, through project coordination, survey, promotion and administrative support. This is within existing staff budgets and no additional expenditure is envisaged.

c. Legal:

Not Applicable.

d. Communication/Engagement:

A detailed communication plan and project evaluation plan will be developed as part of the education strategy and mock outbreak exercise. There will also be opportunity for promotion in major events and at schools throughout the region.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Successful Grant Letter (ECM 4395177)

8 [PR-CM] Development Application DA15/0201 - 17 Lot Community Title Subdivision - Including 16 Residential Lots and 1 Balance Lot which is to become Association Property at Lot 156 DP 628026 No. 40 Creek Street, Hastings Point

SUBMITTED BY: Development Assessment and Compliance

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The purpose of this report is to provide an update to Council and seek direction in regard to the status of the proposed development of the subject site for the purposes of residential subdivision.

The site is the subject of a current development application for a 17 Lot Community Title Subdivision including 16 new residential lots and 1 community title lot. This application has been the subject of a NSW Land and Environment Court Class 1 Appeal for deemed refusal of DA15/0201 for a 20 Lot Torrens Title subdivision lodged in March 2015. During the Court process, the proposed development was amended with the final proposal being as described, a 17 lot community title subdivision including 16 residential lots and 1 community lot. The Class 1 Appeal was discontinued on the applicants request on 22 November 2016. Council is currently seeking the re-imburement of costs incurred in conjunction with this Appeal.

Following this discontinuance, the applicants have submitted the proposed development as a new development application. However, in conjunction with this new Development Application, an amended version of DA15/0201, pursuant to Clause 55 of the EPA Regulations 2000 has also been lodged. Council has not accepted the new application or the request under Clause 55.

Council's legal representatives for the matter have provided a summary of the case and recommendations in regards to moving forward with each application, given that the 2015 development application remains active. This legal advice is attached.

This report will outline a recommended course of action to progress the two linked matters having regard to the history of the site and current legal advice. In this regard, the endorsement of Council is sought for the appointment of external consultants involved with

the recent Court case to assist in the assessment of the new Development Application for the subject site.

Concurrently, Council officers have also been liaising with the Department of Planning and Environment to re-activate a revised Planning Proposal for the subject site in accordance with Council's previously resolved position, which seeks to establish updated planning controls to restrict the extent of the development footprint.

RECOMMENDATION:

That Council, in respect of Development Application DA15/0201 - 17 Lot Community Title Subdivision - Including 16 Residential Lots and 1 Balance Lot, which is to become association property at Lot 156 DP 628026 No. 40 Creek Street, Hastings Point:

- 1. Formally rejects the Clause 55 Amendment to DA15/0201 and, once formally lodged, processes the new Development Application for the subject site using both external consultants and internal staff as deemed appropriate by the Director of Planning and Regulation; and**
- 2. Notes that a revised Planning Proposal has been reactivated for the subject site through the Department of Planning and Environment in accordance with Council's previously resolved position.**
- 3. Notes that ATTACHMENT 2 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.**

REPORT:

Background

Tweed Shire Council was served with a Class 1 appeal in the NSW Land and Environment Court (LEC) for the deemed refusal of DA15/0201 in July 2015.

The subject application was for the approval of a 20 lot subdivision upon the subject site, being 19 low density residential lots ranging in area between 1575m² to 520m², and a residual lot, 16.0248ha in area that was intended to be dedicated to Council for environmental protection purposes.

The application was initially lodged with Council on 27 March 2015.

Council is advised that 131 submissions were received objecting to the proposal during the original public notification period.

The matter was reported to Council on 6 August 2015 recommending Council engages solicitors and consents to orders being made through negotiation approving development application DA15/0201. Council did not support this recommendation and resolved to defend the deemed refusal.

Due to the recommendations by Council staff for approval, Council's legal representation appointed expert Flooding, Ecological and Planning experts to assist in the defence of the appeal.

Conciliation occurred between the applicant and defendant since the initial call over on 10 August 2015 and site inspection on 2 November 2015. The Section 34 Conciliation conference process was terminated on 17 June 2016 as parties did not reach agreement. At the termination of the conciliation conference the commissioner set down a timetable for a hearing in November 2016.

During this Class 1 Appeal process, the NSW Department of Planning and Environment declined to support a Planning Proposal (PP14/0001) for the subject site that proposed to change the zoning to R2 - Low Density Residential, reduce the developable footprint, reduce the height limit to 8m, reduce the FSR to 0.8:1 and increase the minimum lot size.

Although the conciliation process did not resolve the matter, it did result in a suite of amended plans and reports being submitted to Court and Council in late August 2016. The amended development application is summarised as follows:

- Revised lot layout realigning proposed roads to serve 16 residential lots (with an additional association property lot, incorporating roads and environmental facilities) – a reduction of 3 lots;
- The application is revised to seek development consent for subdivision under the Community Land Development Act, 1989;
- The buffer area land, now described as proposed Lot 17 (previously described as Lot 20) is to become "Association Property" under the Community Title Scheme;
- Reduced filling "footprint" to minimise impacts on adjoining lots and vegetation while maintaining compliant drainage for roads, sewer and stormwater treatment devices; and

- Amended stormwater drainage and water quality control works related to the proposed subdivision.

This additional information and amended development proposal was publicly exhibited from 7 September 2016 until 7 October 2016.

During this submission period 78 submissions were received.

The hearing for the Appeal that was to assess the amended proposal commenced upon the subject site on 17 November 2016 and continued at the Tweed Local Court on 18 November 2016 and the Land and Environment Court in Sydney on 21 and 22 November 2016.

Due to the applicants recognition that Contentions relating to stormwater, groundwater and flooding were not resolved, the Applicants Counsel made an application to the Court for adjournment of the proceedings on the basis that further amendments would need to be made to the application as proposed by the August changes. Council advised the Court that no objection was raised to this adjournment, subject to retained experts having sufficient time to review the amendments made. The Commissioner did not support the adjournment and invited the applicant to either discontinue the proceedings or proceed with the hearing on the basis of the application without these further amendments. The applicant discontinued the matter. Council informed the Court that the discontinuance was not by consent and the respondent reserved the right to make an application for costs. Council's legal team have made a claim for costs and this process is ongoing between the two parties.

Current Status

Council has received two separate sets of documentation for the subject site in late December 2016. A new Development Application was lodged for the subject site for a 17 lot community title subdivision including 16 dwellings (15 new) and a community lot contains all services, roads and environmental land. Concurrently, a request for an amendment of DA15/0201 the subject of the deemed refusal Class 1 appeal was also lodged. All associated documentation in regards to this current subdivision is identical between the Clause 55 amendment and new Development Application. The concurrent new Development Application was lodged to expedite the matter if the Clause 55 request to amend the 2015 Development Application is rejected by Council.

While the discontinued 2015 Court case is now finalised, the attached legal advice provides detail in regards to the DA15/0201 that remains active. The application remains a deemed refusal and is open to the Applicant to apply to Council to amend or vary the Development Application under Clause 55 of the EPA Act Regulation 2000, as has been done. If Council was to agree to amendment of the Development Application, the period for appealing against a deemed refusal of the Development Application would enliven ie. sixty days from the date the amendment was accepted by Council, enabling the applicant to lodge another Class 1 appeal.

Alternatively, if Council rejects the current amendment as submitted, the applicant could request the Court to formerly determine the application as previously amended mid-2016. Again any determination would trigger an appeal right.

Council's legal advice recommends that the request pursuant to Clause 55 is not accepted and Council does not make a determination of the current DA15/0201.

New Development Application

As mentioned, Council has received a new application for the subject site, identical in content to the amended proposal, both received in late December. Following some minor additional information requests, it is anticipated that this new integrated Development Application will likely be formally accepted in early February and proceed to assessment including referral to the applicable state agencies and public notification.

The Class 1 Appeal process for DA15/0201 involved the appointment of external expert consultants for flooding, stormwater, groundwater, ecology and town planning advice. Given the history of advice provided by Council staff with DA15/0201, the level of detail required from these experts during the Class 1 Appeal and knowledge of the subject site, it is considered appropriate to appoint these consultants to provide advice on the new application.

Council is currently seeking quotes from the three consultancies for this assessment. It is anticipated that the costs will be approximately \$20,000 for Martens and Associates and \$2,000 for Landmark Ecological Services. GLN Planning anticipates an assessment will cost approximately \$10,000.

Council is advised that staff have been assessing certain aspects of the development proposal since the lodgement of the 2015 Development Application. It is anticipated that issues such as contamination, mosquitos and infrastructure will continue to be assessed internally.

The new application will attract the normal Development Application fees applicable to an integrated development. These fees cannot be applied if Council was to accept the amended application pursuant to Clause 55. The process would however be mirrored in all other ways as the amended application would be referred to relevant state agencies and publicly notified. Consultants would also be recommended to be involved in the assessment of either application.

Planning Proposal

Council resolved at its Planning Committee Meeting of 6 November 2014 to support an amendment to the *Tweed Local Environmental Plan 2014* to give effect to the recommendation and planning guidelines contained in the Hastings Point Locality Based Development Code and the Pottsville Locality Based Development Code, as adopted as Sections B23 and B21 respectively of the *Tweed Development Control Plan 2008* at the Council meetings of 14 December 2010 and 20 April 2010.

The proposed amending LEP was title '*Coastal Villages Planning Proposal*', which acknowledge there were a variety of amendments being sought within these two coastal areas. The standing resolution was is therefore in the following terms:

1. *A Planning Proposal to facilitate the strategic objectives of the Hastings Point and Pottsville Locality Based Development Codes be prepared and submitted to NSW Planning & Environment, requesting a Gateway Determination under Section 56(1) of the Environmental Planning and Assessment Act 1979;*

2. *Council staff amend the proposed extension to the environmental zones and the size and location of the developable footprint of Lot 156 by increasing the 50 metre buffers to 75 metre buffers and adjusting the footprint layout (roads, houses, stormwater treatment/filtration area and bushfire protection zone) accordingly where referred to in the text and diagrams of the draft Development Control Plan B23, Hastings Point and the Planning Proposal for submission to NSW Planning & Environment referred to in paragraph 1 above.*
3. *On receiving an affirmative Determination Notice, the Planning Proposal be finalised and exhibited in accordance with the Determination or where there is no condition, for a period not less than 30 days;*
4. *The Minister for Planning and Infrastructure or his Delegate be advised that Tweed Council is not seeking plan making delegations for this planning proposal;*
5. *The public exhibition of draft Tweed Development Control Plan, Section B23 – Hastings Point Locality Based Development Code, be undertaken for a minimum period of 30 days, in accordance with section 74E of the Environmental Planning Assessment Act 1979; and*
6. *Following public exhibition a further report is to be submitted to Council detailing the content and response to submissions received.*

Of particular note is that Council resolved to increase the buffer area applying to Lot 156 Creek Street Hastings Point (the subject of this report) from the Officers' recommendation of 50m to 75m. This additional distance was to have a material effect on the Proponent's development application, as it would operate to prohibit residential development within an area that the development application had shown as use for residential housing.

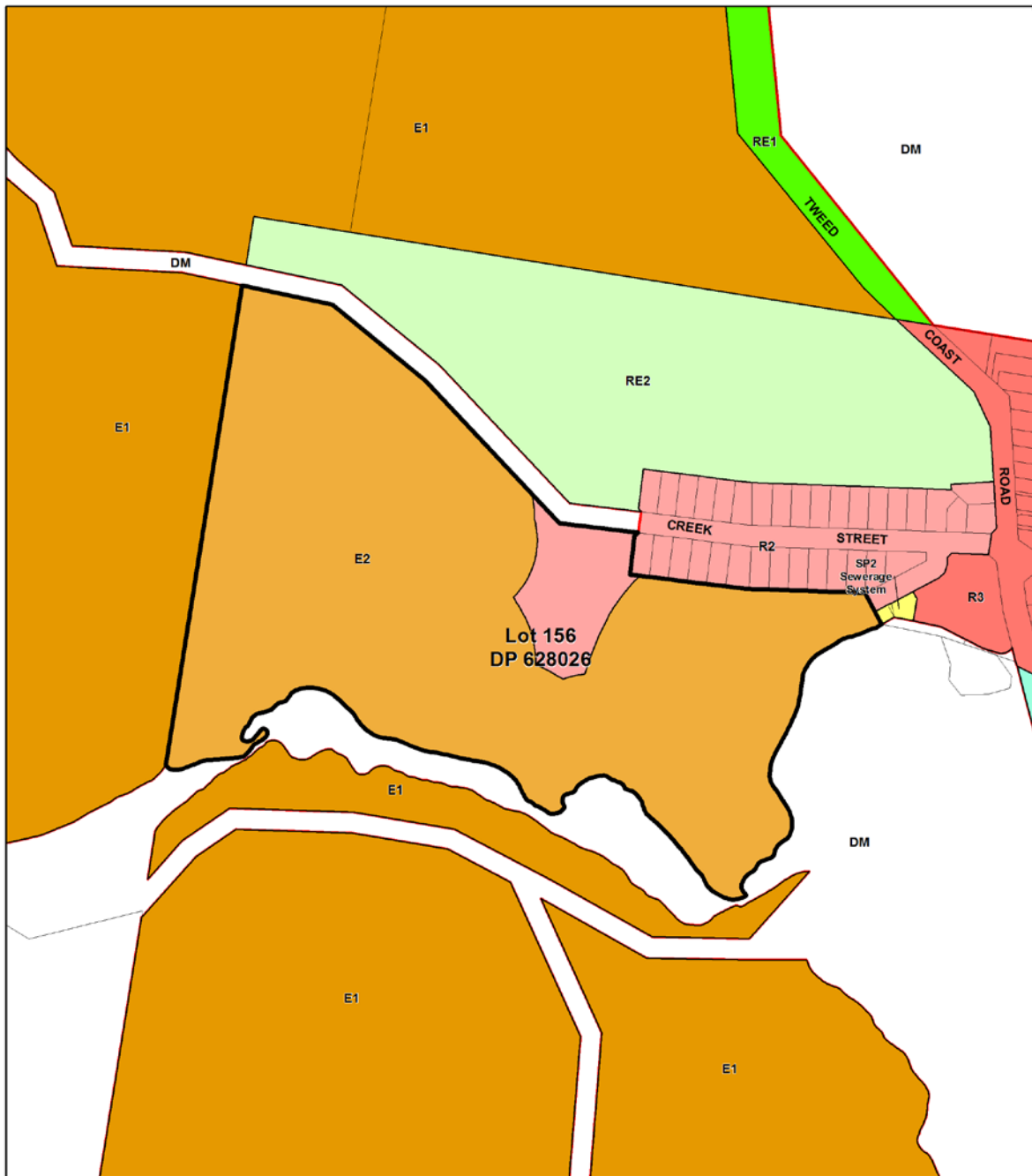
During the course of the Court proceedings the NSW Department of Planning and Environment (DP&E) raised their concern about advancing the Lot 156 aspect of the LEP amendment whilst the proceedings were on foot. It took the view that the better approach was to wait for the Court to determine the outcome of the DA being appealed against. It was also acknowledged that in doing so there would be a significant and unnecessary delay on the making of the other LEP amendments, and for this reason the DP&E continued to make the *Coastal Villages* LEP amendment without those relating to Lot 156 Creek Street Hastings Point.

Following the Proponent's discontinuance of the LEC proceedings, having failed to demonstrate the suitability of the DA proposal, and there being no Court determination and resolution of the application the *Coastal Villages* planning proposal, dealing only with the deferred Lot 156 amendment, was resubmitted to the DP&E on 11 January 2017 for a Gateway determination.

A subsequent request from the Department for information pertaining specifically to the E Zone Review - Final Recommendations and the need for further clarification was submitted to Council on 16 January 2017, and is currently being attended to.

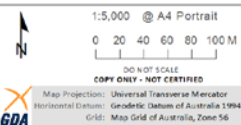
The intention of the LEP amendment currently being sought is consistent with the Council's resolution and seeks a rezoning of the land from its current R1 General Residential zoning to R2 Low Density Residential and E2 Environmental Conservation, that is consistent with

the Council's *Vegetation Communities and Threatened Species Habitat* mapping, both of which are illustrated in the figures below.



Tweed Local Environmental Plan 2014
Zone

B1 Neighbourhood Centre	E1 National Parks and Nature Reserves	R3 Medium Density Residential	RU5 Village	W3 Working Waterways
B2 Local Centre	E2 Environmental Conservation	R5 Large Lot Residential	SP1 Special Activities	DM Deferred Matter
B3 Commercial Core	IN1 General Industrial	RE1 Public Recreation	SP2 Infrastructure	MD SEPP (Major Development) 2005
B4 Mixed Use	IN4 Working Waterfront	RE2 Private Recreation	SP3 Tourist	TCC Tweed City Centre LEP 2012
B5 Business Development	R1 General Residential	RU1 Primary Production	W1 Natural Waterways	
B7 Business Park	R2 Low Density Residential	RU2 Rural Landscape	W2 Recreational Waterways	



Civic and Cultural Centre
3 Tumbulgum Road
Murwillumbah NSW 2484
PO Box 816
Murwillumbah NSW 2484
T | (02) 6670 2400 | 1300 292 872
F | (02) 6670 2429
W | www.tweed.nsw.gov.au
E | planning@tweed.nsw.gov.au

Tweed Local Environmental Plan 2014
PROPOSED LAND ZONING

Affected Properties:
Lot 156 DP 628026
No.40 Creek Street, Hastings Point

Council File | PP16/0006
revised | 09/01/2017

Cadastral: 09 January, 2017
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Boundaries shown should be
considered approximate only.

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Filepath: Z:\EGRP\POL\ZONES & ST RATES\REPLANNING\PROPOSAL\SEPP16-0006\Lot 156 Hastings Point\MX26_29_Proposed.mxd Author: J Bitchelor - Strategic Planning & Urban Design Unit Date Printed: 09 January, 2017

Figure 1: Proposed Zoning.



Source: Aerial Imagery was captured April 2016 © AAM Pty Ltd and NSW LPI.

Vegetation Communities

- | | | | | |
|---|--|--|---------------------------------------|----------------------------|
| Type 1 Saltmarsh Communities | Type 3a Coastal Pink Bloodwood Forest to Woodland | Type 4 Mangrove Low Closed Forest to Woodland | Type 6 Substantially Cleared | Threatened Species Habitat |
| Type 2 Swamp Oak Closed Forest to Woodland | Type 3b Open Swamp Mahogany Open Forest to Woodland | Type 5 Broad-leaved Paperbark/Swamp She-oak Closed Forest to Woodland | Type 7 Open Waterbody /Estuary | |

1:3,500 @ A4 Portrait
 0 10 20 30 40 50 M
 COPIES ONLY - NOT FOR REPRODUCTION
 Map Projection: Universal Transverse Mercator
 Horizontal Datum: Geoidetic Datum of Australia 1984
 Grid: Map Grid of Australia, Zone 56

TWEED CIVIC AND CULTURAL CENTRE
 3 Tumbulgun Road
 Murrumbidgee NSW 2404
 PO Box 916
 Murrumbidgee NSW 2404
 T | (02) 6670 2400 | (02) 6670 2429
 F | (02) 6670 2429
 W | www.tweed.nsw.gov.au
 E | planning@tweed.nsw.gov.au

Vegetation Communities & Threatened Species Habitat
 Source: Vegetation mapping derived from Henry James 2009 and updated by Tweed Shire Council in 2017
 Affected Properties:
 Lot 156 DP 628026
 No 40 Creek Street, Healds Point

Council File | PP16/0006
 revised | 30/01/2017
 Cadastre: 01 February, 2017
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 Boundaries shown should be considered approximate only.

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 Prepared: 21/02/2017 | STRATEGIC PLANNING PROPOSAL (SPP) 16/0006 Lot 156 Healds Point NSW Vegetation Communities and Threatened Species Habitat
 Author: J. Barnham - Strategic Planning & Urban Design Unit
 Date Printed: 01 February, 2017

Figure 2: Vegetation Communities and Threatened Species Habitat

The advancement of the Planning Process is considered an important tool in assisting Council with applying the development controls intended for the subject site. The current Development Application is not consistent with the Planning Proposal in regards to minimum Lot sizes and zoning and as such conflicts with the development footprint. The exhibition of the draft LEP is critical to enable Council to add weight to any assessment of the proposal in regards to the development controls intended for the subject site.

The Council report of 6 November 2014, which details the zoning, FSR and height recommendations, is attached for reference. It should be noted that at the time this report was considered by Council, the Department did not support the use of any of the Standard Instrument LEP environmental zonings by North Coast Councils, and that Council had to default to a recreation zone pending a further zoning amendment at a later time. The DP&E final recommendations for E-Zones has since been finalised and the Department is now requesting that the affected councils expedite their 'environmental zoning' LEPs.

While staff are currently preparing the 'Stage 1 Coastal Environmental Zones' LEP to conform with the DP&E requirements, and which would have included Lot 156, the opportunity has arisen to seek the zoning ultimately sought for Lot 156 rather than the short-term 'recreation' zoning. Consequently the resubmitted planning proposal represents the final zoning option being E2 Environmental Conservation.

Council staff are currently preparing a response to the DP&E's request for further information, as a means of expediting and assisting the Gateway determination process.

OPTIONS:

1. Accepts the Clause 55 Amendment request contrary to the advice of Councils legal representatives and process the amended application using both external consultants and internal staff.
2. Formally reject the Clause 55 Amendment to DA15/0201 and process the new Development Application using both external consultants and internal staff as deemed appropriate by the Director of Planning and Regulation, and notes that a revised Planning Proposal has been reactivated for the subject site through the Department of Planning and Environment in accordance with Council's previously resolved position.
3. Rejects the Clause 55 Amendment and process the new Development Application using only internal staff and notes that a revised Planning Proposal has been reactivated for the subject site through the Department of Planning and Environment in accordance with Council's previously resolved position.

Option 2 is recommended.

CONCLUSION:

Given the history outlined above and the advice provided by Councils legal representatives, it is recommended that the request for a Clause 55 Amendment to DA15/0201 be formally rejected. It is also recommended that the new Development Application be assessed in a timely manner, using a combination of external consultants and internal staff expertise as deemed appropriate by the Director of Planning and Regulation. Following the completion

of the assessment process, the application and report will be presented to Council for determination.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Cost associated with the appointment of external consultants at an estimated cost of \$32,000 and potential further legal action.

It is noted that Council's legal budget for 2016/2017 is almost exhausted and there is no existing budget to cover these costs. Allowance has been made in the Quarterly Budget Review which is reported as part of this agenda.

c. Legal:

Yes, legal advice has been attached.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Report and Council Resolution of Planning Committee Meeting held 6 November 2014 (ECM 3511226)

(Confidential) Attachment 2. Legal Advice (ECM 4400212)

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

9 [CNR-CM] Submission to State Environmental Planning Policy (Coastal Management) 2016

SUBMITTED BY: Natural Resource Management

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.5 Manage and plan for a balance between population growth, urban development and environmental protection and the retention of economical viable agriculture land
- 1.5.2 Land use plans and development controls will be applied and regulated rigorously and consistently and consider the requirements of development proponents, the natural environment and those in the community affected by the proposed development

SUMMARY OF REPORT:

The NSW Government has developed a new coastal management framework. The *Coastal Management Act 2016* has been passed but is yet to commence. This Act guides the development by Councils of Coastal Management Programs (formerly Coastal Zone Management Plans), establishment of the NSW Coastal Council and provides for four (4) coastal management areas for the purposes of planning and development controls within the designated coastal zone.

A technical review of the public consultation draft of State Environmental Planning Policy (Coastal Management) was undertaken and a response forwarded to the Department of Planning and Environment by the closing date of 20 January 2016. Council staff have also provided a significant amount of detailed and current mapping of littoral rainforest and coastal wetland areas for consideration of inclusion in the State mapping product.

This report highlights the main issues raised in the submission (attached to this report).

RECOMMENDATION:

That Council receives and notes the technical submission on the public consultation draft of State Environmental Planning Policy (Coastal Management) 2016.

REPORT:

Background

(Extract from NSW Department of Planning website: www.planning.nsw.gov.au/Policy-and-Legislation/Coastal-Reforms)

The NSW Department of Planning and Environment, together with the Office of Environment and Heritage, is developing a new coastal management framework. The framework responds to existing and emerging coastal challenges and opportunities, with the aim of having thriving and resilient communities living and working on a healthy coast now and into the future.

The Coastal Management State Environmental Planning Policy (SEPP) will establish a new, strategic land use planning framework for coastal management. It will support implementation of the management objectives set out in the *Coastal Management Act 2016*.

The Coastal Management SEPP will consolidate current coastal-related SEPPs. It will replace SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection). The aim is to ensure that future coastal development is appropriate and sensitive to our coastal environment, and that we maintain public access to beaches and foreshore areas. The Coastal Management SEPP will also better equip councils and coastal communities to plan for and effectively respond to coastal challenges such as major storms, coastal erosion and climate change impacts, through more strategic planning around coastal development and emergency management.

Submission summary

Attached is the submission supplied via the online portal. Key points include:

- Council has supplied detailed and current mapping for the 'Coastal Wetlands and Littoral Rainforest Area'. It is expected that this information will be reflected in the final SEPP (Coastal Management) mapping. The question was raised if this will require the final maps to be publicly exhibited.
- Concern on the requirement for any subsequent mapping amendments to be identified in the relevant Coast Management Program (CMP). Request was made for this to be provided via a planning proposal where justified by a relevant study or strategy (not restricted to a CMP).
- Agreement with the inclusion of a 100 metre 'proximity area' noting however that the 100 metres is not specified within the document and that the mapping of this has excluded Residential zones.
- Request that all the coastal lakes specified in Schedule 2 (includes Cobaki – Terranora Broadwater and Cudgen Lake) be afforded the same level of protection as *sensitive coastal lake* under the provision for 'coastal environment area'.

OPTIONS:

1. That Council receives and notes the technical submission on the public consultation draft of State Environmental Planning Policy (Coastal Management) 2016.

CONCLUSION:

The intent of the NSW Government's coastal management reforms is supported. Council has supplied detailed, current coastal wetland and littoral rainforest mapping and the expectation is that this information will be reflected in the final SEPP (Coastal Management)

mapping product. This, and any significant subsequent changes, may require the mapping to be publically exhibited.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

The submission was completed with existing staff resources and any development planning and assessment outcomes will be incorporated into current capacity.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

The NSW Government placed the SEPP (Coastal Management) on public exhibition from 11 November 2016 to 20 January 2017. Council had until the end of January to supply updated mapping of coastal wetlands and littoral rainforest areas to the Department for inclusion in the updated State mapping.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Submission (submitted via online form to Department of Planning and Environment) to the consultation draft of the State Environmental Planning Policy (Coastal Management) 2016 (ECM 4394079).

10 [CNR-CM] Australia New Zealand Biochar Conference 2017

SUBMITTED BY: Natural Resource Management

Validms



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.5	Improve the environmental capacity of the Tweed agriculture lands

SUMMARY OF REPORT:

The 1st Australia New Zealand Biochar Conference will be held from 10-12 August 2017 in the Tweed Shire. The organising committee is currently seeking sponsors for the event. The conference provides an opportunity to share knowledge about the agricultural and environmental benefits of biochar use and promote Council's Sustainable Agriculture Program. There is value in providing \$2,786 from the Sustainable Agriculture Program budget to fund the hire of the Murwillumbah Civic Centre Hall and the Murwillumbah Showgrounds and subsidising registrations for local producers to the value of \$1,050 as a way of supporting the event.

RECOMMENDATION:

That Council provides:

- 1. Sponsorship to the value of \$2,786 for the Australia New Zealand Biochar Conference 2017 from the Sustainable Agriculture Program budget.**
- 2. Up to \$1,050 from the Sustainable Agriculture Program budget to subsidise conference attendance by local farmers.**

REPORT:

Biochar refers to the carbon-rich materials (charcoal) produced from the slow pyrolysis (heating in the absence of reduced amounts of oxygen) of biomass. There is growing interest in biochar as a soil amendment to improve and maintain soil fertility and to increase soil carbon sequestration. Biochar can store carbon in the ground, potentially making a significant reduction in atmospheric greenhouse gas levels; improve water quality, increase soil fertility and raise agricultural productivity. Biochar also has other industrial uses including managing odours in piggeries and dairies.

Mr Don Coyne of Byron Biochar has organised a local biochar conference for the last three years and is now organising the 1st Australia New Zealand Biochar Conference to be held from 10 - 12 August 2017 building on the success of previous events. Previous conferences attracted 50 to 60 paying delegates. Numbers are expected to increase this year with formation of a conference organising committee, collaboration with the International Biochar Initiative and expansion of the target audience.

The Sustainable Agriculture Program has been approached by Mr Coyne, of the conference organising committee to sponsor the event, specifically to fund the hire of the Murwillumbah Civic Centre Hall and the Murwillumbah Showgrounds as the event venues. The total cost of hall and showground hire has been quoted at \$2,786.

A range of sponsorship packages are currently available ranging from \$1,000 - \$10,000. The conference will include a trade display and biochar making demonstrations. Southern Cross University's Environmental Analysis Laboratory has taken up a silver sponsorship (\$3,000) and a crowd funding campaign will commence in early 2017 in an attempt to raise additional capital to fund the event.

The Conference is anticipating 200 delegates from Australia and overseas including academics, primary producers and others with an interest in innovative, sustainable agriculture. As of January 2017 there were 22 registrations including delegates from Europe, China, Malaysia and New Zealand.

The recently completed Action on the Ground project, 'Increasing soil carbon in Tweed valley farmland', used locally produced biochar to reduce emissions of nitrous oxide, a potent greenhouse gas, from a sugarcane crop. The NSW Department of Primary Industries, Wollongbar campus, have conducted a significant body of research to demonstrate the agricultural benefits of biochar and the work is world-renowned.

Biochar is becoming an important tool for sustainable, resilient agriculture and there is growing interest worldwide in its use as a soil amendment. Optimising its use has great potential for local agriculture and this conference presents an opportunity to share knowledge and expertise with our local farming community whilst also showcasing the beneficial work that Council does with our farmers.

The Sustainable Agriculture program will promote the event through media releases, existing networks and by reporting the outcomes of previous biochar research and demonstration projects conducted by Council. Subsidising a limited number of registrations would help attract local producers to the conference in order to promote the practical benefits of biochar use. Registrations range from \$104 for one day up to \$247 for three days with a 15% discount available until 30 May 2017. It is recommended that Council

provide either 5 full paid registrations (to the value of \$1,050) or reimburse 50% of the registration fee for up to 10 local producers (to the value of \$1,050). An expression of interest would be called and producers selected based on a set of criteria including current agricultural producer status, sustainability credentials and likelihood of adopting sustainable agriculture practices as a result of attending the conference.

OPTIONS:

1. Expend approximately \$2,786 on venue hire for the event, with appropriate acknowledgement of Tweed Shire Council as a sponsor in all event and promotional material.
2. Subsidise registrations for local producers to the value of \$1,050 to encourage attendance.
3. Do not provide sponsorship or support for the conference.

CONCLUSION:

The 1st Australia New Zealand Biochar Conference is planned to be held from 10 - 12 August 2017 in the Tweed Shire. The organising committee is currently seeking sponsors for the event. The conference provides an opportunity to share knowledge about the agricultural and environmental benefits of biochar use and promote Council's Sustainable Agriculture Program. There is value in providing \$2,786 from the Sustainable Agriculture Program budget to fund the hire of the Murwillumbah Civic Centre Hall and the Murwillumbah Showgrounds and subsidising registrations for local producers to the value of \$1,050 as a way of supporting the event.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

\$3,836 can be prioritised from the Sustainable Agriculture Program's budget for the 2016/17 year to fund venue hire and subsidise attendance for an identified group of local producers.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

11 [CNR-CM] Les Burger Field Upgrade

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:

At its meeting held on 21 April 2016, Council resolved to repurpose funding for the Community Safety Plan, towards the Les Burger Field informal youth recreation space upgrade which reflected community safety initiatives identified by young people in the Youth Strategy and Action Plan (2013-2017). This effectively eliminated the left over action in the Community Strategic Plan (CSP) to develop a Community Safety Plan and this will no longer be reported against in the Integrated Planning and Reporting (IP&R) process.

The proposed concept plans have been prepared for the upgrade including constructing a multi-functional half basketball court area, with a basketball hoop/soccer goal combination adjoining the existing skate park. By building upon the existing skate park area the site will cater for a wider user group including families with young children. The anticipated project completion date is October 2017 (weather permitting).

RECOMMENDATION:

That Council:

- 1. Notes this update regarding Les Burger Field informal youth recreation space upgrade.**
 - 2. Places the design on public exhibition for a period of 28 days with submissions to be received for a period of 42 days.**
 - 3. Endorses the deletion of the Community Safety Plan (part of Section 2.1.1) from the Delivery Program/Operational Plan component of Council's Integrated Planning and Reporting framework.**
-

REPORT:

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

At the Council Meeting on 21 April 2016, Council resolved that funding allocated towards the preparation of a Community Safety Plan would be reallocated to community safety initiatives in keeping with other strategic priorities identified by Council. One such priority is the provision of physical infrastructure to better meet families and young people's recreational and leisure needs

The Youth Strategy and Action Plan (2013-2017) [Youth Strategy] identified that free outdoor spaces with a range of activities (multi-purpose courts, skate elements, hand ball walls, tiered seating and Wi-Fi/power outlets) would be important to keep young people safe, active and healthy. A number of actions were included in the Youth Strategy to make improvements to public open space used by young people. In particular:

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

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

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

The Les Burger Field informal youth recreation space was identified in the Youth Strategy as an important space to enhance because it is centrally located on the Tweed Coast between Pottsville and Kingscliff. The Cabarita Youth Service has been operating out of Les Burger and provides an ongoing presence and activation of the space.

The proposed concept plans have been prepared for the upgrade which includes construction of a multi-functional half basketball court area, informal concrete stepped seating and associated landscaping to embellish the proposed facility and adjacent skate park (Attachment 1).

Key Milestones / timeframes

Survey Plan - Completed November 2016

Initial Concept - Completed December 2016

Final Design - Completed January 2016

Community consultation (Design Sign-off) - planned February 2017

Construction documentation - planned April 2017

Award of tender - planned June 2017

Construction starts - planned June/October 2017

Construction completed - planned October 2017 (weather permitting)

OPTIONS:

1. That Council accepts this update regarding Les Burger Field informal youth recreation space upgrade and endorses the deletion of the action 'Prepare a Community Safety Plan' from the Integrated Planning and Reporting process.
2. That Council requests further information regarding the Les Burger Field informal youth space upgrade.

CONCLUSION:

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

COUNCIL IMPLICATIONS:

a. Policy:

Youth v1.0.

b. Budget/Long Term Financial Plan:

The Les Burger Field informal youth recreation space will be divided into two construction stages. The Stage 1 upgrade will cost \$95,000 to complete and is not dependent upon Stage 2 proceeding. If future funding is secured, the Stage 2 upgrade (as noted in the concept plan) includes the construction of additional street skate elements, concrete pathways, a new shade shelter and associated landscaping.

As of 30 June 2016, funding for the project is \$69,997. An additional \$25,003 will be allocated from Recreation Services Unit, Passive Recreation Assets Program.

In addition to Council funding, the Lions Club of Cabarita Beach and Pottsville Beach are submitting a funding application to the Australian Lions Foundation and/or the District 201Q1 Northern Rivers NSW Community Trust to assist with funding Stage 2 of the project.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Since August 2015, Council Officers have met with representatives from a range of groups regarding the proposed development including the Tweed Coast Raiders Junior Rugby League Sport Club, Cabarita Bogangar Residents Association, Cabarita Youth Service, and the Lions Club of Cabarita Beach and Pottsville Beach Inc. Council officers provided each group with a copy of the proposed concept plan to share with their membership and feedback was incorporated in the final design.

The consultation planned for February 2017 will be advertised via the TweedLink and designs put on public exhibition for feedback. Additionally, the group representatives previously engaged will be provided with an update for further feedback.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Les Burger Field Informal Youth Recreation Space Upgrade
Concept Plans (ECM 4381776)

12 [CNR-CM] Canvas and Kettle Meeting Room Fees

SUBMITTED BY: Community and Cultural Services

Validms



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:

A report to Council on 27 October 2016 proposed new hire fees for use of the Canvas and Kettle Meeting Room following the change in management of this room to become a Council managed community facility. At that meeting Council agreed for the following fees to be placed on exhibition in the Tweed Link for 28 days to allow submissions to be received.

Canvas and Kettle	Community rate	Commercial rate
(a) Hourly	\$25	\$50
(b) Half day or evening (4hrs)	\$60	\$120
(c) Full day (8 hrs)	\$120	\$240

with Council/staff use exempt from the fee.

The proposal was published in the Tweed Link on 22 November 2016 and on Council's web site in the *On Exhibition* area from 13 to 20 December 2016. Council's Contractor Elliot and Son Venue Management provided a list of regular users of this room and each was contacted advising of the proposed fee and requesting submissions by the closing date of 20 December 2016.

Submissions and comments were received from Tweed Valley Wildlife Carers Inc., Murwillumbah Festival of Performing Arts, and Tweed Palliative Support.

RECOMMENDATION:

That Council adopts the following rate as the hire fee of the Canvas and Kettle Meeting Room:

Venue Hire – Canvas & Kettle, Murwillumbah Civic & Cultural Centre	Canvas & Kettle (60 persons)	Community rate (\$)	Commercial rate (\$)
	(a) Hourly	23.00	46.00
	(b) Half day or evening (4hrs)	60.00	120.00
	(c) Full day (8 hrs)	110.00	220.00

REPORT:

A report to Council on 27 October 2016 proposed new hire fees for use of the Canvas and Kettle Meeting Room following the change in management of this room to become a Council managed community facility. The proposed fees were consistent with other community facilities that Council manages that have similar capacity and amenities. All community facilities fall into the Revenue Pricing Policy Category A:

Significant Partial Cost Pricing – The price for this good/service is set to make a significant contribution towards the cost of providing the service. The remainder of the cost is met from general purpose income.

At that meeting Council agreed for the following fees to be placed on exhibition in the Tweed Link for 28 days to allow submissions to be received.

Table 1: Proposed Fees placed on exhibition:

Canvas & Kettle	Community rate	Commercial rate
(a) Hourly	\$25	\$50
(b) Half day or evening (4hrs)	\$60	\$120
(c) Full day (8 hrs)	\$120	\$240

Note: Council/staff use exempt from the fee.

The proposal was published in the Tweed Link on 22 November 2016 and on Council's web site from 13 to 20 December 2016. Council's contractor Elliot and Son Venue Management provided the following list of regular users of this room:

- Tweed Landcare Group
- Doublemask Theatre
- Murwillumbah Theatre Company
- Experiencing the Oneness
- Elastic Bandz
- Tweed Valley Wildlife Carers
- Banana Festival/Rotary Club
- Beats Awards
- Murwillumbah Festival of Performing Arts
- Tweed Palliative Support
- Meditation Class

Each regular hirer was contacted advising the proposed fee and the closing date for submissions of 20 December 2016.

Submissions were received from Tweed Valley Wildlife Carers Inc., Murwillumbah Festival of Performing Arts, and Tweed Palliative Support. The responses are an attachment to this report.

The fees were proposed on the basis that they are comparable with the fees and charges for other Council community facilities. Table 2 below is an extract from the current fees and charges to demonstrate the comparison.

Table 2: Fees and Charges comparison

Item	Activity/Function	Title of Fee/Charge	Fee/Charge levied 2016/17 (\$)	
			Community Use	Commercial/Private Use
93	Hall Hire - Banora Point Community Centre	Large Meeting Room (100 persons) (Coolamon Room)		
		(a) Hourly	28.00	56.00
		(b) Half day or evening (4 hrs)	68.00	136.00
		(c) Full day (8 hrs)	126.00	252.00
94	Hall Hire - HACC South Tweed Heads	Activities Room (20-30 persons)		
		(a) Hourly	19.00	36.00
		(b) Half day or evening (4 hrs)	63.00	126.00
		(c) Full day (8 hrs)	98.00	196.00
97	Venue Hire - Harvard Room Tweed Heads Civic & Cultural Centre			
		(a) Hourly	28.00	56.00
98	Hall Hire - South Tweed Heads Community Hall	Hall (200 persons)		
		(a) Hourly	32.00	87.00
		(b) Half day or evening (4 hrs)	71.00	212.00
		(c) Full day (8 hrs)	120.00	390.00
The former contractors advised they generally charged per meeting with no time limit:				
	Elliot & Son Venue Management	Meetings (no time limit)	*88.00	88.00
	Elliot & Son Venue Management	Council rate	55.00	
<i>*Discounted to Council Rate for community groups such as Wild Life Carers, Bush Regeneration Groups and Palliative Care groups, among others.</i>				

Detailed separate costings on income and expenditure are not available for the Canvas and Kettle as a standalone venue as the venue has been managed and contracted with Murwillumbah Cultural Centre Auditorium, Canvas and Kettle and Kitchen Venue Services combined. However, it is estimated that the cleaning service cost for the Canvas and Kettle is approximately \$6,000 per annum.

Elliot and Son Venue Management were previously charging Council \$55 per booking. Some community groups such as Wild Life Carers, Bush Regeneration Groups and Palliative Care were charged \$55 per booking and others were charged \$88 per booking. The new online community venue booking data shows in the three months from 1 November 2016 to 31 January 2017 there have been 21 separate events booked of which seven have been non Council and 15 Council. Table 3 below summarises these bookings, the cost under this proposal and the estimated cost the contractor previously charged.

Table 3: Summary of Canvas and Kettle bookings 1 November 2016 to 31 January 2017:

Hirer	Date	Duration (hours)	Cost to hire cost @ new fee proposed (\$)	Estimated cost to hire to Elliot & Sons under previous contract prior to 1/11/16 (\$)
TSC – 14	Various	Various	0	770
Tweed Valley Wildlife Carers	12/11/2016	4	60	55
Tweed Valley Wildlife Carers	13/11/2016	8	120	55
Tweed Valley Wildlife Carers	11/12/2016	4	60	55
Juvenile Justice	22/11/2016	4	120	88
Juvenile Justice	20/12/2016	2	100	88
YWCA Northern Rivers - Learning/Development Group	6/12/2016	8	120	88
Westpac Life Saver Rescue Helicopter	15/12/2016	1	25	55
<i>Total</i>		<i>21</i>	<i>\$480</i>	<i>\$1,254</i>

Under the proposed fee, revenue for the three month period would have been \$480. The cost of cleaning for this period is estimated at \$1200. While this period is not indicative of the occupancy over the whole year and does not take into account periods when both the Auditorium and Canvas and Kettle Meeting Room are concurrently hired such as the Murwillumbah Festival of Performing Arts Inc. (MFPA) event, it is indicative of how the proposed fees along with other Community Facilities fees fall within Councils' Revenue Policy Fees and Charges Category of Pricing Policy A which is *“Significant Partial Cost Pricing – The price for this good/service is set to make a significant contribution towards the cost of providing the service. The remainder of the costs are met from general purpose income”*.

MFPA have indicated approximately 16,932 competitors/performers attend their events and in their Tweed Shire Council 2016 Events Sponsorship Application it is estimated 8,250 spectators/audience attend and pay an entry fee for their events. Council resolved at the Council Meeting on 21 July 2016 to sponsor MFPA providing multi-year funding of \$7,500 per annum for three years.

Tweed Valley Wildlife Carers Inc. (TVWC) would pay more, as estimated in Table 3 above, compared to the previous fee charged by Elliott and Sons Venue Management. Tweed Shire Council provides \$5,000 per annum untied to TVWC as resolved by Council on 19 July 2011.

Tweed Palliative Support (TPS) comments relate to not being charged a fee since the Canvas and Kettle contract change on 1 November 2016 and that charges could apply in the future. TPS have requested the new fee be waived. Council officers apply the fees and charges uniformly for all organisations and have confirmed with TPS that they would be eligible for community rates as approved by Council.

OPTIONS:

1. Adopt the proposed fee as advertised:

Venue Hire – Canvas & Kettle, Murwillumbah Civic & Cultural Centre	Canvas & Kettle (60 persons)	Community rate	Commercial rate
	(a) Hourly	25.00	50.00
	(b) Half day or evening (4hrs)	60.00	120.00
	(c) Full day (8 hrs)	120.00	240.00

Note: Council/staff use exempt from the fee.

2. Adopt a reduced rate of:

Venue Hire – Canvas & Kettle, Murwillumbah Civic & Cultural Centre	Canvas & Kettle (60 persons)	Community rate	Commercial rate
	(a) Hourly	23.00	46.00
	(b) Half day or evening (4hrs)	60.00	120.00
	(c) Full day (8 hrs)	110.00	220.00

Note: Council/staff use exempt from the fee.

CONCLUSION:

A new fee was required following the renegotiation of the contract for EC2013-174 Murwillumbah Cultural Centre Auditorium, Canvas and Kettle and Kitchen Venue Services which has varied the contract and removed the Canvas and Kettle. A proposed fee was placed on public exhibition with submissions and comments received from Tweed Valley Wildlife Carers Inc., Murwillumbah Festival of Performing Arts, and Tweed Palliative Support.

The proposed fees fall within Councils' Revenue Policy Fees and Charges Category of Pricing Policy A which is *"Significant Partial Cost Pricing – The price for this good/service is set to make a significant contribution towards the cost of providing the service. The remainder of the costs are met from general purpose income"*.

The proposed fees are consistent with other community facilities that Council manages that have similar capacity and amenities. The fees will partially contribute to the estimated \$6000 annual cleaning service of the Canvas and Kettle Meeting Room.

In response to community submissions Council could adopt a reduced rate than the exhibited fee as proposed in Option 2:

Venue Hire – Canvas & Kettle, Murwillumbah Civic & Cultural Centre	Canvas & Kettle (60 persons)	Community rate	Commercial rate
	(a) Hourly	23.00	46.00
	(b) Half day or evening (4hrs)	60.00	120.00
	(c) Full day (8 hrs)	110.00	220.00

Note: Council/staff use exempt from the fee.

COUNCIL IMPLICATIONS:

a. Policy:

Facility Hire and Use v1.0.

b. Budget/Long Term Financial Plan:

Fees will provide a partial recovery of the estimated annual cleaning cost of \$6,000. Maintenance costs in addition to this will also be estimated following six months of Council management of the room under the new separate contract.

Tweed Valley Wildlife Carers is funded annually \$5,000 from job number A3599.

Murwillumbah Festival of Performing Arts Inc. is receiving \$7,500 three-year funding from Council's Events Sponsorship program.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

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

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

Inform - We will keep you informed.

The proposal was published in the Tweed Link on 22 November 2016 and on Council's web site in the *On Exhibition* area from 13 to 20 December 2016. Council's Contractor Elliot and Son Venue Management provided the following list of regular users of this room:

- Tweed Landcare Group
- Doublemask Theatre
- Murwillumbah Theatre Company
- Experiencing the Oneness
- Elastic Bandz
- Tweed Valley Wildlife Carers
- Banana Festival/Rotary Club
- Beats Awards
- Murwillumbah Festival of Performing Arts
- Tweed Palliative Support
- Meditation Class

Each regular hirer was contacted advising the proposed fee and the closing date for submissions of 20 December 2016.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Summary of Responses to Proposed Fees and Charges for Canvas and Kettle Meeting Room (ECM 4393975)

13 [CNR-CM] Review of Waste Service Levels for the Provision of Public Place Litter Bins During Peak Holiday Periods

SUBMITTED BY: Recreation Services

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.4	Provision of high quality, best practice, solid waste disposal with energy recovery, and improving resource recovery practices and infrastructure which meets health and environmental requirements and projected demand

SUMMARY OF REPORT:

Following a number of inquiries over the Christmas holiday period and Australia Day weekend regarding waste management, Council officers undertook an audit of the number of, and servicing of waste bins in public areas including parks and street bins. The key focus of this review was on the highly visited coastal strip stretching from Tweed Heads to Pottsville.

The audit identified that the majority of the Shire is adequately supplied with waste bins in public areas throughout most of the year. During the busy holiday period an agile workforce is implemented by Council to help meet customer demands. Arrangements are in place where Council and contract staff are available to respond to any unforeseen incidents that may arise from time to time.

Waste collection is a contracted service and over the holiday period performance of this service was closely monitored by Council officers. However there have been instances of overflowing bins reported on a number of public holidays over the past three months.

During the investigation it was highlighted by staff that several locations would benefit from increased permanent bin stations to increase the capacity for waste disposal. It was also pinpointed that numerous bins are presently designed with narrow openings and larger rubbish items can jam causing rubbish to spill over. Redesign or replacement of this type of bin will increase storage capacity. Council can consider implementing a trial of one compactor style bin with greater capacity in an identified problem area to see if further increases in bin capacity will alleviate problems during times of peak demand.

Council can consider implementing an increased level of service as a trial for a 12 month period where the most frequently used bins in our major parks (Tweed, Kingscliff, Casuarina and Pottsville) could be serviced twice daily during peak public holidays (Australia Day, Easter and the week from Christmas to New Year). This increased level of service for the upcoming Easter holiday (2017) can be absorbed in the current budget. However an

additional \$11,000 will need to be considered in 2017-18 budget to cover the trial for Christmas, New Year and Australia Day 2018.

RECOMMENDATION:

That Council:

- 1. Installs additional permanent bin stations at key locations along the Tweed Coast using existing stock.**
- 2. Redesigns or replaces bins identified in areas of highest demand with narrow openings causing blockage and spill over within existing budgets.**
- 3. Provides an education program to encourage responsible waste management behaviour at an estimated cost of \$5,000.**
- 4. Implements a trial of one compactor style bin with greater capacity in an identified problem area at an estimate cost of \$10,000.**
- 5. Implements an increased level of service as a trial where the most frequently used bins in major parks (Tweed Heads, Kingscliff, Casuarina and Pottsville) are serviced twice daily during the Easter public holidays 2017 to be funded within existing budgets.**
- 6. Implements an increased level of service as a trial where the most frequently used bins in major parks (Tweed Heads, Kingscliff, Casuarina and Pottsville) are serviced twice daily over the 2017/2018 Christmas to New Year week, 2018 Australia Day and Easter public holidays at an additional cost of \$10,690 currently not budgeted.**
- 7. Officers submit a report to Council after Easter 2017 with the results of the initial trial and further recommendations if required for the implementation of the 2018 trial.**

REPORT:

During the recent holiday period the servicing of waste bins in parks and public places was highlighted as something that requires review. As a result Council officers undertook an audit through discussion with the staff that manage the public spaces and the contractor who undertakes the waste collection service to determine firstly the extent of the issue, and secondly any recommendations they had to address these issues.

Current Levels of Service:

Council currently has approximately 400 public place bins located throughout the Shire in parks and on streets, with about 1,300 services provided during a normal week. Service levels have been determined based on historical usage. Most bins are provided one or two services per week, however the highest usage areas are serviced daily.

Over the busy eight week Christmas holiday period and the two week Easter holiday period this service has always been increased, in some cases from twice weekly to a daily service to accommodate the increased demand along the coastal strip from Tweed Heads to Pottsville.

New Year's Day, Australia Day and Anzac Day also require increased services through the provision of additional bins and day labour staff to collect ground litter. Up to an additional 40 bins have been used historically to cater for the community celebrating these major events. The increased ground litter collection from day staff following these events can cost up to \$4,000. During the holiday period the contractors can do up to an additional 500 services per week at a cost of just over \$2,000 per week. This increased service level is already covered through existing budgets.

This year's Australia Day proved extremely challenging. The litter left behind in parks and along foreshores exceeded that of previous years. The general makeup of the litter included a number of larger items such as chairs, picnic equipment and marquis. Council day labour, together with contractors, collected the debris at an estimated additional cost of \$3,400.

Review Conducted:

Council received a number of calls through the recent Christmas period complaining of overflowing bins and litter being left in public places. As a result our internal parks maintenance team and contractors charged with the responsibility of rubbish bin collection and disposal were consulted and engaged to provide their feedback into this service and were asked to identify any shortfalls and recommend solutions.

The ground staff involvement proved invaluable with years of experience and observation in the field. It was identified that the majority of the Shire is adequately supplied with waste bins in public areas throughout most of the year. During the busy holiday period an agile workforce is implemented to help meet increased customer demand. However there are still some holidays when bins become blocked and overflow in the areas of highest demand.

Bin design varies throughout the Shire and is often aimed to enhance the aesthetics of a location while preventing access for such pests as Ibis and also to retard fire. Unfortunately the varied design can have an adverse effect with the narrow openings causing larger rubbish items to jam with rubbish spilling over. Small bins cost Council the same to have serviced as larger bins and they limit the amount of waste that can be disposed of.

Redesign or replacement of bins with narrow openings in key locations would improve capacity.

During the investigation it was highlighted by staff that several locations would benefit from increased permanent bin stations. The introduction of a compactor styled bin as a trial for 12 months will allow Council to determine if this increased capacity would alleviate the problem of peak demand in key locations.

Most central business districts had adequate bin numbers and were serviced as often as necessary, with most problems in these areas related to the bins being used by shops and commercial operators disposing of commercial rubbish. This continues to be a problem despite ongoing attempts to discourage commercial operators from using public bins.

Another suggested improvement that will be implemented is for all bins to be allocated with an identification number to assist members of the public to report problems such as bins overflowing, which will allow Council to provide a faster, more targeted response.

The audit identified that the majority of the Shire is adequately supplied with waste bins in public areas throughout most of the year. There are periods of the year that require higher levels of service and the provision of additional special event bins to ensure appropriate levels of service.

Any increased level of service should be trialled for a 12 month period. An increase to twice daily servicing of bins in our major parks along the coastal strip (Tweed Heads, Kingscliff, Casuarina and Pottsville) for the Easter 2017 period can be absorbed into the existing budgets.

Following an evaluation of the effectiveness of this trial, Council may consider extending this trial to cover the 2017/2018 Christmas and 2018 Australia Day and Easter periods. This would require an additional budget allocation of \$10,690.

An education campaign, including a Tweed Link article, media releases and targeted advertising in key locations is recommended to improve waste management behaviour for peak holiday periods.

OPTIONS:

1. Council resolves to implement recommendations in report.
2. Council resolves not to change service levels.
3. Council requests further information.

CONCLUSION:

The level of waste servicing and the location, size and type of waste bins throughout the Shire was generally seen as adequate; however there were a small number of sites that would benefit from either additional bins or upgrades to increase the capacity of the waste bins. These will be identified, assessed and upgraded to ensure the infrastructure is appropriate.

There are periods of the year that require higher levels of service and the provision of additional special event bins to ensure appropriate levels of service.

Any increase in service should be trialled to ensure it actually alleviates the problem of peak demand during holiday periods. Council will also implement an education campaign encouraging responsible waste management behaviour in our public spaces.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Operational budgets will be impacted by service level changes. Operational budget can absorb the Easter 2017 trial of increased service. However consideration will need to be given to the 2017/2018 budget to cover the additional \$10,690 required if the trial is continued over the 2017/2018 Christmas/New Year and 2018 Australia Day and Easter periods.

The trial of the compactor bin (\$10,000) and the public education campaign (\$5,000) will be funded from the existing waste budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Not Applicable.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR ENGINEERING

14 [E-CM] Review of Demand Management and Water Efficiency

SUBMITTED BY: Water and Wastewater

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

On 21 January 2016 Council resolved:

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

On 17 March 2016 a report was brought to Council regarding the establishment of the Demand Management Community Reference Group. As the first step in the process, Council engaged Hydrosphere Consulting Pty Ltd to carry out the assessment of Council's present Demand Management Strategy and the Implementation Plan. The report prepared by Hydrosphere Consulting is attached for Council's information.

The next step will be the formation of the Community Reference Group and their review of the report.

RECOMMENDATION:

That Council receives and notes the report prepared by Hydrosphere Consulting Pty Ltd regarding the efficacy of Council’s Demand Management Strategy and Implementation Plan to date.

REPORT:

On 21 January 2016 Council resolved:

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

On 17 March 2016 a report was brought to Council regarding the establishment of the Demand Management Community Reference Group. The first step to address Council's resolution was the review of the present Demand Management Strategy and Implementation Plan to determine the efficacy of the Strategy and Implementation Plan in terms of demand reduction achieved. The Community Reference Group will then review that assessment.

The first step in the review process has now been completed. Hydrosphere Consulting Pty Ltd was engaged to carry out the assessment of the Demand Management Strategy and the Implementation Plan. The report prepared by Hydrosphere Consulting is attached for Council's information.

The community nominees for the Demand Management Community Reference Group will be considered in a further report to Council. The two Councillor representatives, being Councillor Milne and Councillor Cooper, were adopted at Council's meeting 17 November 2016.

OPTIONS:

Council is requested to receive and note the report prepared by Hydrosphere Consulting Pty Ltd. No action is required at this stage.

CONCLUSION:

The report prepared by Hydrosphere Consulting Pty Ltd will be presented to the Demand Management Community Reference Group.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

The engagement of Hydrosphere Consulting Pty Ltd was funded from the existing Demand Management 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.

Community representatives for the Demand Management Community Reference Group are being sought by public advertisement in the Tweed Link and other local newspapers. A media release seeking community nominees for the Reference Group was also issued. The media release was also forwarded to subscribers to the Water Interested Parties List.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Water Efficiency and Demand Management Review, Part 1:
Review of Efficacy of Demand Management Strategy and
Implementation Plan, Hydrosphere Consulting,
25 January 2017 (ECM4391247).

15 [E-CM] Engagement of Consultant for Concept Design of the Raising of Clarrie Hall Dam

SUBMITTED BY: Water and Wastewater

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Council has resolved to progress the planning of the raising of Clarrie Hall Dam. The activities to be undertaken include:

- Flora and Fauna studies
- Cultural Heritage studies
- Environmental Flow studies
- Survey
- Seismic studies
- Geological studies
- Concept Design
- Risk Assessments and costings

The bundling of the last four (4) items is considered the most efficient way to have those activities undertaken.

In considering options for the procurement of this bundle of work, it is considered the engagement of the Crown, that is NSW Public Works Advisory, is the most cost effective manner to procure these items. Further, because of NSW Public Work Advisory's previous involvement with Clarrie Hall Dam, it is considered their engagement for this bundle of works will provide the best outcomes for Council.

At the request of Council NSW Public Works Advisory has submitted a proposal for the bundle of works. The proposal is for \$745,196 (incl GST) as compared to estimates for the work being from \$715,000 to \$855,000.

As compared to the original estimates of \$715,000 to \$855,000 the proposal of NSW Public Works Advisory is considered good value.

RECOMMENDATION:

That:

- 1. Council accepts the proposal, Clarrie Hall Dam Raising Concept Design, from NSW Public Works Advisory in the amount of \$745,196 including GST.**
- 2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

REPORT:

On 10 December 2015 Council resolved that:

Based on the information currently available, Council adopts the raising of the wall of the Clarrie Hall Dam as the preferred option for future water security and proceeds with the planning approval and land acquisitions phase for the project.

To progress the planning of the raising of the dam a number of separate activities need to be completed. They include:

- Flora and Fauna studies to inform the environmental assessment of the project
- Cultural Heritage studies to inform the environmental assessment of the project
- Environmental Flow studies to inform the environmental assessment of the project
- Survey to inform the concept design
- Hydrological studies to inform the concept design
- Seismic studies to inform the concept design
- Geological studies to inform the concept design
- Concept design to inform the environmental assessment of the project
- Risk Assessments and costings

Council's environmental scientists have been engaged to undertake the flora and fauna studies. They have completed the first of four (4) seasonal field inspections. Engaging Council's environmental scientists provides opportunities for the greatest Council involvement in the project as well as the retention of any intellectual capital gained. It is also envisaged that this involvement will provide continuity on flora and fauna issues throughout the project.

Cultural Heritage and Environmental Flow studies will be undertaken. The studies have been scoped in conjunction with the Aboriginal Advisory Committee. The studies will cost in excess of \$250,000 and Council does not have the expertise to undertake the studies. For these reasons it is envisaged Council will engage suitably qualified consultants in accordance with the requirements of the Local Government Act 1993.

It is intended to use Council's survey section for the survey. This will again provide opportunities for the greatest Council involvement in the project as well as the retention of any intellectual capital gained. It is envisaged that this involvement will provide continuity on survey throughout the project and provide broad experience to Council's surveyors.

The seismic studies, geological studies, concept design and risk analysis (including costs) are beyond the expertise of Council. Further, the studies and the concept design have to be coordinated as the outcomes of one study may impact on another. For example, the outcomes of the seismic studies will impact on the geological studies and vice versa.

To manage the required coordination it is proposed that the seismic studies, geological studies, concept design and risk analysis are undertaken by one entity. The costs of these studies were estimated, within Council, at:

Seismic studies	\$ 25,000 to \$ 30,000
Geotechnical studies	\$160,000 to \$220,000
Concept Design	\$480,000 to \$530,000
Risk analysis and costings	\$ 50,000 to \$ 75,000
Total	\$715,000 to \$855,000

OPTIONS:

The options to procure the studies and concept designs are determined by s55 of the Local Government Act. They are:

- Call tenders, OR
- Engage the Crown (NSW Public Works Advisory)

If Council were to call tenders for the work the risk relating to the specification of the work would rest with Council. To address this risk a detailed brief would be required which would in turn require the engagement of further consultants to assist in scoping and development of the brief. Further, any consultant tendering for the work would have to investigate all available information, presently held by NSW Public Works Advisory, to become conversant with the dam before a proposal could be prepared. The cost to undertake such investigation would need to be recovered from Council through the contract amount.

Council would incur the cost of tendering which in this case may be in the order of tens of thousands of dollars for tender preparation, advertising, tender briefings, tender assessment and probity advise.

The tendered amount would include a risk premium and hours for studying material presently held and understood by NSW Public Works Advisory.

In the alternate, under s55 of the Local Government Act Council, Council can enter into a contract with the Crown for the works - in this case the Crown being NSW Public Works Advisory. This option has the advantages of:

- NSW Public Works Advisory understanding of the dam as they were the original designers of the dam and constructed the dam. It is also worth noting that NSW Public Works Advisory designed the dam to be raised.
- NSW Public Works Advisory previous geological, hydrological and seismic studies, risk assessments can be drawn on to reduce the cost of studies for the dam raising.
- NSW Public Works Advisory knowledge of the spillway as they undertook the design and project managed the upgrade of the spillway.
- NSW Public Works Advisory previous cost estimation for the dam which included consideration of construction methodology and risks

Based on the above items it was considered the most cost effective method to procure the studies and concept design is through the engagement of NSW Public Works Advisory. Further, due to their knowledge and previous work on the dam, the engagement of NSW Public Works Advisory would provide Council with the best considered concept design for the raising of the dam.

NSW PUBLIC WORKS ADVISORY PROPOSAL:

In January 2016 Council requested NSW Public Works Advisory to provide a detailed proposal for the studies and concept design. NSW Public Works Advisory have responded providing a detailed proposal for the:

- Hydrological studies
- Seismic studies
- Geological studies
- Concept design
- Spillway modelling
- Construction Methodology and risks

The proposal is for the amount of \$750,860 (incl GST) and contains a provision amount of \$75,000 in the event that a geological drilling rig needs to be air lifted into place to undertake drilling for the geological investigations.

In September 2016 NSW Public Works Advisory was requested to update their proposal and remove the Hydrological Studies from the proposal. An update proposal was received in the amount of \$745,195 (incl GST).

As compared to the original estimates of \$715,000 to \$855,000 the proposal of NSW Public Works Advisory is considered good value.

CONCLUSION:

Council has resolved to progress the planning of the raising of Clarrie Hall Dam. The activities to be undertaken include:

- Flora and fauna studies
- Cultural Heritage studies
- Environmental Flow studies
- Survey
- Hydrological studies
- Seismic studies
- Geological studies
- Concept design
- Risk assessments and costings

The bundling of the last four (4) items is considered the most efficient way to have those activities undertaken.

In considering options for the procurement of this bundle of work it is considered the engagement of the Crown, that is NSW Public Works Advisory, is the most cost effective manner to procure the bundle of work. Further, because of NSW Public Work Advisory's previous involvement with Clarrie Hall Dam it is considered their engagement for this bundle of works will provide the best outcomes for Council.

At the request of Council NSW Public Works Advisory has submitted a proposal for the bundle of works. The proposal is for \$750,860 as compared to estimates for the work being from \$715,000 to \$855,000.

As compared to the original estimates of \$715,000 to \$855,000 the proposal of NSW Public Works Advisory is considered good value.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

The planning for the raising of Clarrie Hall Dam and the raising of Clarrie Hall Dam have been included in Council's long term financial plans.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. NSW Public Works Advisory. Clarrie Hall Dam Raising Concept Design - Proposal for Professional Services (ECM 4381211).

16 [E-CM] Alteration of Locality Boundary between Banora Point and Terranora

SUBMITTED BY: Design

FILE REFERENCE: GG2/1 Pt 5

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Council has approved a Development Application (DA09/0701.02) for a 256 lot residential subdivision known as Altitude Aspire located off Fraser Drive at Banora Point.

The Registered Surveyor for the development contacted Council to request that a boundary alteration be considered as the main entry to the development is located off Fraser Drive, Banora Point however many of the new lots to be registered would be located within the suburb of Terranora.

Upon inspection of the area it was determined that the logical boundary line for this development and adjoining properties within Fraser Drive would be best suited to be altered to Terranora.

All relevant land owners have been advised of the proposed change to the locality boundary and provided with the opportunity to comment on the amendment. Only one land owner objected to the proposed change.

Where an existing extent of locality boundary is proposed to be amended an application is required to be made to the Geographical Names Board of New South Wales. The Board then follows the process outlined in the Geographical Names Act 1966, except in the case of minor amendments.

A minor amendment can be notified under the delegated authority of the Secretary (Geographical Names Board of New South Wales) where it affects less than ten (10) cadastral parcels. In this instance it was determined that ten (10) cadastral parcels are affected at this time.

It is recommended that Council makes application to the Geographical Names Board of New South Wales to alter the locality boundary between Banora Point and Terranora as shown in the body of this report.

RECOMMENDATION:

That Council makes application to the Geographical Names Board of New South Wales to amend the locality boundary between Banora Point and Terranora as per the body of this report.

REPORT:

Council has approved a Development Application (DA09/0701.02) for a 256 lot residential subdivision known as Altitude Aspire located off Fraser Drive at Banora Point.

The Registered Surveyor for the development contacted Council to request that a boundary alteration be considered as the main entry to the development is located off Fraser Drive, Banora Point, however many of the new lots to be registered would be located within the suburb of Terranora. Please refer to Diagram 1.

Diagram 1 – Proposed plan of subdivision “Altitude Aspire” showing the current boundary separation between Terranora and Banora Point. Stages marked 1-5 currently located within Banora Point. Stages marked 6-10 currently located within Terranora.



Upon inspection of the area it was determined that the logical boundary line for this development and adjoining properties within Fraser Drive would be best suited to be altered to Terranora. Please refer to Diagram 2 and Diagram 3.

At present the suburb boundary is defined by various property boundaries, however it is a more logical plan to place the suburb boundary along the straight edge of the road reserve. This then allows a clearer definition of suburbs rather than having adjoining properties in the same street being located in different suburbs as would occur in the new development, should the suburb boundaries not be altered.

Diagram 2 shows the current locality boundaries by dashed line. The areas within the proposed “Altitude Aspire” Estate are shaded.

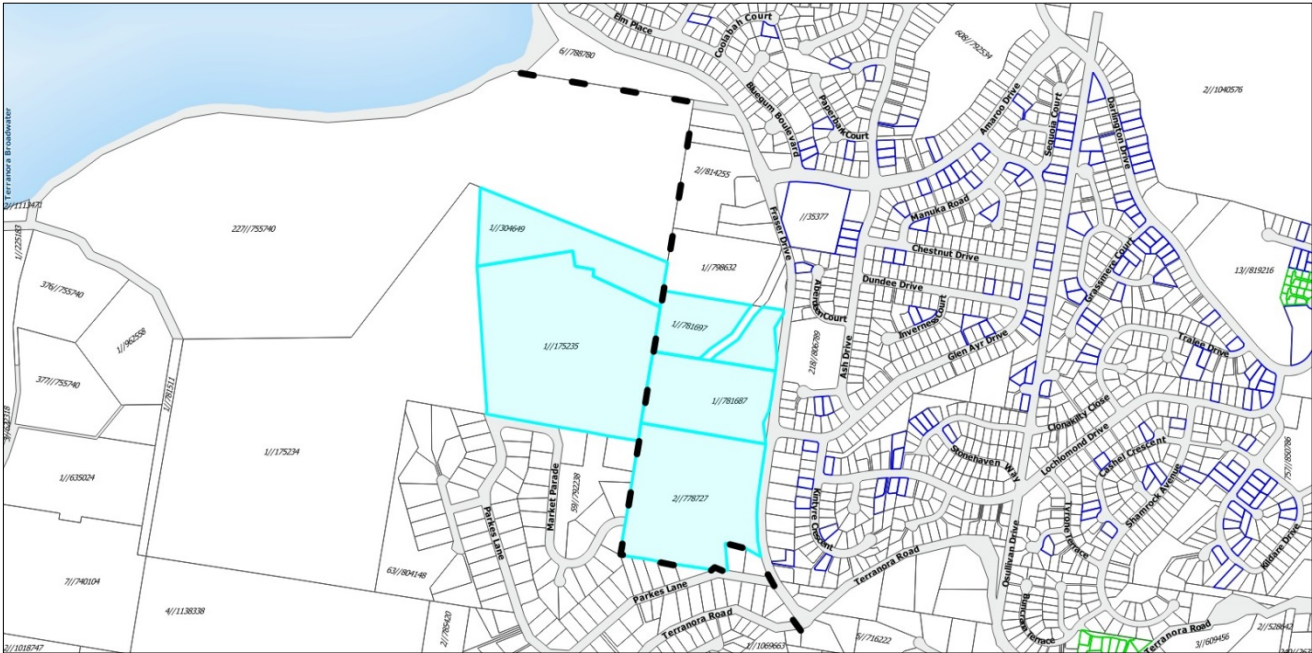
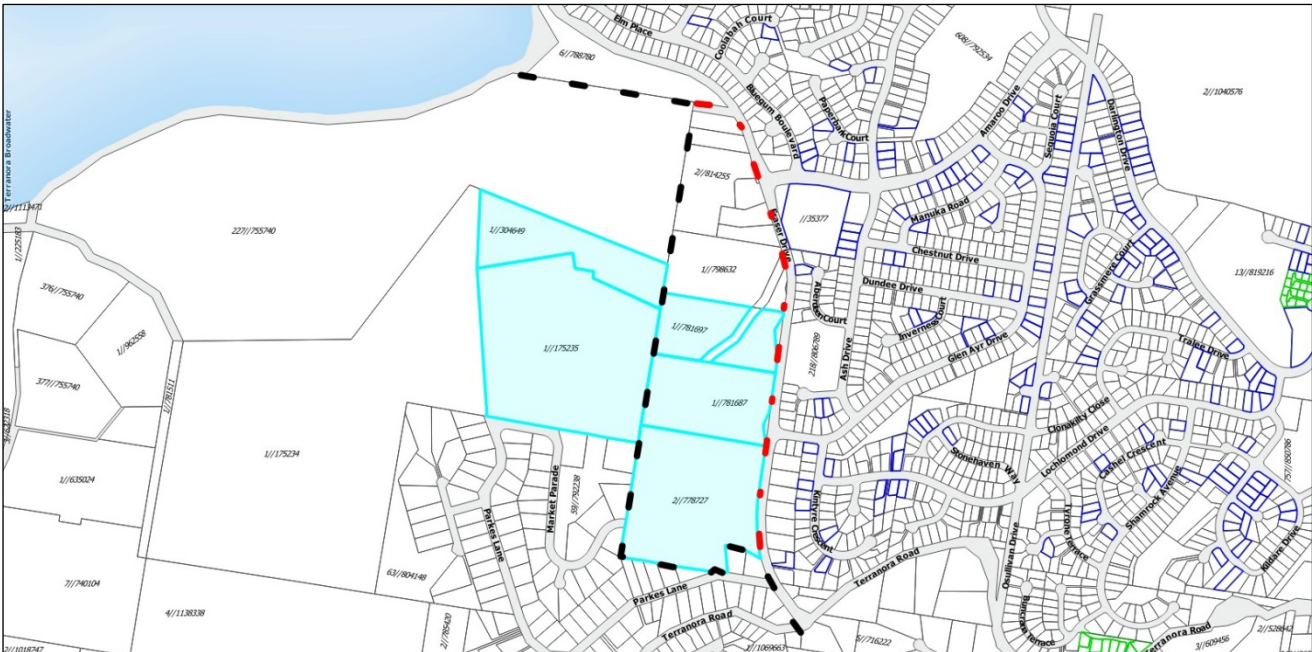


Diagram 3 shows the proposed amendment to the boundary line which will run along Fraser Drive as a dashed and dotted line.



All relevant land owners have been advised of the proposed change to the locality boundary and provided with the opportunity to comment on the amendment. Only one land owner objected to the proposed change. This objection was based on property devaluation changing from Banora Point to Terranora. This opinion is not considered to be a true representation of current land values in the area. A copy of the objection is attached to this report. One land owner called Council to discuss the proposal and advised that they had no objection to the alteration of the boundary and agreed it was a logical amendment.

Where an existing extent of locality boundary is proposed to be amended an application is required to be made to the Geographical Names Board of New South Wales. The Board

then follows the process outlined the Geographical Names Act 1966, except in the case of minor amendments.

A minor amendment can be notified under the delegate authority of the Secretary (Geographical Names Board of New South Wales) where it affects less than ten (10) cadastral parcels. In this instance it is determined that ten (10) cadastral parcels are affected at this time. If the application is not made at this time and the plans of subdivision are registered for the Altitude Aspire estate it will no longer be considered a minor amendment and the more extensive process as noted above will be required to be followed, in which case the Board will be required to report to the Minister for a final decision. It will also lead to more concern in the community as there will be far greater numbers of landholders.

OPTIONS:

1. Council makes application to the Geographical Names Board of New South Wales to amend the locality boundary between Banora Point and Terranora as per the body of the report.
2. Council accepts the currently ratified boundary that has already been gazetted between Banora Point and Terranora.

CONCLUSION:

Once an application has been made to the Geographical Names Board of New South Wales for a minor boundary alteration, the Board will consider the application and if approved under delegated authority will advertise the proposal to the public allowing a period of 30 days for comments or objections to the proposal.

It is recommended that Council approves the making of an application to the Geographical Names Board of New South Wales to amend the locality boundary between Banora Point and Terranora as per the body of the report.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

No budgetary impact.

c. Legal:

The boundary change between Terranora and Banora Point as described in the report will be legally binding.

d. Communication/Engagement:

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

All relative property owners have been consulted and notified of the proposal in writing and provided with an opportunity to comment.

Further advertising to the general public will be conducted by the Geographical Names Board of New South Wales should the proposal be approved.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Objection to Proposed Locality Alteration - Banora Point to Terranora (ECM4377747).

17 [E-CM] RFO2016144 Supply of 1 x Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane

SUBMITTED BY: Infrastructure Delivery

FILE REFERENCE: RFO2016144

Validms



Supporting Community Life

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 RFO2016144 for the Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement program.

At the closing time for Offer submissions, One (1) Offer was received for supply of the Medium Commercial Cab Chassis, and Three (3) Offers were received for the Build and Supply of Service Body and Crane.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENT 1**. The recommendations are based on the evaluation.

This report is being referred to Council in accordance with the resolution of 18 June 2015 as follows:

- "1. *Delegated Authority be amended so that all truck purchases are reported to Council for determination.*
2. *Officers tender assessment be based on criteria weightings included in the Councillor's background information."*

RECOMMENDATION:

That, in respect to Contract RFO2016144:

- 1. Council declines to accept the offer for separable portion A of the contract for Supply of One (1) Medium Commercial Truck Cab Chassis as the Cab Chassis offered is from a model range that has previously been assessed through a risk management approach and consultation with operators and management as being unsuitable for Council operations and informs bidders accordingly.**
- 2. Council declines to accept any of the offers for separable portion B of the contract for Build and Supply of the Service Body and Crane due to the non-acceptance of separable portion A and informs bidders accordingly.**
- 3. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:**
 - (d) Commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**
 - (ii) Confer a commercial advantage on a competitor of the council, or**
 - (iii) Reveal a trade secret.**

REPORT:**Offer Background**

Offer RFO2016144 Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement program.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 14 December 2016 in the Tender Box located in the Fleet Administration building Tweed Shire Council Works Depot, Murwillumbah NSW 2484.

Offer Advertising

In accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005, and as per Councils Procurement Protocol Version 1.8, offers were invited from three (3) potential suppliers for each of the chassis and the body manufacturer.

Offer Addendums

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

Offer Submissions

At the closing time for Offer submissions, the Tender Box was opened and One (1) Offer was recorded at the Tender Box opening for supply of the Medium Commercial Truck Cab Chassis and Three (3) Offers were recorded for the Build and Supply of Service Body and Crane.

Offers were recorded as below –

Bidder	ABN
Murwillumbah Truck Centre	72001859454
Custom Truck Bodies and Trailers Pty Ltd	23607269483
Lift Industries Pty Ltd	11109172803
Vince McNamara Engineering	58103518878

Offers are evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering.

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

The details of the price and non-price evaluation are shown on the Offer Evaluation Report. A copy of the Offer Evaluation Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A:

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

OPTIONS:

1. Council declines to accept the offer for separable portion A of the contract for Supply of One (1) Medium Commercial Truck Cab Chassis and informs bidders accordingly.
2. Council declines to accept any of the offers for separable portion B of the contract for Build and Supply of the Service Body and Crane and informs bidders accordingly.
3. Council awards the contract to supplier(s).

CONCLUSION:

The offer submitted for supply of the Medium Commercial Truck Cab Chassis by 'Murwillumbah Truck Centre' was the only offer submitted and represents value to Council, but the Cab Chassis offered is from a model range that has previously been assessed through a risk management approach and consultation with operators and management, as being unsuitable for Council operations (Council Reference: ECM 3539911).

If the truck cab-chassis component of the tender is not accepted, there is no need to accept any offer for the Build and Supply of Service Body and Crane.

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation have been conducted in accordance with the provisions of:-

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.
- Council's Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

Provision for RFO2016144 for the supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane is included in the 2016/2017 Fleet Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Request for Offer RFO2016144 Offer Evaluation Report (ECM 4378691).

18 [E-CM] RFO2016138 Supply of 1 x Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane

SUBMITTED BY: Infrastructure Delivery

FILE REFERENCE: RFO2016138

Validms



Supporting Community Life

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 RFO2016138 for the Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Council's 10 year asset replacement program.

At the closing time for Offer submissions, Two (2) Offers were received for supply of the Medium Commercial Cab Chassis, and Three (3) Offers were received for the Build and Supply of Service Body and Crane.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**. The recommendations are based on the evaluation.

This report is being referred to Council in accordance with the resolution of 18 June 2015 as follows:

- "1. Delegated Authority be amended so that all truck purchases are reported to Council for determination.*
- 2. Officers tender assessment be based on criteria weightings included in the Councillor's background information."*

RECOMMENDATION:

That in respect to Contract RFO2016138 :

1. **Council awards the contract for Supply of One (1) Medium Commercial Truck Cab Chassis to Gold Coast Isuzu (ABN 47010210723, ACN 010210723) for the amount of \$51,409.09 (exclusive of GST).**
2. **Council awards the contract for Build and Supply of the Service Body and Crane to Vince McNamara Engineering (ABN 58103518878, ACN 103518878) for the amount of \$42,681 (Exclusive of GST)**
3. **The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.**
4. **ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (d) **Commercial information of a confidential nature that would, if disclosed:**
 - (i) **prejudice the commercial position of the person who supplied it, or**
 - (ii) **Confer a commercial advantage on a competitor of the council, or**
 - (iii) **Reveal a trade secret.**

REPORT:

Offer Background

Offer RFO2016138 Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement program.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 14 December 2016 in the Tender Box located in the Fleet Administration building Tweed Shire Council Works Depot, Murwillumbah NSW 2484.

Offer Advertising

In accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005, and as per Councils Procurement Protocol Version 1.8, offers were invited from three (3) potential suppliers for each of the chassis and the body manufacturer.

Offer Addendums

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

Offer Submissions

At the closing time for Offer submissions, the Tender Box was opened and Two (2) Offers were recorded at the Tender Box opening for supply of the Medium Commercial Truck Cab Chassis and Three (3) Offers were recorded for the Build and Supply of Service Body and Crane.

Offers were recorded as below –

Bidder	ABN
Gold Coast Isuzu	47010210723
Murwillumbah Truck Centre	72001859454
Custom Truck Bodies and Trailers Pty Ltd	23607269483
Lift Industries Pty Ltd	11109172803
Vince McNamara Engineering	58103518878

Offer Evaluation

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

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

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

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering.

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

The details of the price and non-price evaluation are shown on the Offer Evaluation Report and Offer Evaluation Scoring Sheet. A copy of the Offer Evaluation Report and Offer Evaluation Scoring Sheet are included in ATTACHMENTS 1 and 2 which are CONFIDENTIAL in accordance with Section 10A:

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

OPTIONS:

That Council:

1. Accepts the recommendation to award the contract to Gold Coast Isuzu for the supply of the Medium Commercial Truck Cab Chassis and Vince McNamara Engineering for the Build and Supply of Service Body and Crane, or
2. Awards the contract to another supplier(s) and clearly outlines the reasons for that decision, or
3. Does not proceed with the contract and advises the suppliers of the reasons for not proceeding.

CONCLUSION:

The offer submitted for supply of the Medium Commercial Truck Cab Chassis by Gold Coast Isuzu presents the best financial value to Council over the life of the asset.

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

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation has been conducted in accordance with the provisions of:-

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.
- Council's Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

Provision for RFO2016138 for the supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane is included in the 2016/2017 Fleet Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Request for Offer RFO2016138 Offer Evaluation Report (ECM 4374050).

(Confidential) Attachment 2. Request for Offer RFO2016138 Offer Evaluation Score Sheet (ECM 4374234).

19 [E-CM] RFO2016148 Supply of 1 x Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane

SUBMITTED BY: Infrastructure Delivery

FILE REFERENCE: RFO2016148

Validms



Supporting Community Life

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 RFO2016148 for the Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Council's 10 year asset replacement program.

At the closing time for Offer submissions, One (1) Offer was received for supply of the Medium Commercial Cab Chassis, and Three (3) Offers were received for the Build and Supply of Service Body and Crane.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Plan Report included in **CONFIDENTIAL ATTACHMENT 1**. The recommendations are based on the evaluation.

This report is being referred to Council in accordance with the resolution of 18 June 2015 as follows:

- "1. *Delegated Authority be amended so that all truck purchases are reported to Council for determination.*
2. *Officers tender assessment be based on criteria weightings included in the Councillor's background information."*

RECOMMENDATION:

That, in respect to Contract RFO2016148:

1. Council awards the contract for Supply of One (1) Medium Commercial Truck Cab Chassis to Gold Coast Isuzu (ABN 72001859454, ACN 001859454) for the amount of \$58,329.47 (Exclusive of GST).
2. Council awards the contract for Build and Supply of the Service Body and Crane to Vince McNamara Engineering (ABN 58103518878, ACN 103518878) for the amount of \$42,681.81 (Exclusive of GST).
3. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.
4. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) Confer a commercial advantage on a competitor of the council, or
 - (iii) Reveal a trade secret.

REPORT:**Offer Background**

Offer RFO2016148 Supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service body and Crane was called to supply Council operations with a replacement for an existing aged unit as per Councils 10 year asset replacement program.

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Offer submissions closed at 4.00pm (local time) on 14 December 2016 in the Tender Box located in the Fleet Administration building Tweed Shire Council Works Depot, Murwillumbah NSW 2484.

Offer Advertising

In accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005, and as per Councils Procurement Protocol Version 1.8, offers were invited from three (3) potential suppliers for each of the chassis and the body manufacturer.

Offer Addendums

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

Offer Submissions

At the closing time for Offer submissions, the Tender Box was opened and One (1) Offer was recorded at the Tender Box opening for supply of the Medium Commercial Truck Cab Chassis and Three (3) Offers were recorded for the Build and Supply of Service Body and Crane.

Offers were recorded as below –

Bidder	ABN
Gold Coast Isuzu	47010210723
Custom Truck Bodies and Trailers Pty Ltd	23607269483
Lift Industries Pty Ltd	11109172803
Vince McNamara Engineering	58103518878

Offer Evaluation

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

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

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

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering.

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

The details of the price and non-price evaluation are shown on the Offer Evaluation Report. A copy of the Offer Evaluation Report is included in ATTACHMENT 1 and is CONFIDENTIAL in accordance with Section 10A:

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

OPTIONS:

That Council:

1. Accepts the recommendation to award the contract to Gold Coast Isuzu for the supply of the Medium Commercial Truck Cab Chassis and Vince McNamara Engineering for the Build and Supply of Service Body and Crane, or
2. Awards the contract to another supplier(s) and clearly outlines the reasons for that decision, or
3. Does not proceed with the contract and advises the suppliers of the reasons for not proceeding.

CONCLUSION:

The offer submitted for supply of the Medium Commercial Truck Cab Chassis by Gold Coast Isuzu was the only offer submitted, but represents good value to Council and therefore should be accepted.

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

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation has been conducted in accordance with the provisions of:-

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005.
- Council's Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

Provision for RFO2016148 for the supply of One (1) Medium Commercial Truck Cab Chassis and Build and Supply of Service Body and Crane is included in the 2016/2017 Fleet Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Request for Offer RFO2016148 Offer Evaluation Report (ECM 4373867).

20 [E-CM] RFO2016203 Supply and Servicing of UV Disinfection Lamps and Equipment

SUBMITTED BY: Water and Wastewater

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

Request for Offer RFO2016203 Supply and Servicing of UV Disinfection Lamps and Equipment was called to engage one or two suitably qualified and experienced organisations to supply and deliver replacement UV disinfection lamps and associated accessories (ballasts, sleeves and wiper ring sets) and to carry out scheduled servicing of its UV systems four of its Wastewater Treatment Plants (WWTP) at Banora Point, Mooball, Murwillumbah and Tumbulgum.

At the time of closing four Offers were received.

The evaluation of the offers against the Selection Criteria is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENTS 1 and 2**. The recommendations are based on the evaluation.

RECOMMENDATION:

That in respect to Contract RFO2016203 Supply and Servicing of UV Disinfection Lamps and Equipment:

- 1. Council awards the contract to Xylem Water Solutions Australia Limited (ABN 28 000 832 922) for a period of two years, noting that the estimated contract value for these services over the contract period is \$178,000 (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 the finalisation of the contract.**

3. **ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (d) **commercial information of a confidential nature that would, if disclosed:**
 - (i) **prejudice the commercial position of the person who supplied it, or**
 - (ii) **confer a commercial advantage on a competitor of the council, or**
 - (iii) **reveal a trade secret.**

REPORT:

Offer Background

Offer RFO2016203 Supply and Servicing of UV Disinfection Lamps and Equipment was called to engage one or two suitably qualified and experienced organisations to supply and deliver replacement UV disinfection lamps and associated accessories (ballasts, sleeves and wiper ring sets) and to carry out scheduled servicing of its UV systems four of its Wastewater Treatment Plants (WWTP) at Banora Point, Mooball, Murwillumbah and Tumbulgum.

The Request for Offer contained two Separable Portions as follows:

- Separable Portion A: Supply and Servicing of Banora Point and Mooball WWTPs – WEDECO brand
- Separable Portion B: Supply and Servicing of Murwillumbah and Tumbulgum WWTPs – UVTA brand

The Contract is split into two Separable Portions due to the WWTPs having different manufacturers' equipment installed, which the Provider must be familiar with and able to supply compatible equipment for.

Bidders were given the option of bidding for one or both Separable Portions, with Council reserving the option of awarding the contract to a single Provider for both Separable Portions or to two Providers, with each being awarded one of the two Separable Portions.

Request for Offer Advertising

Offers were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. The Request for Offer was advertised from 15 December 2016 in the *Sydney Morning Herald*, the *Tweed Link* and on Council's website.

Offer submissions closed at 4.00pm (local time) on 11 January 2017 in the Murwillumbah Tender Box and via eTender.

Offer Addendums

There were no Notices to Bidders issued relating to this RFO.

Offer Submissions

At the closing time for Offer Submissions, the Tender Box was opened and four Offers were recorded as below:

Bidder	ABN
Sunstate Commercial Plumbing and Gas Fitting (note ABN lookup states The Trustee for Hoey Family Trust t/as Adams Commercial Plumbing and Gasfitting)	60 398 204 837
Ixom Operations Pty Ltd (t/as Ixom Chemicals)	51 600 546 512
UVS Ultra Violet Pty Ltd	94 134 055 155
Xylem Water Solutions Australia Limited	28 000 832 922

Offer Evaluation

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

Council's Offer Evaluation Panel was made up as follows:

Position
Acting Senior Engineer - Contracts
Engineer – Treatment and Catchment
Senior Engineer - Operations & Maintenance

Offers were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Offering.

Criterion	Document Reference	Weighting (%)
Bidder's meeting of Contract requirements	Throughout Offer (check for non-conformances and departures) 5.3 Schedule of Insurance Details Form	YES/NO
Pricing	5.8 Offer Pricing Schedule	50%
Demonstrated capability to perform the Services as specified	5.4 Schedule of Bidder's Experience Form	20%
Relevant experience with contracts/services of a similar nature	5.4 Schedule of Bidder's Experience Form	7.5%
Appropriate systems and procedures in place	5.5 Schedule of Quality Management Form 5.6 Schedule of Workplace Health & Safety Management Form	10%
Sustainable procurement and local content	5.7 Schedule of Environmental Performance Form	2.5%
	5.8 Local Content Form	10%
	Total	100

The details of the price and non-price evaluation are shown on the Offer Evaluation Report and Offer Evaluation Scoring Sheet. A copy of the Offer Evaluation Report and Offer Evaluation Scoring Sheet are included as ATTACHMENTS 1 and 2 which are CONFIDENTIAL in accordance with Section 10A:

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

- (iii) reveal a trade secret

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

OPTIONS:

That Council:

1. Accepts the recommended Offer from Xylem Water Solutions Australia Limited (ABN 28 000 832 922) for both Separable Portion A: Supply and Servicing of Banora Point and Mooball WWTPs – WEDECO brand and Separable Portion B: Supply and Servicing of Murwillumbah and Tumbulgum WWTPs – UVTA brand, in the estimated total contract value of \$178,000 excluding GST over the two-year contract term.
2. Awards the Contract to a different Bidder, including reasons for this course of action.
3. Declines to accept any of the Offers, including reasons for this course of action

CONCLUSION:

At the conclusion of the evaluation the Evaluation Panel agreed that Xylem Water Solutions presented the best Offer for both Separable Portions A and B when the balance of risk versus price was considered, and that as such this Offer is deemed the most advantageous options for Council.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.6, in accordance with the Local Government Act and the NSW Local Government (General) Regulation 2005.

b. Budget/Long Term Financial Plan:

Provision for the required UV Equipment and Servicing is included in the 2016-2017 Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed..

UNDER SEPARATE COVER/FURTHER INFORMATION:

- (Confidential)* Attachment 1. RFO2016203 - Offer Evaluation Report (ECM 4399564).
- (Confidential)* Attachment 2. RFO2016203 - Offer Evaluation Scoring Sheet (ECM 4399583).
-

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

21 [CS-CM] Council and Planning Committee Meetings Schedule for 2017

SUBMITTED BY: Corporate Governance

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

In accordance with Council's Code of Meeting Practice, this report is to review the dates of the Planning Committee and Council Meetings, incorporating Community Access sessions to be held during 2017.

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

"1.1.2 Where are council meetings held?"

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

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

Council will meet in the following format:

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

the commencement of the Council Meeting for members of the public to discuss pertinent matters other than planning matters.

(Adopted by Council 20 February 2014)

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

RECOMMENDATION:

That:

1. The Planning Committee and Council Meetings (incorporating Community Access sessions) for the remainder 2017 be conducted as per the following schedule:

Meetings for 2017			
Planning Committee 1 st Thursday		Council 3 rd Thursday	
	Venue		Venue
6 April 2017	Murwillumbah	20 April 2017	Murwillumbah
11 May 2017 ^	Tweed Heads	18 May 2017	Tweed Heads
1 June 2017	Murwillumbah	15 June 2017	Murwillumbah
6 July 2017	Tweed Heads	20 July 2017	Tweed Heads
3 August 2017	Murwillumbah	17 August 2017	Murwillumbah
7 September 2017	Tweed Heads	21 September 2017	Tweed Heads
5 October 2017	Murwillumbah	26 October 2017 **	Murwillumbah
2 November 2017	Tweed Heads	16 November 2017	Tweed Heads
7 December 2017	Murwillumbah	14 December 2017 #	Murwillumbah

NOTE: ^ 11 May 2017 - Date changed due to attendance by Councillors at the Australian Coastal Councils Conference.
 ** 26 October 2017 to allow for consideration of the Annual Financial Statements
 # 14 December 2017 given proximity to Christmas

2. Councillors give consideration to the start and finishing times of the Planning Committee and Council/Trust meetings given (1) above.

REPORT:

The purpose of this report is to determine the dates of the Planning Committee and Council Meetings, incorporating Community Access sessions to be held during 2017.

Council at its Extraordinary Meeting held Thursday 17 November 2016 resolved:

" that the meeting program remain the same (as follows) for the next three months at which time further review will be undertaken.

Meetings for 2016			
Planning Committee 1st Thursday		Council 3rd Thursday	
Date	Venue	Date	Venue
1 December 2016	Tweed Heads	15 December 2016	Tweed Heads
Meetings for 2017			
2 February 2017 Ø	Murwillumbah	16 February 2017	Murwillumbah
2 March 2017	Tweed Heads	16 March 2017	Tweed Heads

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

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

"1.1.2 Where are council meetings held?

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

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

Council will meet in the following format:

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

(Adopted by Council 20 February 2014)

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

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

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

It should be noted that the Planning Committee will include Community Access on the items listed on the Planning Agenda.

To allow the business of Council to move forward in 2017, meeting dates will need to be determined and identified. This report seeks to set appropriate dates for these meetings to occur for the remainder of 2017 as follows:

Meetings for 2017			
Planning Committee 1st Thursday		Council 3rd Thursday	
	Venue		Venue
6 April 2017	Murwillumbah	20 April 2017	Murwillumbah
11 May 2017 ^	Tweed Heads	18 May 2017	Tweed Heads
1 June 2017	Murwillumbah	15 June 2017	Murwillumbah
6 July 2017	Tweed Heads	20 July 2017	Tweed Heads
3 August 2017	Murwillumbah	17 August 2017	Murwillumbah
7 September 2017	Tweed Heads	21 September 2017	Tweed Heads
5 October 2017	Murwillumbah	26 October 2017 **	Murwillumbah
2 November 2017	Tweed Heads	16 November 2017	Tweed Heads
7 December 2017	Murwillumbah	14 December 2017 #	Murwillumbah

NOTE: ^ 11 May 2017 - Date changed due to attendance by Councillors at the Australian Coastal Councils Conference.
 ** 26 October 2017 to allow for consideration of the Annual Financial Statements
 # 14 December 2017 given proximity to Christmas

With Community Access sessions to be incorporated into both the Planning Committee and Council Meeting format, it is proposed that these will be conducted from 4.00pm until 4.45pm, followed by a Councillor discussion session, with the Planning Committee and Council Meetings advertised to commence at 5.00pm. Any required Trust Meetings will be conducted on the same day as the Council Meeting.

OPTIONS:

1. The proposed Planning Committee and Council Meeting dates for 2017 be adopted.
2. Determines a different schedule for 2017.

CONCLUSION:

That the proposed meeting schedule for 2017 be adopted and appropriately advertised.

it is proposed to hold Council and Planning Committee meetings on a monthly rotational basis between Murwillumbah and Tweed Heads.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

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

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

Upon adoption of the schedule of 2017 meeting dates these will be uploaded onto Council's web site (www.tweed.nsw.gov.au/CouncilMeetings) for the information of the general public of the yearly meeting schedule. Also, advice of upcoming meetings and the contents of the agendas for consideration are advertised in Council's Tweed Link newsletter.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

22 [CS-CM] Six Monthly Progress Report as at 31 December 2016

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

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

The attached report details the Council's progress as at 31 December 2016 in carrying out/completing activities identified in the Operational Plan 2016/2017 adopted by Council at its meeting on 16 June 2016 as well as highlighting areas where progress is behind schedule and/or more action is required.

RECOMMENDATION:

That Council receives and notes the Operational Plan 2016/2017 Six Monthly Progress Report as at 31 December, 2016.

REPORT:

At the Council meeting held on 16 June 2016 the Operational Plan 2016/2017 was adopted by Council and a reporting structure has been developed which is based upon four themes identified below:



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



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



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



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

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

OPTIONS:

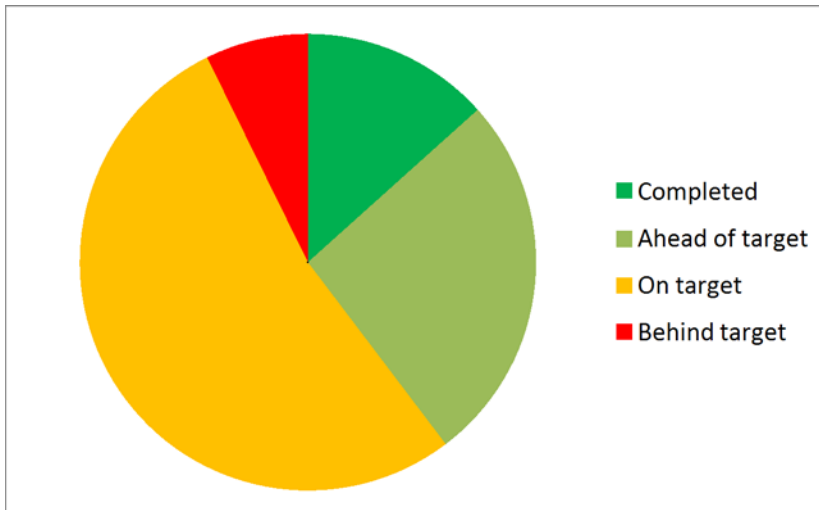
Not Applicable.

CONCLUSION:

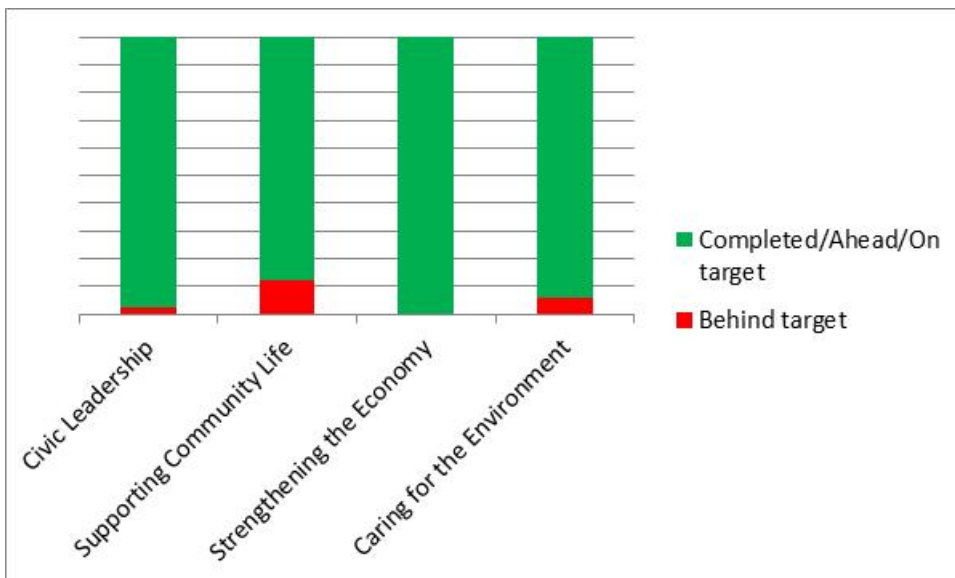
Overall Progress

Overall, 93% of the deliverables in the Operational Plan are completed, or on track to meet or exceed the target result.

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



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



COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable

b. Budget/Long Term Financial Plan:

Not Applicable

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

23 [CS-CM] Quarterly Budget Review - December 2016

SUBMITTED BY: Financial Services

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

This is the second quarter statutory budget review for this financial year and summarises the estimated expenditure and income changes to the 2016/2017 Budget.

This statutory report is prepared in accordance with the Local Government (General) Regulations 2005, sections 202 and 203. Council will have a balanced budget as at 30 June 2017 in all Funds.

RECOMMENDATION:

That the:

1. Quarterly Budget Review Statement as at 31 December 2016 be adopted.
2. Expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2017.

Description	Change to Vote	
	Deficit	Surplus
General Fund		
<u>Expenses</u>		
Employee costs	33,000	0
Materials & Contracts	563,593	0
Interest	0	0
Other Operating costs	0	18,980
Capital	1,368,391	0
Loan Repayments	0	0
Transfers to Reserves	0	0
	1,964,984	18,980

Income

Rates and Annual Charges	0	0
Interest revenue	0	0
Operating Grants & Conts	0	706,468
Capital Grants & Conts	0	1,290,000
User Charges & Fees	0	29,602
Other Operating Revenue	0	30,000
Loan Funds	0	0
Recoupments	228,066	0
Transfers from Reserves	0	118,000
Asset Sales	0	0
	<u>228,066</u>	<u>2,174,070</u>

Net Surplus/(Deficit) 0

	Deficit	Surplus
Sewer Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	0	0
Interest	0	0
Other Operating costs	0	0
Capital	0	3,361,750
Loan Repayments	0	0
Transfers to Reserves	37,419	0
	<u>37,419</u>	<u>3,361,750</u>

<u>Income</u>	0	0
Rates and Annual Charges	0	0
Interest revenue	349,081	0
Operating Grants & Conts	0	0
Capital Grants & Conts	0	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	2,708,858	0
Transfers from Reserves	266,392	0
Asset Sales	0	0
	<u>3,324,331</u>	<u>0</u>

Net Surplus/(Deficit) 0

Water Fund		
<u>Expenses</u>		
Employee costs	0	0
Materials & Contracts	0	0
Interest	0	0
Other Operating costs	0	0
Capital	0	4,406,000
Loan Repayments	0	0
Transfers to Reserves	199,940	0
	<u>199,940</u>	<u>4,406,000</u>

<u>Income</u>		
Rates and Annual Charges	0	0
Interest revenue	218,082	0
Operating Grants & Conts	0	0
Capital Grants & Conts	0	0
User Charges & Fees	0	78,022
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	3,413,000	0
Transfers from Reserves	653,000	0
Asset Sales	0	0
	<hr/>	<hr/>
	4,284,082	78,022
Net Surplus/(Deficit)		<hr/>
		0

REPORT:

Budget Review 31 December 2016 (Quarterly Budget Review)

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

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

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

Report by Responsible Accounting Officer – Quarterly Budget Review Statements

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

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

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

This information is presented in the following reports:

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

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

Some recommended changes will have no net effect on the Operational Plan (1 year budget). Others will have long term effects and will need to be reflected in the next revision of the Long Term Financial Plan. The changes which will have such an effect are listed below:

Description	\$	\$
	Net Effect on 2016/2017 Budget	Net Effect on LTFP
General Fund		
Pensioner rate subsidy	-43,518	
Section 603 Certificates	-30,000	
Tweed Heads Library expansion/refit	4,100	
Kingscliff beach odour abatement	5,000	
Valuation fees	-100,000	
Development assessment legal costs	131,020	
Electricity	-140,000	
Auditorium lighting and audio upgrades	140,000	
Environmental Health fees	33,398	33,398
	0	33,398

Detailed list of changes

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
1. Proposed Variations						
General						
In	1	In-OG&C	RMS Natural Disaster Funding		-447,791	Grant funding for June 2016 flood event
Ex	1	Ex-Op	Local roads emergency works		13,292	Expenditure for June 2016 flood event
Ex	1	Ex-Op	Local roads restoration works		418,661	Expenditure for June 2016 flood event
Ex	1	Ex-Op	Regional roads emergency works		6,892	Expenditure for June 2016 flood event
Ex	1	Ex-Op	Regional roads restoration works		8,946	Expenditure for June 2016 flood event
Ex	2	Ex-Op	Fox and rabbit control		32,433	Den/warren identification & fumigation
In	2	In-OG&C	DPI Grant Funding		-26,979	Funding for above
Ex	2	Ex-Op	Lot 500 Bushland	144,609	-2,727	Funding for above
Ex	2	Ex-Op	Tweed Coast Parks maintenance	137,571	-2,727	Funding for above
Ex	3	Ex-Capital	Project Management System		133,000	System upgrade
In	3	In-TFR	Asset Replacement Reserve		-40,000	Funding for above
Ex	3	Ex-Op	Passive recreation asset maintenance		-5,000	Funding for above
Ex	3	Ex-OpOther	Roads FAG maintenance		-10,000	Funding for above

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
In	3	In-TFR	IT Innovation Reserve		-78,000	Funding for above
Ex	4	Ex-Op	Emerging Vector Response Plan		58,400	Public health program
In	4	In-OG&C	Local Government NSW Grant Funding		-58,400	Funding for above
Ex	5	Ex-Op	Bus shelters		80,000	Lighting
In	5	In-OG&C	NSW Department of Justice Grant Funding		-80,000	Funding for above
Ex	6	Ex-Op	Impaired road users program		5,000	Road Safety Programs
In	6	In-OG&C	RMS Road Safety grant		-5,000	Funding for above
Ex	6	Ex-Op	Safer speeds program		5,000	Road Safety Programs
In	6	In-OG&C	RMS Road Safety grant		-5,000	Funding for above
Ex	6	Ex-Op	Bike Week activities		2,780	Road Safety Programs
In	6	In-OG&C	RMS Road Safety grant		-2,780	Funding for above
Ex	7	Ex-Op	Saleyards		5,660	Increased operating costs
Ex	7	Ex-Op	Economic Development - Internal	527,343	-5,660	Funding for above
In	8	In-Fees	Health Approvals	-29,182	-33,000	Caravan park compliance activity higher than budget
Ex	8	Ex-OpEmp	Environmental Health Compliance	85,626	33,000	Employee costs associated with above
Ex	9	Ex-Op	Overdue Rates Expenses	413,800	30,000	Higher than anticipated debt recovery action. Costs recovered
In	9	In-OpOther	Legal matters income (Rates)	-420,000	-30,000	Recovery of debt recovery costs
In	10	In-OG&C	Pensioner Rate Subsidy	-920,000	-43,518	Higher number of pension rebates than anticipated
In	11	In-Fees	Section 603 Certificates	-165,470	-30,000	Higher number of requests for rating information than anticipated
Ex	12	Ex-Capital	Tweed Heads Library expansion/refit	2,450,365	4,100	Architectural 3D imaging
Ex	13	Ex-Capital	Byangum Canoe Launch Facility	55,000	9,357	Improved access
Ex	13	Ex-Capital	Budd Park Pontoon Relocation	50,000	15,000	Improved access
Ex	13	Ex-Op	Access and Inclusion Plan	70,121	-24,357	Allocation to above projects
Ex	14	Ex-Op	Kingscliff beach odour abatement		5,000	Emergency measures to drain naturally pooled water from the beach
Ex	15	Ex-Capital	Tweed Valley Way/Riverside Drive		290,000	Upgrade
In	15	In-CG&C	RMS Black Spot funding		-290,000	Funding for above
Ex	16	Ex-Capital	Clothiers Creek Road		550,000	Curve realignment
In	16	In-CG&C	RMS Black Spot funding		-550,000	Funding for above
In	17	In-CG&C	RMS Black Spot Funding	0	-450,000	Funding for Fraser Drive/Terranora Road roundabout
Ex	17	Ex-Capital	Blackspot Program - Fraser Drive/Terranora Road Intersection	0	82,500	Allocate Blackspot funding
Ex	17	Ex-Capital	Blackspot Program - Clothiers Creek Road/Condor Place	0	139,434	Allocate Blackspot funding
Ex	17	In-Recoup	Reverse 15/16 recoupment from CP4	1,100,000	228,066	Allocate Blackspot funding
Ex	18	Ex-Capital	Pottsville Road - Coronation Ave to House 1128	1,025,088	-164,702	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Cabarita Road	340,404	-340,404	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Vintage Lakes Drive Tweed Heads South	325,284	-323,708	Adjust Infrastructure Delivery budget

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
Ex	18	Ex-Capital	Main Rd 2016/17 Rehab Program	266,436	-135,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Darling Drive South of Leisure Drive	123,412	-41,544	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Byangum Rd	143,513	-10,002	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Fraser Drive Rehab Amaroo to Botanical	32,512	-30,841	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Hastings Road	168,280	-5,683	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Holden Street	120,509	-16,588	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Pumpenbil Road	102,717	-4,576	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Endeavour Pde	138,454	-4,576	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Quarry Road	63,597	-86,403	Adjust Infrastructure Delivery budget
Ex	18	Ex-Op	Quarries & Gravel Pits	20,562	-6,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Op	Walls Quarry	20,000	-4,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Buchanan St, Murwillumbah	183,685	-49,119	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Oyster Point Road, Banora Point East	151,084	-151,079	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Ocean Drive, Chinderah	513,027	-145,547	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Avoca Street, Chinderah	193,179	-99,188	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Banks Ave Tweed Heads	0	8,093	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Booka Road causeway stabilisation	0	130,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Palmvale Rd Causeway replacement	0	240,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Spring Valley Road Culvert Rehabilitation	0	350,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Brett St Tweed Heads	177,323	52,522	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Duranbah Road	156,820	65,032	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Overall Drive	0	274,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Plantation Road	109,489	20,973	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Airfield Avenue	75,454	83,967	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Riverside Drive, Tumbulgum	66,795	153,059	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Altair Street Rehabilitation 2015-2016	129,383	71,238	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Cudgen Road	0	35,797	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Tweed Heads main street	0	43,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Op	Taggets Quarry	0	5,000	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Chinderah Road	703,644	46,356	Adjust Infrastructure Delivery budget
Ex	18	Ex-Capital	Unallocated rehabilitation	1,025,220	39,923	Adjust Infrastructure Delivery budget
Ex	19	Ex-Op	Koala Habitat Restoration & Community Awareness Strategy	0	23,250	Rehabilitation
Ex	19	Ex-Op	Koala Habitat Restoration & Community Awareness Strategy	0	3,750	Community engagement
In	19	In-OG&C	Office of Environment & Heritage Grant Funding	27,000	-27,000	Funding for above

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
Ex	20	Ex-Op	Bio-engineered River Bank Erosion Stabilisation	135,408	10,000	Additional Grant funding received
In	20	In-OG&C	Office of Environment & Heritage Grant Funding	0	-10,000	Funding for above
Ex	21	Ex-Op	Valuation fees (roads & drainage) Development assessment legal costs	160,000	-100,000	Not required this year
Ex	22	Ex-OpOther	Art Gallery electricity	274,973	131,020	Legal action
Ex	23	Ex-OpOther	Museum electricity	351,088	-150,000	Revised projections
Ex	23	Ex-OpOther	Murwillumbah Auditorium	41,055	10,000	Reallocate TRAG electricity budget
Ex	23	Ex-Capital	Tweed Heads Auditorium		70,000	Lighting & Audio upgrade
Ex	23	Ex-Capital	Immunisation expenses		70,000	Lighting & Audio upgrade
Ex	24	Ex-Op	Sundry Health administration expenses	2,732	-2,732	Internal budget restructure
Ex	24	Ex-Op	Alcohol Free Zone	8,196	2,732	Internal budget restructure
Ex	24	Ex-Op	Health Education & Equipment	1,764	-1,764	Internal budget restructure
Ex	24	Ex-Op	Health Approvals (circuses etc)	18,742	1,764	Internal budget restructure
In	24	In-Fees	Market approvals	-4,469	4,469	Internal budget restructure
In	24	In-Fees	On-site Sewage Management Systems	-32,529	28,929	Internal budget restructure
Ex	25	Ex-OpEmp	Internal income	179,954	30,000	Additional inspections
In	25	Ex-OpEmp		0	-30,000	Contribution from Water Fund
					0	
			Sewer Fund			
Ex	47	Ex-Dep	Depreciation		165,708	Revised estimates
Ex	47	Ex-Deprev	Depreciation reversal		-165,708	Adjustment for non-cash items
Ex	47	Ex-Capital	Various Capital Works		-	
In	47	In-Interest	Interest		3,361,750	Deferrals and adjustments
Ex	47	Ex-TTR	Transfers to Asset Replacement Res.		349,081	Revised estimates
In	47	In-Recoup	Transfers from Capital Contributions Res.		37,419	Funding adjustment
In	47	In-TFR	Transfers from Asset Replacement Res.		2,708,858	Funding adjustment
					266,392	Funding adjustment
					0	
			Water Fund			
Ex	48	Ex-Dep	Depreciation		76,457	Revised estimates
Ex	48	Ex-Deprev	Depreciation reversal		-76,457	Adjustment for non-cash items
Ex	48	Ex-Capital	Various Capital Works		-	
In	48	In-Interest	Interest		4,406,000	Deferrals and adjustments
In	48	In-Fees	Water sales		218,082	Revised estimates
Ex	48	Ex-TTR	Transfers to Asset Replacement Res.		-78,022	Revised estimates water sales
In	48	In-Recoup	Transfers from Capital Contributions Res.		199,940	Funding adjustment
In	48	In-TFR	Transfers from Asset Replacement Res.		3,413,000	Funding adjustment
					653,000	Funding adjustment
					0	

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments	
		2. Variations Arising from Council Resolutions					
			Nil		0		
		Summary of Votes by Type					
			2016/17 Variations		0		
			Council Resolutions		0		
					0		
		Key to Category codes					
		Ex-OpEmp	Employee costs				
		Ex-Op	Materials & contracts				
		Ex-Interest	Interest on loans				
		Ex-OpOther	Other operating expenses				
		Ex-Capital	Capital works				
		Ex-Loan Reps	Repayment on principal on loans				
		Ex-TTR	Transfers to reserves				
		Ex-Dep	Depreciation				
		Ex-Deprev	Depreciation reversal				
		In-Rates	Rates & annual charges				
		In-Interest	Interest income				
		In-OG&C	Operating grants & contributions				
		In-CG&C	Capital grants & contributions				
		In-Fees	User charges & fees				
		In-OpOther	Other operating income				
		In-Loan	Loan funds				
		In-Recoup	Recoupment from s64 & s94 funds				
		In-TFR	Transfers from reserves				
		In-Sales	Proceeds from sale of assets				
			<u>Expenses</u>				
			Employee costs		33,000		
			Materials & Contracts		563,593		
			Interest		0		
			Other Operating costs		-18,980		
					-		
			Capital		6,399,359		
			Loan Repayments		0		
			Transfers to Reserves		237,359		
					-		
					5,584,387		
			<u>Income</u>				
			Rates and Annual Charges		0		
			Interest revenue		567,163		
			Operating Grants & Conts		-706,468		
					-		
			Capital Grants & Conts		1,290,000		
			User Charges & Fees		-107,624		
			Other Operating Revenue		-30,000		
			Loan Funds		0		
			Recoupments		6,349,924		
			Transfers from Reserves		801,392		
			Asset Sales		0		
					5,584,387		

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
			Net		0	
			Summary of Votes - by Division			
			Corporate Services		-247,418	
			Planning & Regulation		164,418	
			Community & Natural Resources		5,000	
			Engineering		78,000	
			General Manager		0	
					0	

Results by fund:

General Fund

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

Water Fund

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

Sewer Fund

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

Quarterly Budget Review Statements

Income and Expense - Consolidated Budget Review Statement for the quarter ended 31 December 2016

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's) *	Dec Review (000's)				
Income							
Rates and Annual Charges	103,615	3	-	103,618	-	103,618	52,753
User Charges and Fees	44,047	85	-	44,132	108	44,240	23,623
Interest and Investment Revenue	9,922	774	-	10,696	(567)	10,129	4,706
Other Revenues	1,986	220	-	2,206	30	2,236	2,381
Grants & Contributions - Operating	20,358	18	-	20,376	706	21,082	10,932
Grants and Contributions - Capital	3,759	10,811	-	14,570	1,290	15,860	2,945
- Contributions (S94)	11,609	513	-	12,122	-	12,122	8,324
Net gain from the disposal of assets	-	-	-	-	-	-	-
Total Income	195,296	12,424	-	207,720	1,567	209,287	105,664
Expense							
Employee costs	57,662	741	-	58,403	33	58,436	26,778
Borrowing Costs	12,550	-	-	12,550	-	12,550	6,338
Materials & Contracts	47,497	21,099	-	68,596	564	69,160	21,114
Depreciation	43,227	(481)	-	42,746	-	42,746	21,373
Legal Costs	460	-	-	460	-	460	432
Consultants	568	-	-	568	-	568	95
Other Expenses	15,611	10	-	15,621	(19)	15,602	3,795
Net Loss from Disposal of Assets	-	-	-	-	-	-	-
Total Expenses	177,575	21,369	-	198,944	578	199,522	79,925
Net Operating Result	17,721	(8,945)	-	8,776	989	9,765	25,739
Net Operating Result before capital items	2,353	(20,269)	-	(17,916)	(301)	(18,217)	14,470

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

Funding Statement - Consolidated - Source & Application of Funds

Operating Result (Income Statement)	17,721	(8,945)	-	8,776	989	9,765
Add Back non-funded items:						
Depreciation	43,227	(481)	-	42,746	-	42,746
Add non-operating funding sources						
Transfers from Externally Restricted Cash	18,103	5,130	-	23,233	(6,350)	16,883
Transfers from Internally Restricted Cash	9,257	33,487	-	42,744	(801)	41,943
Proceeds from sale of assets	1,457	-	-	1,457	-	1,457
Loan Funds Utilised	1,976	6,501	-	8,477	-	8,477
Repayments from Deferred Debtors	-	-	-	-	-	-
Funds Available	91,741	35,692	-	127,433	(6,162)	121,271
Funds were applied to:						
Purchase and construction of assets	40,875	35,579	-	76,454	(6,399)	70,055
Repayment of principal on loans	8,047	-	-	8,047	-	8,047
Transfers to Externally Restricted Cash	12,386	222	-	12,608	-	12,608
Transfers to Internally Restricted Cash	30,433	(109)	-	30,324	237	30,561
Funds Used	91,741	35,692	-	127,433	(6,162)	121,271
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-

* Includes Carried Forward Works revotes

Income and Expense- General Fund Budget Review Statement for the quarter ended 31 December 2016

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

Income

Rates and Annual Charges	69,860	3		69,863		69,863	36,189
User Charges and Fees	20,042	41		20,083	30	20,113	10,923
Interest and Investment Revenue	4,178			4,178	-	4,178	2,532
Other Revenues	1,693	210		1,903	30	1,933	2,187
Grants & Contributions - Operating	19,506	18		19,524	706	20,230	10,103
Grants and Contributions - Capital	3,759	10,811		14,570	1,290	15,860	2,945
- Contributions (S64/S94)	1,792			1,792		1,792	4,067
Net gain from the disposal of assets				-		-	
Total Income	120,830	11,083	-	131,913	2,056	133,969	68,946

Expense

Employee costs	42,172	741		42,913	33	42,946	20,748
Borrowing Costs	5,894			5,894	-	5,894	2,983
Materials & Contracts	30,216	21,099		51,315	564	51,879	16,285
Depreciation	25,629			25,629		25,629	12,814
Legal Costs	460			460		460	432
Consultants	268			268		268	87
Other Expenses	11,663	10		11,673	(19)	11,654	2,543
Net Loss from Disposal of Assets				-		-	
Total Expenses	116,302	21,850	-	138,152	578	138,730	55,892

Net Operating Result

	4,528	(10,767)	-	(6,239)	1,478	(4,761)	13,054
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Net Operating Result before capital items

	(1,023)	(21,578)	-	(22,601)	188	(22,413)	6,042
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Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's) *	Dec Review (000's)	Revised Budget (000's)			

Funding Statement - General Fund - Source & Application of Funds

Operating Result (Income Statement)	4,528	(10,767)	-	(6,239)	1,478	(4,761)
Add Back non-funded items:						
Depreciation	25,629			25,629	-	25,629
Add non-operating funding sources						
Transfers from Externally Restricted Cash	2,819	4,111		6,930	(228)	6,702
Transfers from Internally Restricted Cash	375	33,337		33,712	118	33,830
Proceeds from sale of assets	1,457			1,457	-	1,457
Loan Funds Utilised	1,976	6,501		8,477	-	8,477
Internal charges				-		-
Repayments from Deferred Debtors				-		-
Funds Available	36,784	33,182	-	69,966	1,368	71,334
Funds were applied to:						
Purchase and construction of assets	24,797	33,162		57,959	1,368	59,327
Repayment of principal on loans	4,012			4,012	-	4,012
Transfers to Externally Restricted Cash	2,569			2,569		2,569
Transfers to Internally Restricted Cash	5,406	20		5,426	-	5,426
Funds Used	36,784	33,182	-	69,966	1,368	71,334
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-

* Includes Carried Forward Works revotes

Income and Expense- Sewer Fund Budget Review Statement for the quarter ended 31 December 2016

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
	Sep Review (000's)	Dec Review (000's)	Revised Budget (000's)			
Income						
Rates and Annual Charges	28,437		28,437	-	28,437	13,834
User Charges and Fees	1,387		1,387	-	1,387	1,790
Interest and Investment Revenue	3,510	423	3,933	(349)	3,584	1,151
Other Revenues	16		16	-	16	12
Grants & Contributions - Operating	463		463	-	463	451
Grants and Contributions - Capital	-		-	-	-	-
- Contributions (S64/S94)	2,869	513	3,382	-	3,382	1,419
Net gain from the disposal of assets			-		-	
Total Income	36,682	936	37,618	(349)	37,269	18,657
Expense						
Employee costs	9,101		9,101	-	9,101	3,626
Borrowing Costs	2,211		2,211	-	2,211	1,115
Materials & Contracts	7,619		7,619	-	7,619	2,255
Depreciation	10,183	(294)	9,889	-	9,889	4,945
Legal Costs	-		-	-	-	-
Consultants	150		150	-	150	4
Other Expenses	2,586		2,586	-	2,586	825
Net Loss from Disposal of Assets			-		-	
Total Expenses	31,850	(294)	31,556	-	31,556	12,770
Net Operating Result	4,832	1,230	6,062	(349)	5,713	5,887
Net Operating Result before capital items	1,963	717	2,680	(349)	2,331	4,468

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

Funding Statement - Sewer Fund - Source & Application of Funds

Operating Result (Income Statement)	4,832	1,230	-	6,062	(349)	5,713
Add Back non-funded items:						
Depreciation	10,183	(294)	-	9,889	-	9,889
Add non-operating funding sources						
Transfers from Externally Restricted Cash	4,765	1,072		5,837	(2,709)	3,128
Transfers from Internally Restricted Cash	5,125	347		5,472	(266)	5,206
Proceeds from sale of assets				-	-	-
Loan Funds Utilised				-	-	-
Repayments from Deferred Debtors				-	-	-
Funds Available	24,905	2,355	-	27,260	(3,324)	23,936
Funds were applied to:						
Purchase and construction of assets	6,950	2,133		9,083	(3,361)	5,722
Repayment of principal on loans	2,686			2,686	-	2,686
Transfers to Externally Restricted Cash	2,869	222		3,091	-	3,091
Transfers to Internally Restricted Cash	12,400			12,400	37	12,437
Internal charges				-		-
Funds Used	24,905	2,355	-	27,260	(3,324)	23,936
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-

Income and Expense- Water Fund Budget Review Statement for the quarter ended 31 December 2016

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's)	Dec Review (000's)				
Income							
Rates and Annual Charges	5,318			5,318	-	5,318	2,730
User Charges and Fees	22,618	44		22,662	78	22,740	10,910
Interest and Investment Revenue	2,234	351		2,585	(218)	2,367	1,023
Other Revenues	277	10		287	-	287	182
Grants & Contributions - Operating	389			389	-	389	378
Grants and Contributions - Capital	-			-	-	-	-
- Contributions (S64/S94)	6,948			6,948	-	6,948	2,838
Net gain from the disposal of assets				-		-	
Total Income	37,784	405	-	38,189	(140)	38,049	18,061
Expense							
Employee costs	6,389			6,389	-	6,389	2,404
Borrowing Costs	4,445			4,445	-	4,445	2,240
Materials & Contracts	9,662			9,662	-	9,662	2,574
Depreciation	7,415	(187)		7,228	-	7,228	3,614
Legal Costs	-			-	-	-	-
Consultants	150			150	-	150	4
Other Expenses	1,362			1,362	-	1,362	427
Net Loss from Disposal of Assets				-		-	
Total Expenses	29,423	(187)	-	29,236	-	29,236	11,263
Net Operating Result	8,361	592	-	8,953	(140)	8,813	6,798
Net Operating Result before capital items	1,413	592	-	2,005	(140)	1,865	3,960

Funding Statement - Water Fund - Source & Application of Funds

Operating Result (Income Statement)	8,361	592	-	8,953	(140)	8,813
Add Back non-funded items:						
Depreciation	7,415	(187)	-	7,228	-	7,228
Add non-operating funding sources						
Transfers from Externally Restricted Cash	10,519	(53)		10,466	(3,413)	7,053
Transfers from Internally Restricted Cash	3,757	(197)		3,560	(653)	2,907

	Original Budget (000's)			Revised Budget (000's)	Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)
		Sep Review (000's)	Dec Review (000's)				
Proceeds from sale of assets				-		-	
Loan Funds Utilised				-	-	-	
Repayments from Deferred Debtors				-		-	
Funds Available	30,052	155	-	30,207	(4,206)	26,001	
Funds were applied to:							
Purchase and construction of assets	9,128	284		9,412	(4,406)	5,006	
Repayment of principal on loans	1,349			1,349	-	1,349	
Transfers to Externally Restricted Cash	6,948			6,948	-	6,948	
Transfers to Internally Restricted Cash	12,627	(129)		12,498	200	12,698	
Internal charges				-		-	
Funds Used	30,052	155	-	30,207	(4,206)	26,001	
Increase/(Decrease) in Available Working Capital	-	-	-	-	-	-	

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2016 and should be read in conjunction with other documents in the QBRs.

Capital Budget Review Statement - Consolidated - for the quarter ended 31 December 2016

Original Budget (000's)				Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual YTD (000's)	
	Sep Review (000's) *	Dec Review (000's)	Revised Budget (000's)				
Capital Funding **							
Rates and other untied funding	21,316	370		21,686	(50)	21,636	8,305
Capital Grants & Contributions	8,368	17,165		25,533	1,290	26,823	10,296
Internal Restrictions (Reserves)		6,885		6,885	128	7,013	2,692
External Restrictions	5,678	1,398		7,076	(1,646)	5,430	2,084
- s64 & s94 funds	10,127	4,186		14,313	(6,122)	8,191	3,144
Other Capital Funding Sources							
- loans	1,976	5,576		7,552		7,552	2,899
Income from sale of assets							
- plant and equipment	1,457			1,457		1,457	559
- Land,Buildings,Furniture,Fittings							
Total Capital Funding	48,922	35,580		84,502	(6,400)	78,102	29,979
Capital Expenditure							
<u>New Assets</u>							
- Plant and Equipment	4			4	133	137	37
- Land,Buildings,Furniture,Fittings	2,142	4,030		6,172		6,172	2,387
- Roads, Bridges, Footpaths		1,174		1,174		1,174	361
- Drainage							
- Water & Sewer Infrastructure	6,377	1,827		8,204	(5,476)	2,728	1,045
- Other		1,033		1,033	24	1,057	90
<u>Renewals (Replacement)</u>							
- Plant and Equipment	4,578			4,578		4,578	2,557
- Land,Buildings,Furniture,Fittings	2,022	1,157		3,179	144	3,323	721
- Roads, Bridges, Footpaths	11,400	5,154		16,554	5	16,559	7,217
- Drainage	450			450		450	47
- Water & Sewer Infrastructure	2,499	1,158		3,657	(398)	3,259	1,116
- Other		13,089		13,089		13,089	596
<u>Upgrades</u>							
- Plant and Equipment							
- Land,Buildings,Furniture,Fittings		100		100		100	76
- Roads, Bridges, Footpaths	5,693	5,573		11,266	1,062	12,328	4,701
- Drainage	650	1,171		1,821		1,821	1,132
- Water & Sewer Infrastructure	5,060	(568)		4,492	(1,894)	2,598	783
- Other		682		682		682	76
Loan Repayments (principal)	8,047			8,047		8,047	7,036
Total Capital Expenditure	48,922	35,580		84,502	(6,400)	78,102	29,978

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2016 and should be read in conjunction with other documents in the QBRs.

* Note: includes carried forward works revotes

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

Cash and Investments Budget Review Statement for the quarter ended 31 December 2016

	Original Budget			Recommended changes for Council Resolution	Projected year end result	Actual * YTD
	(000's)	Sep Review (000's)	Dec Review (000's)			
Unrestricted	5,974			5,974	5,974	10,216
Externally restricted						
RTA Contributions	0			0	0	0
Developer contributions	31,046			31,046	31,046	31,922
Domestic waste management	14,912			14,912	14,912	14,912
Special Rates	214			214	214	214
Special purpose grants	4,846			4,846	4,846	4,846
Water Supplies	43,616			43,616	43,616	49,012
Sewerage Services	69,816			69,816	69,816	76,773
Other	22,039			22,039	22,039	10,000
Total Externally restricted	186,489	0	0	186,489	186,489	187,679
Internally restricted						
Employee Leave entitlements	11,622			11,622	11,622	12,703
Unexpended loans	0			0	0	7,445
Unexpended grants	0			0	0	5,340
7 Year Plan	4,873			4,873	4,873	4,828
Works Carried Forward	0			0	0	11,397
Replacement of Plant and Vehicles	3,786			3,786	3,786	4,940
Tip improvements	9,172			9,172	9,172	9,172
Asset renewals	1,938			1,938	1,938	4,808
Other				0	0	12,350
Total Internally restricted	31,391	0	0	31,391	31,391	72,983
Total Restricted	217,880	0	0	217,880	217,880	260,662
Total cash and investments	223,854	0	0	223,854	223,854	270,878
Available cash	5,974	0	0	5,974	5,974	10,216

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

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

Statement of compliance with investment policy:

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

Reconciliation of restricted funds with current investment report:

	(000's)
Total restricted funds	260,662
Total invested funds as per December Investment Report	269,273
Note, some restricted funds are held as cash as they will be utilised in the current period.	

Statement of bank reconciliation:

Cash has been reconciled with the bank statement. The last bank reconciliation was completed to 2 February 2017.

Reconciliation of cash and investments:

	(000's)
Cash and investments as per above	270,878
Cash on hand and at bank	1,605
Investments	<u>269,273</u>
	270,878

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2016 and should be read in conjunction with other documents in the QBRs.

Key Performance Indicators Budget Review Statement for the quarter ended 31 December 2016

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

These ratios should therefore be viewed with caution.

	Amounts	Indicator
1. Unrestricted Current Ratio		
	(000's)	
<u>Current assets less all external restrictions</u>	<u>47,764</u>	4.7:1
Current liabilities	10,088	
Target:		2:1

Purpose:

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

	Amounts	Indicator
2. Debt Service Ratio		
	(000's)	
Debt Service Cost	13,374	14.96%
<u>Selected operating income</u>	<u>89,386</u>	
Target:		15%

Purpose:

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

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2016 and should be read in conjunction with other documents in the QBRs.

Budget Review Contracts and Other Expenses for the quarter ended 31 December 2016

PART A-Contracts Listing		Contract value	Award	Duration of	Budgeted
Contractor	Contract detail & purpose	\$	date	contract	(Y/N)
Reline Solutions Pty Ltd	Rehabilitation of Gravity Sewerage Reticulation Mains	\$911,727.08	17-Nov-16	16 weeks	Y
Komatsu Australia Pty Ltd	Supply of 1 Backhoe Loader Complete with Attachments	\$185,665.99	17-Nov-16	N/A	Y
Ausroad Systems Pty Ltd	Supply of 2 Truck Mounted Sprayed Emulsion Road Maintenance Units	\$842,787.00	17-Nov-16	N/A	Y
Rico enterprises Pty Ltd	Collection of Municipal Waste, Collection and Processing of Recyclables, Collection of Organics, Collection of Public Place Bins, and Collection of Household Bulky Waste	\$17,493,300.00	17-Nov-16	3 years	Y
Clarks Professional Sportsground Maintenance Pty Ltd	Ground Maintenance of Bilambil Sports Fields	\$164,000.00	15-Dec-16	24 months	Y
Michael Reid Family Trust ATF Crosana Pty Ltd	Construction of Soil Nail Anchor Wall Tumbulgum Road Murwillumbah	\$818,488.45	15-Dec-16	10 weeks	Y
Caltex Australia Petroleum Pty Ltd Ocwen Energy Pty Ltd Park Pty Ltd Puma Energy (Australia) Fuels Pty Ltd	Supply of Bulk Fuels (Panel of Providers)	\$5,300,000.00	15-Dec-16	3 years	Y
L.E.N. Enterprises Pty Ltd	Air-conditioning Systems Maintenance Services for Tweed Shire Council for a Period of Two Years	\$267,867.52	15-Dec-16	2 years	Y
National Management Group Pty Ltd	Provision of Security Services	\$990,000.00	15-Dec-16	3 years	Y
SEE Civil Pty Ltd	Kingscliff Foreshore Revitalisation Construction Works	\$15,506,298.95	15-Dec-16	70 weeks	Y

PART B - Consultancy and Legal expenses

Expense	Expenditure	Budgeted
	YTD \$	(Y/N)
Consultancies	140,398	Y
Legal expenses	435,583	Y

This document forms part of Tweed Shire Council's Quarterly Budget Review Statement for the quarter ended 31 December 2016 and should be read in conjunction with other documents in the QBRs.

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

202 Responsible accounting officer to maintain system for budgetary control

The responsible accounting officer of a council must:

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

203 Budget review statements and revision of estimates

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

Statutory Statement

It is my opinion that the Quarterly Budget Review Statement for Tweed Shire Council for the quarter ended 31 December 2016 indicates that Council’s projected financial position at 30 June 2017 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



M A Chorlton 2/2/2017
“Responsible Accounting Officer”
Manager Financial Services
Tweed Shire Council

OPTIONS:

Not Applicable

CONCLUSION:

Refer to Statutory Statement above

COUNCIL IMPLICATIONS:

a. Policy:

Not Applicable

b. Budget/Long Term Financial Plan:

As detailed within the report.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

24 [CS-CM] Legal Services Register for the Period 1 October to 31 December 2016

SUBMITTED BY: Corporate Governance

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Legal Services Register Report 1 October to 31 December 2016 provides the status of legal instructions for the current or recently completed matters which have been issued to legal panel providers. This Report includes payments to various legal providers, as well as payments for barristers and consultants where applicable.

The amount paid for legal instructions for the period 1 October to 31 December 2016 is \$303,046.

The principal legal instructions that relate to this quarter include:

• 2784 – DA14/0892 - Wooyung Road Wooyung	\$ 15,652
• 2794 – DA15/0201 – 40 Creek Street Hastings Point	\$ 97,626
• 2795 – Soorley Street – Unauthorised Works	\$ 58,124
• 2797 – DA15/0422 Sea Breeze Estate - 65 Lot Subdivision	\$ 29,692
• 2802 – 3222 Kyogle Road – Unauthorised Activities	\$ 36,204
• 2813 – Lot 12 Fraser Drive - Unauthorised Works	\$ 2,750
• 2814 – Lot 23 Barney's Point Road – Vegetation Removal	\$ 3,821
• Cobaki Development Matters	\$ 24,610
• The Anchorage - Lease with Lend Lease	\$ 1,790
• Local Court Appeals – Various Defences	\$ 32,509

The total legal expenditure paid for the period 1 July to 31 December 2016 is \$ 416,884.

RECOMMENDATION:

That Council receives and notes the Legal Services Register Report for the Period 1 October to 31 December 2016.

REPORT:

Expenditure incurred on legal instructions for the period 1 October to 31 December 2016 follows:

Category 1 Planning and Environmental Law	Category 2 Local Government Law	Category 3 Commercial/Property Law	Category 4 District/Local Court
\$ 244,137	\$ 24,610	\$ 1,790	\$ 32,509

A summary of payments to each of the Legal Service Providers including barristers and consultants where applicable, for current or recently completed matters is as follows:

Category 1 Planning and Environmental Law	Year to Date	Current Period 1 October to 31 December 2016
DLA Piper Australia	\$0	\$0
HWL Ebsworth Lawyers	\$ 21,467	\$ 15,652
Lindsay Taylor Lawyers	\$ 6,571	\$ 6,571
Maddocks Lawyers	\$ 181,240	\$ 87,816
Marsdens Law Group	\$ 97,626	\$ 97,626
Sparke Helmore Lawyers	\$ 50,083	\$ 36,472
Wilshire Webb Staunton Beattie Lawyers	\$0	\$0
Other		
Stacks/The Law Firm	\$988	\$
Sub Total	\$ 357,975	\$ 244,137

Category 2 Local Government Law (litigation and advice)	Year to Date	Current Period 1 October to 31 December 2016
DLA Piper Australia	\$0	\$0
Lindsay Taylor Lawyers	\$0	\$0
Local Government Legal	\$0	\$0
Maddocks Lawyers	\$0	\$0
Marsdens Law Group	\$0	\$0
Prevention Partners NSW	\$0	\$0
Other		
Hall & Wilcox Lawyers	\$ 24,610	\$ 24,610
Sub Total	\$ 24,610	\$ 24,610

Category 3 Commercial/Property Law	Year to Date	Current Period 1 October to 31 December 2016
HWL Ebsworth Lawyers	\$0	\$0
Local Government Legal	\$0	\$0
Maddocks Lawyers	\$0	\$0
Marsdens Law Group	\$0	\$0
Sparke Helmore Lawyers	\$0	\$0
Stacks /The Law Firm	\$ 1,790	\$ 1,790
Wilshire Webb Staunton Beattie Lawyers	\$0	\$0
Sub Total	\$ 1,790	\$ 1,790

Category 4 District/Local Court	Year to Date	Current Period 1 October to 31 December 2016
Attwood Marshall Lawyers	\$ 4,951	\$ 4,951
Minter Ellison – Gold Coast	\$ 27,558	\$ 27,558
Peter O'Donnell	\$0	\$0
Sub Total	\$ 32,509	\$ 32,509
Total	\$ 416,884	\$ 303,046

LEGAL SERVICES REGISTER as at 31 December 2016

Category 1 - Planning and Environmental Law					
Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 6 February 2017
Stacks/the Law Firm(2763)	Tweed River Hacienda Holiday Park. Unauthorised works by site owner.	Land and Environment Court – prosecution of site owner for ignoring Order Notice.	<i>Prev. Years</i> \$31,189 16/17 \$988 Total \$32,177	Matter was heard on 1-2 July 2015. Judgement in favour of Council, respondent to carry out works and pay 75% of Council's costs of the hearing.	Completed. Agreed costs of \$18,000 paid.
Sparke Helmore Lawyers (2783)	137 Adcock's Road, Stokers Siding.	Council at its Meeting held on 4 December 2014 resolved to institute Class 4 Action for construction of illegal earthworks.	<i>Prev. Years</i> \$5,303 16/17 \$0 Total \$5,303	Evidence gathered for Council's Solicitor to institute legal action, completed and now referred to the Solicitor.	In Progress. Alternative to instituting legal action, options for rectification of the illegal works have been discussed with the owner. Rectification of the illegal works is currently in progress and being monitored.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 6 February 2017
HWL Ebsworth Lawyers (2784)	DA14/0892 Wooyung Road Wooyung- Staged development for a dwelling House and Related Works.	Council at its Meeting held on 1 September 2016 resolved that Solicitors be engaged to defend the Class 1 Appeal in the Land and Environment Court.	16/17 \$15,652	Solicitors engaged, documentation forwarded to the Solicitors to defend the appeal. Directions hearing conducted on 19 and 26 September 2016.	Completed. Appeal was listed for Case Management on 14 October 2016. Notice of Discontinuance was filed in the Land and Environment Court on 4 November 2016, with each party to pay its own costs.
HWL Ebsworth Lawyers (2791)	DA14/0164 27-37 Bells Boulevard, Kingscliff- Dual use of existing tourist accommodation.	Council at its Meeting held on 9 April 2015 resolved that Solicitors be engaged to negotiate consent orders or enter into S34 Agreement.	<i>Prev. Years</i> \$39,338 16/17 \$5,815 Total \$45,153	Appeal was listed for various Case Management and Conciliation Conferences during 2015 and 2016.	Completed. Agreement was settled between the parties, with a sealed agreement copy being filed with the Land and Environment on 13 May 2016.
Marsdens Law Group (2794)	DA15/0201 40 Creek Street, Hastings Point.	Council at its Meeting held on 6 August 2015 resolved to defend the Class 1 Appeal in the Land & Environment Court.	<i>Prev. Years</i> \$76,473 16/17 \$97,626 Total \$174,099	Proceedings were listed for a directions hearing on 10 September and 21 December 2015, where applicant was requested to provide further information.	In Progress. Court at a directions hearing on 24 May 2016, listed the appeal for a hearing on 17, 18, 21, 22, 23 November 2016. Notice of Discontinuance was filed in the Land and Environment Court on 22 November 2016. Applicant advised that it is prepared to enter into negotiations in relation to payment of Council's costs in the proceedings. Council Officers are working through the process with the aim of reaching an agreement recommended by Council's Solicitors.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 6 February 2017
Maddocks Lawyers (2795)	Unauthorised works - Existing use rights - Soorley Street, Tweed Heads South.	Provide legal opinion on existing use rights.	<p><i>Prev. Years</i> \$17,203 16/17 \$77,007 Total \$94,210</p>	Letter was sent to solicitors for property owner seeking an answer to existing use rights questions. - No answer was received. Council at its meeting held on 7 April 2016 resolved to commence legal proceedings to stop unauthorised activities and seek any punitive measures.	In Progress. Class 4 proceedings in the Land and Environment have commenced to remedy and restrain further unauthorised works. Matter was listed for Directions hearing on 7 October 2016. Respondent is required to lodge points of defence documents with the Land and Environment Court by 17 February 2017.
Maddocks Lawyers (2797)	DA15/0422 65 lot subdivision – Sea Breeze Estate- Class 1 Appeal – Deemed Refusal.	Council at its meeting on 22 October 2015 resolved that solicitors be engaged to defend the appeal for Development Application DA15/0422.	<p><i>Prev. Years</i> \$108,903 16/17 \$104,233 Total \$213,136</p>	Ecourt meeting held on 9 November 2015, Section 34 Conference meetings held on 22 January, 29 January, 16 March and 23 March 2016. Meeting held on 22 April 2016 to determine hearing dates.	Completed. Matter was heard on 15/17 August, adjourned to 6 and 7 December 2016. Hearing was further adjourned to 9 January 2017. Judgement was handed down on 24 January 2017, with orders, that the appeal is dismissed and that DA15/0422 be refused.
Sparke Helmore Lawyers (2799)	Point Break Circuit Kingscliff- Class 1 Appeal DA15/0742 for conversion of a Boathouse to a Combined Boathouse and Dwelling.	Council at its meeting held on 3 March 2016 resolved that it engage solicitors to defend the appeal.	<p><i>Prev. Years</i> \$80,872 16/17 \$5,407 Total \$86,279</p>	Land and Environment Court directions meetings were held on 14 March and 4 April 2016. Appeal part heard on 14 and 15 June 2016. Orders made on 14 June that the applicant would pay Council's agreed costs thrown away in the amount of \$ 2,000.	In Progress Appeal was heard on 30 August 2016, with a closing requirement for the applicant to file written submissions in reply by 16 September 2016. The submissions have been filed The Court is yet to determine the appeal.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 6 February 2017
Sparke Helmore Lawyers (2802)	3222 Kyogle Road Mt Burrell – Unauthorised activities.	Council at its Meeting held on 7 April 2016 resolved to engage solicitors to commence proceedings pertaining to unauthorised activities and seek legal advice regarding options for punitive action.	<p><i>Prev. Years</i> \$23,532 16/17 \$44,676 Total \$68,208</p>	Significant correspondence has occurred. Council has now commenced legal proceedings, through issuing a summons in the Land and Environment Court against the property owner for breaches of the Environment and Assessment Act 1979.	In Progress A number of directions hearings have been conducted during the months of October, November and on 9 December 2016, orders were made for the filing of evidence by both parties. Council's Solicitors are waiting on a response from the respondent regarding proposed consent orders. Pre- hearing mention listed for 3 March 2017.
Lindsay Taylor Lawyers (2813)	Part 1 Environmental damage & unauthorised works and vegetation clearing – Lot 12 Fraser Drive Tweed Heads South.	Council at its Meeting held on 6 October 2016 resolved that it engages solicitors to seek advice on options for action in respect of alleged unauthorised removal of vegetation.	16/17 \$2,750	Solicitors engaged, detailed advice was provided, Council unable to take enforcement action, implemented by Department of Planning and Environment.	In Progress Further advice was provided on the issue of unauthorised works. Council at its Meeting held on 2 February 2017 resolved that it endorses its solicitors to write to the proponent seeking removal of the unauthorised structure within 14 days, or otherwise Council will commence Class 4 civil proceedings in the NSW Land and Environment Court.
	Part 2 Environmental damage & unauthorised works and vegetation clearing – Lot 469 Henry Lawson Drive.	Council at its Meeting held on 6 October 2016 resolved that it engages solicitors to seek advice on options for action in respect of alleged unauthorised earthworks and stockpiles.		Solicitors engaged, detailed advice was provided. Recommended Council not pursue further action regarding acid sulphate soil matter.	In Progress Further advice provided in regard to unauthorised earthworks and stockpiling. Council at its Meeting held on 2 February 2017, resolved that a report on this matter be deferred to the Planning Committee Meeting of 2 March 2017.

Provider (Reference)	Description	General instructions	Costs	Comments	Current Status as at 6 February 2017
Lindsay Taylor Lawyers (2814)	Vegetation Removal at Lot 23 DP 1211517 Barneys Point Road Banora Point.	Council at its Meeting held on 15 December 2016 resolved that it engages solicitors to provide advice regarding the continuing investigation of unauthorised clearing.	16/17 \$3,821	Solicitors engaged, continuing investigation of the unauthorised clearing advice provided.	In Progress Further investigation of the unauthorised clearing currently being undertaken.

Category 2 - Local Government Law

Provider (Reference)	Description of Matter	General Instructions	Costs to date	Comments	Current Status as at 6 February 2017
Marsdens Law Group	7 Year Special Rate Variation.	Class 4 Appeal Land and Environment Court.	<i>Prev. Years</i> \$493,120	Appeal dismissed by Land and Environment Court 30/12/08. Court of Appeal dismissed 5/2/10 part costs awarded. Application to High Court for special leave dismissed with costs, not assessed.	In Progress. Recovery of assessed costs of \$134,058 being pursued.
Hall & Wilcox Lawyers	Cobaki Development.	Review Deed of Agreement and provide advice on the provision of Water & Sewerage to the development.	16/17 \$24,610	Deed of Agreement reviewed, amendments recommended. Detailed advice provided on the provision of Water and Sewerage.	Completed

Category 3 - Commercial/Property Law

Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 6 February 2017
STACKS the Law Firm	Lease with Lend Lease at The Anchorage.	Review lease and provide advice on the proposal to assign the lease.	16/17 \$1,790	Lease with Lend Lease reviewed, detailed advice provided on the proposal to assign the lease.	Completed.

Category 4 – District/Local Court					
Provider (Reference)	Description of Matter	General Instructions	Costs to Date	Comments	Current Status as at 6 February 2017
Minter Ellison Gold Coast (2804)	Development without Consent.	Defend Local Court Appeal - Penalty Infringement Notice No.3044262302.	16/17 \$8,944	Appeal was heard on 15 June 2016. Magistrate dismissed the appeal, respondent was fined \$1,500 and ordered to pay costs of \$ 5,000.	Completed Local Court approved payment arrangement plan.
Minter Ellison Gold Coast (2805)	Development not in accordance with Consent.	Defend Local Court Appeal - Penalty Infringement Notice No.3044262385.	16/17 \$8,435	Appeal was heard on 17 August 2016. Magistrate dismissed the appeal, respondent was fined \$10,000 and ordered to pay costs of \$ 7,500.	Completed Fine and costs received.
Minter Ellison Gold Coast (2806)	Failure to comply with Terms of Notice – Illegal Camping.	Defend Local Court Appeal - Penalty Infringement Notice No.3089394716.	16/17 \$3,415	Appeal was heard on 10 August 2016. Magistrate dismissed the Penalty Infringement Notice, with no order as to costs.	Completed
Attwood Marshall Lawyers (2808)	Abandoned motor vehicle in a public place.	Defend Local Court Appeal - Penalty Infringement Notice No.3089403947.	16/17 \$4,951	Appeal was heard on 20 September 2016. Magistrate dismissed the Penalty Infringement Notice, with no order as to costs.	Completed
Minter Ellison Gold Coast (2810)	Dog not under control in a public place.	Defend Local Court Appeal - Penalty Infringement Notice No.s 3089411472 and 3089411481.	16/17 \$3,384	Appeal was heard on 1 February 2017. Magistrate found the defendant guilty of the offences, but dismissed the charges. There was an order that the defendant pay professional costs of \$ 2,500.	In Progress Costs to be paid within 28 days but the defendant can make an application to enter into a payment plan.
Minter Ellison Gold Coast (2812)	Non – compliance with Conditions of Approval.	Defend Local Court Appeal - Penalty Infringement Notice No.3044262440.	16/17 \$3,380	Appeal was heard on 9 November 2016. Magistrate dismissed the appeal; respondent was fined \$ 500 and ordered to pay costs of \$1,250.	Completed Fine and costs received.

OPTIONS:

Reporting as per Legal Services Procedure requirements.

CONCLUSION:

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

COUNCIL IMPLICATIONS:

a. Policy:

Legal Services Procedure.

b. Budget/Long Term Financial Plan:

Total legal services budget - \$428,100.

Total legal expenditure 1 July to 31 December 2016 - \$ 416,884.

Should expenditure on legal expenses follow the same trajectory for the remaining six months, it is anticipated that Council will be 100% over the allocated budget, requiring Council to reduce operating budgets to fund the overspend.

The December 2016 Quarterly Budget Review presented at this meeting has proposed an additional amount of \$131,000 to the 2016/2017 Legal Services Budget by redirecting funds from other program areas.

c. Legal:

Solicitors engaged from the appointed Legal Services Panel, or engaged for a specific legal matter.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

25 [CS-CM] Disclosure of Pecuniary Interest and Other Matters Returns by Councillors

SUBMITTED BY: Corporate Governance

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The Disclosure of Pecuniary Interest and Other Matters Returns for Councillors who were elected at the Local Government Election conducted on 29 October 2016, for the period 4 November 2016 to 30 June 2017 are tabled in accordance with the provisions of Sections 449 and 450A of the Local Government Act 1993.

RECOMMENDATION:

That the Disclosure of Pecuniary Interest and Other Matters Returns for Councillors, for the period 4 November 2016 to 30 June 2017 as tabled be received and noted.

REPORT:

In accordance with Section 449(1) of the Local Government Act 1993, a councillor must complete and lodge a Disclosure of Pecuniary Interest and Other Matters Return with the General Manager within 3 months after becoming a councillor.

This report applies to Councillors who were elected at the Local Government Election conducted on 29 October 2016 and the returns are for the period 4 November 2016 to 30 June 2017.

Section 450A(2) of the Local Government Act 1993, requires the General Manager to table such returns at the first meeting of Council held the last day for lodgement of the returns.

OPTIONS:

Not Applicable

CONCLUSION:

That the Disclosure of Pecuniary Interest and Other Matters Returns for Councillors who were elected at the Local Government Election conducted on 29 October 2016, for the period 4 November 2016 to 30 June 2017 as tabled be received and noted.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

As per compliance with the provisions of the Local Government Act 1993.

b. Budget/Long Term Financial Plan:

Not Applicable

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

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

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

SUMMARY OF REPORT:

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested. The Manager Financial Services, being the Responsible Accounting Officer, certifies that investments have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies. Council had **\$269,273,171** invested as at **31 December 2016** and the accrued net return on these funds was **\$667,607** or **2.97%** 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 2016 totalling \$269,273,171 be received and noted.

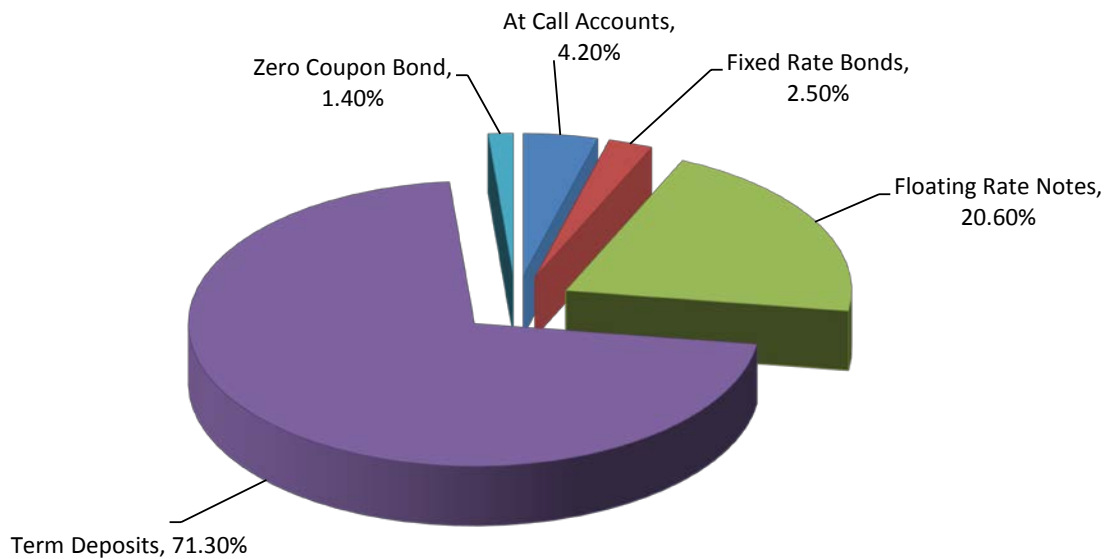
REPORT:

1. Restricted Funds as at 1 September 2016

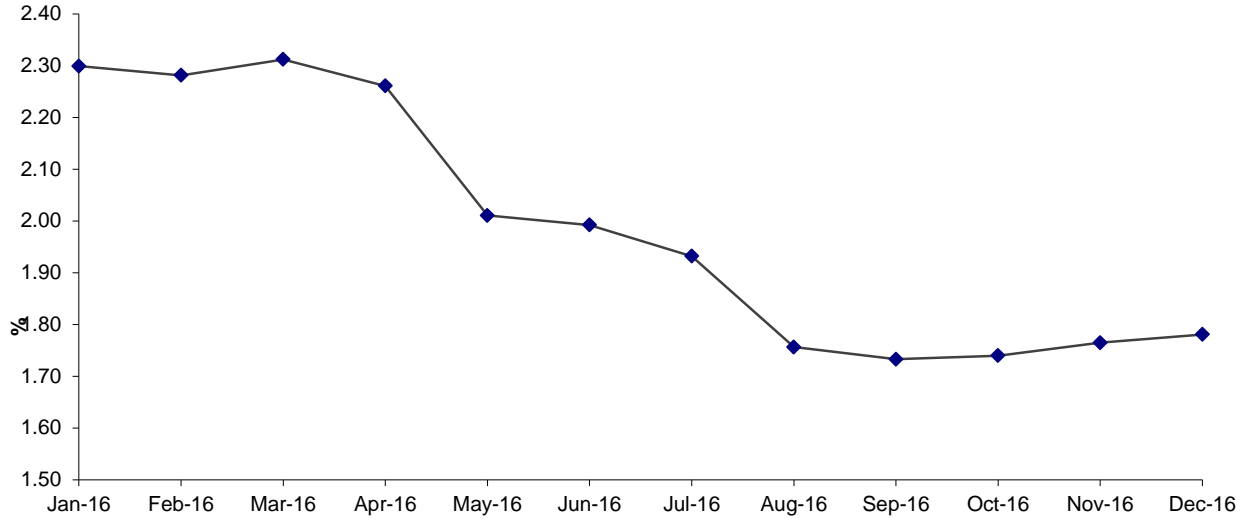
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
Externally Restricted (Other)	10,867	41,915	69,816	116,351
Crown Caravan Parks	19,035			19,035
Developer Contributions	31,046	1,701		32,747
Domestic Waste Management	14,482			14,912
Grants	4,846			4,846
Internally Restricted (Other)	44,046			48,756
Employee Leave Entitlements	11,596			12,703
Grants	3,344			3,344
Unexpended Loans	7,445			7,445
Total	146,707	43,616	69,816	260,139

Note: Restricted Funds Summary updated September 2016, corresponding with the Annual Financial Statements as at 30 June 2016

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	1,002,410.00	2.64	FRN	06-Jun-18
	ANZ (04/20)	1,600,000.00	1,603,568.00	2.57	FRN	17-Apr-20
*	ANZ Green Bond (06/20)	2,000,000.00	2,010,960.00	3.25	Fixed Rate Bond	03-Jun-20
*	Bendigo (RBS) (11/18)	1,000,000.00	1,010,150.00	3.03	FRN	14-Nov-18
*	Bendigo (Westpac) (08/20)	1,000,000.00	1,001,380.00	2.86	FRN	18-Aug-20
*	Bendigo Bank (04/21)	3,000,000.00	3,044,130.00	3.21	FRN	20-Apr-21
*	Bendigo Bank FRN (CBA) (02/20)	1,000,000.00	1,002,300.00	2.86	FRN	21-Feb-20
*	BOQ (06/18)	1,000,000.00	1,002,290.00	2.77	FRN	12-Jun-18
*	BOQ (06/18)	1,000,000.00	1,018,210.00	4.00	Fixed Rate Bond	12-Jun-18
*	BOQ (10/20)	2,500,000.00	2,513,325.00	2.91	FRN	20-Oct-20
	CBA (01/21)	1,000,000.00	1,010,080.00	2.90	FRN	18-Jan-21
	CBA (04/19)	1,000,000.00	1,007,650.00	2.63	FRN	24-Apr-19
	CBA (07/20)	2,000,000.00	2,007,680.00	2.65	FRN	17-Jul-20
	CBA (10/19)	2,000,000.00	2,010,140.00	2.60	FRN	18-Oct-19
	CBA Bond (04/19)	1,000,000.00	1,039,710.00	4.25	Fixed Rate Bond	24-Apr-19

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
	CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,838,826.00	7.17	Fixed Rate Bond	22-Jan-18
*	CUA (03/17)	1,000,000.00	1,001,620.00	3.09	FRN	20-Mar-17
*	CUA (03/17) (CBA)	1,000,000.00	1,001,620.00	3.09	FRN	20-Mar-17
*	CUA (04/19)	1,900,000.00	1,970,748.00	3.33	FRN	01-Apr-19
*	CUA (04/19)	2,000,000.00	1,970,748.00	3.33	FRN	01-Apr-19
*	CUA (12/17) ANZ	1,000,000.00	1,001,410.00	2.94	FRN	22-Dec-17
*	Heritage (Morgans) (05/18)	2,000,000.00	2,002,160.00	2.94	FRN	07-May-18
*	Heritage (RBS/RIMSEC) (06/17)	2,500,000.00	2,540,000.00	7.25	Fixed Rate Bond	20-Jun-17
*	Heritage (Westpac) (05/18)	1,000,000.00	1,001,080.00	2.91	FRN	07-May-18
*	IMB (NAB) (10/19)	1,250,000.00	1,257,337.50	3.15	FRN	28-Oct-19
	Macquarie (ANZ) (10/18)	1,000,000.00	1,007,600.00	2.79	FRN	26-Oct-18
	Macquarie (RIMSEC) (03/20)	2,000,000.00	2,003,600.00	2.87	FRN	03-Mar-20
*	ME Bank (04/18)	1,000,000.00	1,008,360.00	3.05	FRN	17-Apr-18
*	ME Bank (ANZ) (07/19)	1,000,000.00	1,007,770.00	3.20	FRN	18-Jul-19
*	ME Bank (ANZ) (11/17)	2,000,000.00	2,006,980.00	2.76	FRN	17-Nov-17
*	NPBS (Morgans) (02/18)	1,000,000.00	1,001,950.00	2.86	FRN	27-Feb-18
*	NPBS (Westpac) (04/20)	2,000,000.00	1,999,100.00	3.08	FRN	07-Apr-20
	Rabo (ANZ) (03/21)	2,000,000.00	2,028,660.00	3.27	FRN	04-Mar-21
	Rabo (Morgans) (02/20)	2,000,000.00	2,009,640.00	2.81	FRN	11-Feb-20

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	Suncorp (04/21)	2,000,000.00	2,031,180.00	3.13	FRN	12-Apr-21
*	Suncorp (11/19)	1,000,000.00	998,810.00	2.46	FRN	05-Nov-19
*	Suncorp (CBA) (08/19)	1,000,000.00	1,002,010.00	2.70	FRN	20-Aug-19
*	Suncorp (NAB) (08/20)	3,000,000.00	3,037,140.00	3.00	FRN	20-Oct-20
*	Suncorp Metway (Covered Bond) (06/21)	2,000,000.00	1,996,500.00	2.84	FRN	22-Jun-21
*	Westpac (07/20)	2,000,000.00	2,006,080.00	2.66	FRN	28-Jul-20
*	Westpac(10/20)	1,000,000.00	1,008,260.00	2.84	FRN	28-Oct-20
		65,750,000.00	66,023,172.50	3.18		
LEGEND						
Investment Type		ABS = Asset Backed Security Bond = Fixed Rate Bond FRN = Floating Rate Note				
Counterparty		Bendigo = Bendigo & Adelaide Bank			NPBS - Newcastle Permanent Building Society	
AMP = AMP Bank		Heritage = Heritage Bank			ME = Members Equity Bank	
ANZ = ANZ Bank		ING = ING Bank			RaboDirect = Rabo Bank	
BOQ = Bank of Queensland		Investec = Investec Bank			Rural = Rural Bank (previously Elders Bank)	
CBA = Commonwealth Bank		Macquarie = Macquarie Bank			Suncorp = Suncorp Metway Bank	
CUA = Credit Union Australia		NAB = National Australia Bank			WBC = WBC Banking Corporation	

5. Term Deposits

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	Big Sky BS (Curve) (Jan 2017)	19-Jan-16	17-Jan-17	17-Jan-17	2,000,000.00	3.10
*	BOQ (Jan 2017)	12-Jul-16	17-Jan-17	17-Jan-17	2,000,000.00	3.00
*	Bankwest (Sept 2016)	20-Sep-16	24-Jan-17	24-Jan-17	2,000,000.00	2.50
*	Suncorp (May 2015)	31-May-16	31-Jan-17	31-Jan-17	3,000,000.00	3.00
*	Auswide Bank (Curve) (Feb 2017)	03-Feb-16	07-Feb-17	07-Feb-17	1,000,000.00	3.50
*	Bankwest (Feb 2017)	08-Nov-16	07-Feb-17	07-Feb-17	3,000,000.00	
*	Bendigo (Curve) (Feb 2017)	11-Aug-16	14-Feb-17	14-Feb-17	2,000,000.00	2.95
*	CUA (Curve) (Feb 2017)	17-Feb-16	14-Feb-17	14-Feb-17	2,000,000.00	3.05

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
RaboDirect (Curve) (Feb 2017) annual interest	10-Feb-16	14-Feb-17	14-Feb-17	1,000,000.00	3.40
Rural (Curve) (Feb 2017)	28-Jun-16	14-Feb-17	14-Feb-17	2,000,000.00	3.00
BCU (Curve) (Feb 2017)	21-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.20
BOQ (Aug 2016)	23-Aug-16	21-Feb-17	21-Feb-17	4,000,000.00	2.80
ING (Curve) (Feb 2017)	25-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.10
* Auswide Bank (RIMSEC) (Feb 2017)	23-Aug-16	28-Feb-17	28-Feb-17	4,000,000.00	2.70
* BOQ (Feb 2017)	30-Aug-16	28-Feb-17	28-Feb-17	1,000,000.00	2.75
BCU (Curve) (Mar 2017)	30-Aug-16	07-Mar-17	07-Mar-17	1,000,000.00	2.85
NAB (Mar 2017)	07-Sep-16	07-Mar-17	07-Mar-17	4,000,000.00	2.63
Rabo Bank (Mar 2017) (RIMSEC)	04-Mar-14	07-Mar-17	07-Mar-17	2,000,000.00	4.15
Rural Bank (Curve) (Mar 2017)	08-Mar-16	07-Mar-17	07-Mar-17	1,000,000.00	3.05
* Bendigo Bank (March 2017)	08-Sep-16	14-Mar-17	14-Mar-17	1,000,000.00	2.80
* Heritage (Mar 2017)	16-Mar-16	14-Mar-17	14-Mar-17	4,000,000.00	3.25
ING (Curve) (Sept 2017)	07-Sep-16	14-Mar-17	14-Mar-17	3,000,000.00	2.69
* Suncorp (Sept 2017)	20-Sep-16	21-Mar-17	21-Mar-17	4,000,000.00	2.60
* BOQ (Sept 2017) quarterly interest	20-Sep-16	28-Mar-17	28-Mar-17	2,000,000.00	2.70
* Suncorp (March 2017)	30-Aug-16	28-Mar-17	28-Mar-17	2,000,000.00	2.65
* St George (Dec 2016)	19-Dec-16	18-Apr-17	18-Apr-17	1,000,000.00	2.55
* Bendigo Bank (Curve) (April 2017)	13-Oct-16	18-Apr-17	18-Apr-17	2,000,000.00	3.00
* Suncorp (Oct 2017)	25-Oct-16	02-May-17	02-May-17	2,000,000.00	2.70

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Suncorp (Oct 2017)	25-Oct-16	02-May-17	02-May-17	2,000,000.00	2.70
	AMP (RIMSEC) (May 2017)	10-May-16	09-May-17	09-May-17	3,000,000.00	3.00
	NAB (May 2017)	29-Nov-16	30-May-17	30-May-17	3,000,000.00	2.75
*	MyState (July 2017)	01-Sep-16	04-Jul-17	04-Jul-17	2,000,000.00	2.70
	Australian Military Bank (Curve) (July 2017)	05-Jul-16	11-Jul-17	11-Jul-17	1,000,000.00	3.15
	AMP (Curve) (Aug 2017)	03-Aug-16	08-Aug-17	08-Aug-17	2,000,000.00	2.80
*	BOQ (Aug 2017)	06-Aug-17	08-Aug-17	08-Aug-17	1,000,000.00	3.00
*	BOQ (Aug 2017)	06-Aug-17	08-Aug-17	08-Aug-17	2,000,000.00	3.00
*	BOQ (Aug 2017)	06-Aug-16	08-Aug-17	08-Aug-17	3,000,000.00	3.00
*	CUA (Aug 2017)	09-Aug-16	08-Aug-17	08-Aug-17	2,000,000.00	2.70
	NAB (Sept 2017)	13-Sep-16	12-Sep-17	12-Sep-17	3,000,000.00	2.69
	P&N Bank (RIMSEC) (Sept 2017)	21-Sep-16	21-Sep-17	21-Sep-17	1,000,000.00	4.00
	NAB (Oct 2017)	04-Oct-16	03-Oct-17	03-Oct-17	2,000,000.00	2.77
*	Bendigo (Oct 2017)	19-Oct-16	17-Oct-17	17-Oct-17	4,000,000.00	2.85
	NAB (Oct 2017)	18-Oct-16	17-Oct-17	17-Oct-17	2,000,000.00	2.80
	NAB (Oct 2017)	18-Oct-16	17-Oct-17	17-Oct-17	4,000,000.00	2.80
	Defence Bank (Curve) (Oct 2017)	26-Oct-16	24-Oct-17	24-Oct-17	1,000,000.00	3.00
	IMB (Nov 2017)	05-Nov-16	06-Feb-17	06-Nov-17	1,000,000.00	2.61
	Bendigo Bank (Curve) (Dec 2017)	07-Dec-16	12-Dec-17	12-Dec-17	2,000,000.00	2.85
*	Bendigo Bank (Dec 2017)	15-Dec-15	18-Dec-17	18-Dec-17	2,000,000.00	3.15
*	Bendigo Bank (Feb 2018)	16-Feb-16	16-Feb-17	13-Feb-18	3,000,000.00	3.10
*	Rabo (RIMSEC) (Feb 2018)	19-Aug-16	21-Aug-17	20-Feb-18	3,000,000.00	3.00

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	ME Bank (Curve) (Mar 2018)	01-Mar-16	06-Mar-17	06-Mar-18	2,000,000.00	3.13
*	Bendigo Bank (Curve) (Mar 2018)	31-Aug-16	31-Aug-17	06-Mar-18	2,000,000.00	2.70
*	NAB (May 2018)	22-Nov-16	22-Feb-17	22-May-18	2,000,000.00	2.72
*	Bendigo Bank (Curve) (May 2018)	17-May-16	22-May-17	22-May-18	2,000,000.00	3.05
	QLD PCU (Curve) May 2018)	17-May-16	22-May-17	22-May-18	2,000,000.00	3.15
	Defence Bank (Curve) (May 2018)	25-May-16	28-May-17	28-May-18	1,000,000.00	3.05
	Defence Bank (Curve) (June 2018)	31-May-16	05-Jun-17	05-Jun-18	1,000,000.00	3.05
	Rabo (Curve) (Jul 2018)	26-Nov-16	26-Nov-17	03-Jul-18	3,000,000.00	3.10
	MMBS (Curve) (Aug 2018)	15-Aug-16	16-Aug-17	21-Aug-18	2,000,000.00	3.00
	Rabo Bank (Curve) (Aug 2018)	21-Aug-16	21-Aug-17	21-Aug-18	2,000,000.00	4.10
	Rabo (Curve) (Aug 2018)	26-Aug-16	26-Aug-17	28-Aug-18	3,000,000.00	3.00
	QLD PCU (RIMSEC) (Sept 2018)	05-Sep-16	04-Sep-17	04-Sep-18	1,000,000.00	3.05
	Defence Bank (Curve) (Nov 2018)	23-Nov-16	23-Nov-17	27-Nov-18	2,000,000.00	3.00
	RaboDirect (Curve) (Jan 2019)	13-Jan-16	15-Jan-17	15-Jan-19	1,000,000.00	4.00
	ING (RIMSEC) (Jan 2019)	31-Oct-16	30-Jan-17	29-Jan-19	2,000,000.00	2.60
*	Bendigo Bank (Curve) (June 2019)	01-Jun-16	01-Jun-17	04-Jun-19	2,000,000.00	3.15
	RaboDirect (Curve) (Aug 2019)	07-Aug-16	07-Aug-17	13-Aug-19	2,000,000.00	4.30
*	Bendigo Bank (Aug 2019)	23-Aug-16	23-Aug-17	27-Aug-19	5,000,000.00	2.90

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	Rabo Bank (Curve) (Sept 2019)	01-Sep-16	01-Sep-17	03-Sep-19	1,000,000.00	4.05
*	Bendigo Bank (Sept 2019)	03-Sep-16	03-Sep-17	03-Sep-19	1,000,000.00	4.15
	CBA (Oct 2019)	23-Aug-16	23-Aug-17	23-Oct-19	1,999,999.00	3.20
	NAB (Dec 2019)	19-Dec-16	20-Mar-17	17-Dec-19	2,000,000.00	2.84
	IMB (Jan 2020)	06-Oct-16	06-Jan-17	06-Jan-20	1,000,000.00	2.74
	NAB (Jan 2020)	17-Oct-16	16-Jan-17	21-Jan-20	2,000,000.00	3.75
	NAB (Feb 2020)	03-Nov-16	03-Feb-17	03-Feb-20	1,000,000.00	2.78
	ING (RIMSEC) (Feb 2020)	11-Nov-16	13-Feb-17	11-Feb-20	1,000,000.00	2.71
	NAB (Feb 2020) annual interest	14-Nov-16	13-Feb-17	12-Feb-20	2,000,000.00	2.90
	CBA (Feb 2020)	14-Nov-16	13-Feb-17	13-Feb-20	1,000,000.00	2.66
*	IMB (Mar 2020)	19-Dec-16	20-Mar-17	17-Mar-20	2,000,000.00	2.84
	CBA (May 2020)	21-Nov-16	20-Feb-17	19-May-20	1,000,000.00	2.63
	CBA (May 2020)	21-Nov-16	20-Feb-17	19-May-20	2,000,000.00	2.48
	Rabo Bank (Curve) (May 2020)	20-May-16	19-May-17	19-May-20	2,000,000.00	3.20
*	BOQ (Aug 2020)	09-Aug-16	09-Aug-17	11-Aug-20	5,000,000.00	3.20
*	Westpac (Aug 2020)	25-Nov-16	27-Feb-17	25-Aug-20	2,000,000.00	2.49
*	Westpac (Jan 2021)	11-Oct-16	11-Jan-17	12-Jan-21	6,000,000.00	2.84
*	Westpac (Feb 2021)	18-Nov-16	20-Feb-17	18-Feb-21	2,000,000.00	3.00
*	Westpac (Apr 2021) quarterly interest	07-Oct-16	09-Jan-17	07-Apr-21	1,000,000.00	3.03
	RaboDirect (Curve) (Jul 2021)	27-Oct-16	27-Jan-17	27-Jul-21	1,000,000.00	3.30
	CBA (Aug 2021)	30-Nov-16	28-Feb-17	31-Aug-21	6,000,000.00	3.40
*	Westpac (Curve) (Feb 2021)	17-Nov-16	17-Feb-17	17-Nov-21	1,000,000.00	2.96

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
* Westpac (Feb 2021)	17-Nov-16	17-Feb-17	17-Nov-21	1,000,000.00	3.00
Total				191,999,999.00	3.01
LEGEND					
Counterparties					
AMP = AMP Bank		Macquarie = Macquarie Bank		WBC = Westpac Bank	
ANZ = ANZ Bank		NAB = National Australia Bank			
Auswide = Auswide Bank		ME = Members Equity Bank			
BOQ = Bank of Queensland		NPBS = Newcastle Permanent Building Society			
CBA = Commonwealth Bank		P&N = P&N Bank			
Heritage = Heritage Bank		RaboDirect = Rabo Bank			
ING = ING Bank		Rural = Rural Bank			
Investec = Investec Bank		Suncorp = Suncorp Metway Bank			

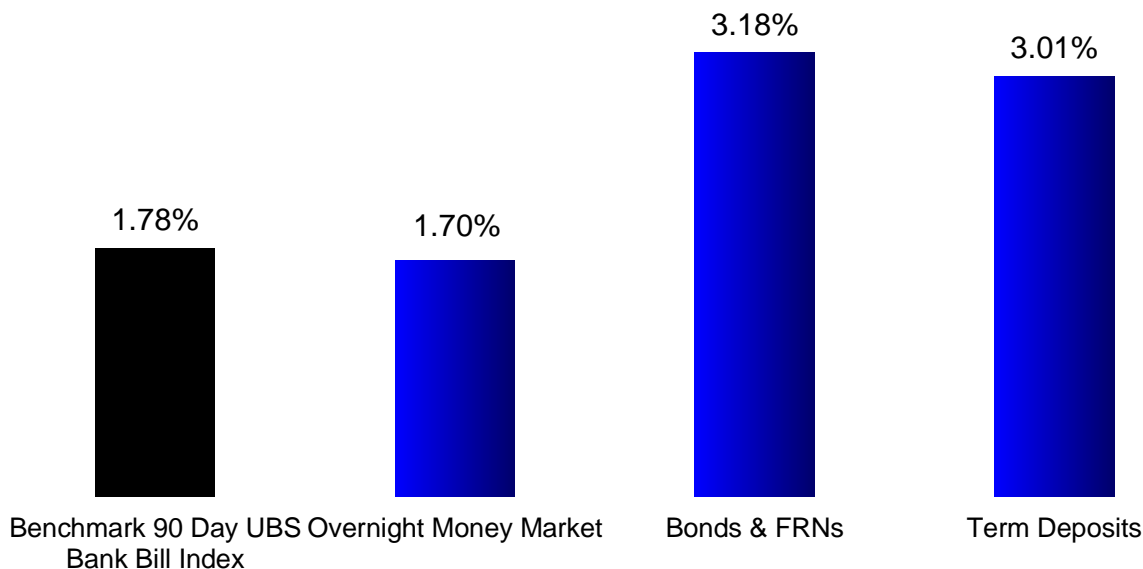
6. Ethical Investments

* Ethical Financial Institutions highlighted
\$143,210,543 which represents **53.18%** of the total portfolio
 Source: Australian Ethical - www.australianethical.com.au

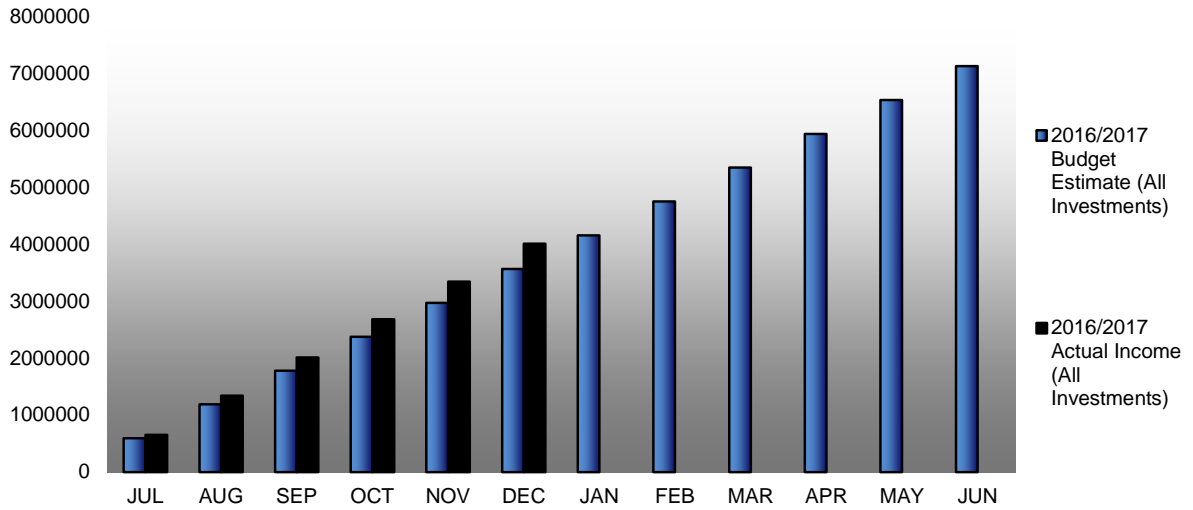
7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return by Investment Category	Above or (Below) 90 day BBSW Benchmark
Benchmark 90 Day UBS Bank Bill Index			1.78%	
Overnight Money Market	11,250,000.00	11,250,000.00	1.70%	-0.08%
Bonds & FRNs	65,750,000.00	66,023,172.50	3.18%	1.40%
Term Deposits	191,999,999.00	191,999,999.00	3.01%	1.23%
			Weighted Average Total Portfolio	
	268,999,999.00	269,273,171.50	3.00%	1.22%

Performance by Category Compared with Benchmark



8. Total Portfolio Income v Budget



9. Investment Policy Diversification and Credit Risk

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings	Investment Policy Limit	Actual Portfolio	Short-Term Credit Ratings	Investment Policy Limit	Actual Portfolio
AAA Category	100%	0.74%	A-1+	100%	19.03%
AA Category	100%	12.46%	A-1	100%	14.48%
A Category	60%	10.66%	A-2	60%	31.20%
BBB Category	20%	6.77%	A-3	0%	0.00%
Unrated	10%	2.06%	Unrated	10%	2.60%

Market Value by Security Rating Group (Long Term)



Market Value by Security Rating Group (Short Term)



10. Term to Maturity

Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	45.23%	Minimum 40%
More than 365 days and less than 3 years	27.91%	Maximum 60%
3 years and less than 5 years	26.86%	Maximum 35%
Total	100.00%	

Market Value by Term Remaining

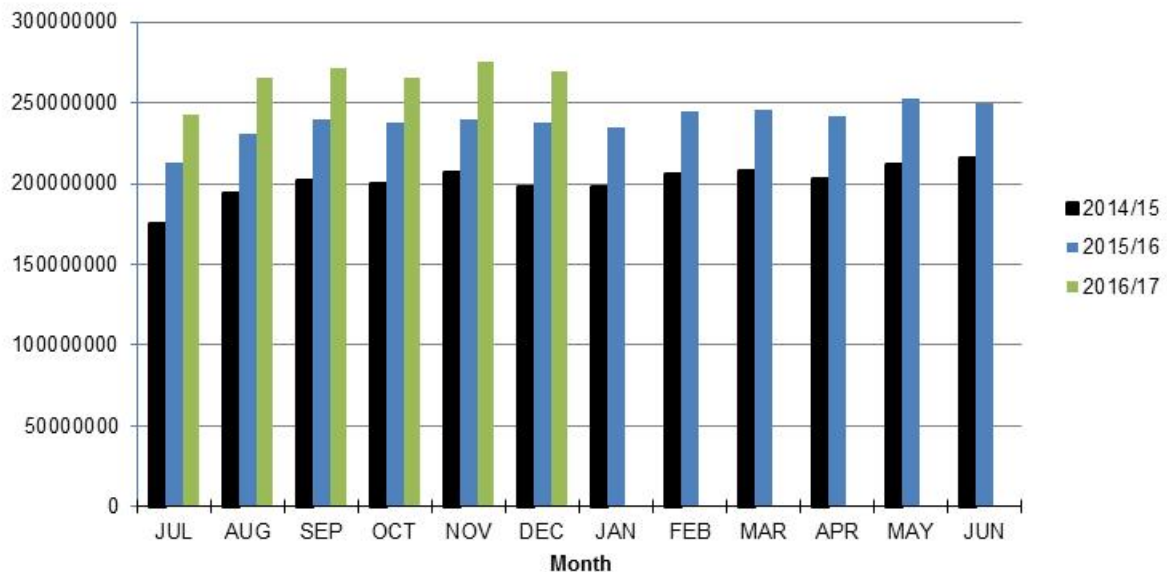


11. Investment Alternatives Explained

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	4,474,652	
2	Western Drainage	632,862	
3	DCP3 Community Facilities	1,713	
4	TRCP Road Contributions	13,496,617	182,348
5	Open Space	495,314	452
6	Street Trees	203,173	
7	West Kingscliff	879,611	
10	Cobaki Lakes	-1,417	
11	Libraries	2,137,993	608
12	Bus Shelters	115,010	47
13	Cemeteries	112,160	89
14	Mebbin Springs	94,722	
15	Community Facilities	1,550,286	
16	Surf Lifesaving	96,122	
18	Council Administration/Technical Support	1,475,085	251
19	Kings Beach	847,206	
20	Seabreeze Estate	790	
21	Terranora Village	34,087	
22	Cycleways Shirewide	130,071	156
23	Carparking Shirewide	1,463,005	33,256
25	SALT	1,117,534	
26	Open Space Shire wide	1,001,074	3,149
27	Tweed Heads Masterplan	305,976	
28	Seaside City	455,690	
91	DCP14	113,357	
92	Public Reserve Contributions	135,253	
95	Bilambil Heights	554,325	
	Total	31,922,272	220,355

14. 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 1.50 per cent.

Board members commenced their December Monetary Policy Meeting with discussion of the domestic economy by noting that the unemployment rate was unchanged at 5.6 per cent in October, somewhat more than ½ percentage point below its peak in mid 2015. Despite a rise in full-time employment in October, all of the growth in employment over 2016 had been in part-time employment, with an increased share of people in the labour force reporting that they would like to work more hours. Members discussed various measures of labour underutilisation, including those that account for the number of hours sought by the unemployed and the additional hours desired by those who are underemployed (and who are also recorded as actively searching for additional hours). Such hours-based measures of underutilisation had declined to a similar extent as the unemployment rate since late 2015 and, unlike the heads-based measure, had not increased recently.

Wage growth had remained low and continued to be lower than implied by the historical relationship with the unemployment rate. The wage price index (WPI) had increased by a little less than expected in the September quarter and year-ended growth in the WPI had eased a little further. Although there had been some evidence from enterprise agreements that growth in construction wages had picked up recently, these agreements covered a relatively small share of the total workforce.

Growth in GDP of Australia's major trading partners had picked up a bit over recent months, although growth remained a little below average. Members noted that there had been a general improvement in surveyed measures of global business conditions. They also noted that the downside risks to global inflation appeared to have diminished somewhat, in part because commodity prices had increased significantly over 2016 to date. Prospects for fiscal expansion in some countries had also contributed to expectations that inflation would increase. However, inflation had remained below most central banks' targets and monetary policies had continued to be accommodative.

Economic activity in China had continued to be supported by accommodative financial conditions and public spending, particularly on infrastructure. However, high and rising levels of debt remained a risk to the outlook over the longer term. Members observed that measures had been introduced to dampen housing price inflation in a number of cities and that this posed an additional risk that growth in housing market activity might be lower in the period ahead. Producer prices had increased over the preceding year, following declines over several years, and measures of consumer price inflation had edged higher.

In the United States, GDP growth had been around estimates of potential over the past year.

While business investment had been weak, consumption growth had continued to be supported by strong labour market outcomes. Members noted that it was too early to know much about the effect of the outcome of the US Presidential election on the outlook for US economic activity and inflation, or the potential spillovers to other economies. There was uncertainty about the policy agenda of the incoming administration. A range of estimates suggested that the plans for fiscal policy could provide a boost to economic activity over the next few years and place some upward pressure on inflation. Working in the other direction, however, if policies were enacted to restrict trade, there could be significant adverse effects on the economic outlook in the United States and beyond.

Members commenced their discussion of financial markets by noting that there had been some large market movements following the outcome of the US Presidential election, but that movements had been generally orderly and the increase in volatility had been short-lived.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with approximately 75.5% of the portfolio held in cash and term deposits . Term deposits and bonds are paying average margins over the 90 day bank bill rate.

Bank demand for longer dated term deposit funds has increased due to diminished availability of wholesale funding, increased cost of wholesale funding and new banking capital requirements. This demand for long term funds is highlighted by the lowering of

many "at call " rates to less than the RBA cash rate and increased margins above the 90 day bank bill benchmark for term deposits.

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

All investment categories out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from some higher yielding bonds and term deposits purchased before interest rate margins began contracting. Overall, the investment portfolio has returned a **weighted average 1.22% pa** above the 90 day UBS bank bill index for the last month.

15. Investment Summary

GENERAL FUND	CORPORATE FIXED RATE BONDS	10,447,706.00		
	FLOATING RATE NOTES	55,575,466.50		
	ASSET BACKED SECUR	0.00		
	FUND MANAGERS	0.00		
	TERM DEPOSITS	61,999,999.00		
	CALL ACCOUNT	11,250,000.00	139,273,171.50	
WATER FUND	TERM DEPOSITS	63,000,000.00		
	FUND MANAGERS	0.00	63,000,000.00	
SEWERAGE FUND	TERM DEPOSITS	67,000,000.00		
	FUND MANAGERS	0.00	67,000,000.00	
		TOTAL INVESTMENTS		269,273,171.50

It should be noted that the General Fund investments of \$139 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.

27 [CS-CM] Monthly Investment and Section 94 Development Contribution Report for Period ending 31 January 2017

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 **\$266,532,127** invested as at **31 January 2017** and the accrued net return on these funds was **\$664,539** or **2.99%** annualised for the month.

RECOMMENDATION:

That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 January 2017 totalling \$266,532,127 be received and noted.

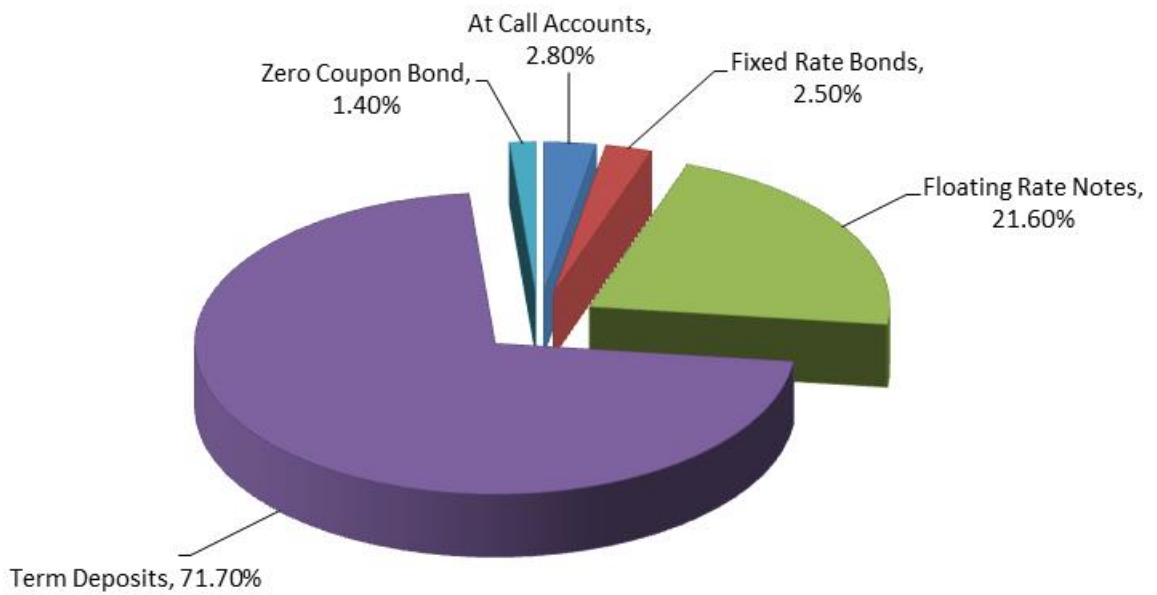
REPORT:

1. Restricted Funds as at 1 September 2016

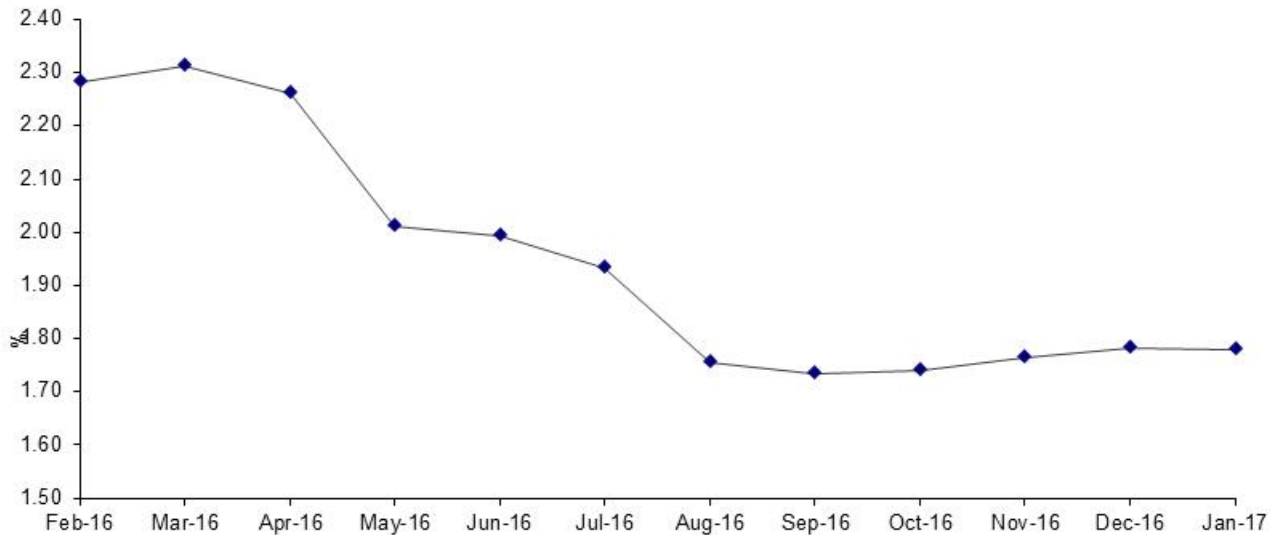
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
Externally Restricted (Other)	10,867	41,915	69,816	116,351
Crown Caravan Parks	19,035			19,035
Developer Contributions	31,046	1,701		32,747
Domestic Waste Management	14,482			14,912
Grants	4,846			4,846
Internally Restricted (Other)	44,046			48,756
Employee Leave Entitlements	11,596			12,703
Grants	3,344			3,344
Unexpended Loans	7,445			7,445
Total	146,707	43,616	69,816	260,139

Note: Restricted Funds Summary updated September 2016, corresponding with the Annual Financial Statements as at 30 June 2016

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	1,004,960.00	2.64	FRN	06-Jun-18
	ANZ (04/20)	1,600,000.00	1,601,216.00	2.60	FRN	17-Apr-20
*	ANZ Green Bond (06/20)	2,000,000.00	2,027,800.00	3.25	Fixed Rate Bond	03-Jun-20
*	Bendigo (RBS) (11/18)	1,000,000.00	1,014,010.00	3.03	FRN	14-Nov-18
*	Bendigo (Westpac) (08/20)	1,000,000.00	1,005,870.00	2.86	FRN	18-Aug-20
*	Bendigo Bank (04/21)	3,000,000.00	3,035,880.00	3.24	FRN	20-Apr-21
*	Bendigo Bank FRN (CBA) (02/20)	1,000,000.00	1,006,220.00	2.86	FRN	21-Feb-20
*	BOQ (06/18)	1,000,000.00	1,022,330.00	4.00	Fixed Rate Bond	12-Jun-18
*	BOQ (06/18)	1,000,000.00	1,005,120.00	2.77	FRN	12-Jun-18
*	BOQ (10/20)	2,500,000.00	2,507,850.00	2.94	FRN	20-Oct-20
	CBA (01/21)	1,000,000.00	1,009,630.00	2.93	FRN	18-Jan-21
	CBA (04/19)	1,000,000.00	1,004,220.00	2.66	FRN	24-Apr-19
	CBA (07/20)	2,000,000.00	2,004,820.00	2.68	FRN	17-Jul-20
	CBA (10/19)	2,000,000.00	2,006,700.00	2.63	FRN	18-Oct-19
	CBA Bond (04/19)	1,000,000.00	1,045,530.00	4.25	Fixed Rate Bond	24-Apr-19

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
	CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,854,000.00	7.17	Fixed Rate Bond	22-Jan-18
*	CUA (03/17)	1,000,000.00	1,004,090.00	3.09	FRN	20-Mar-17
*	CUA (03/17) (CBA)	1,000,000.00	1,004,090.00	3.09	FRN	20-Mar-17
*	CUA (04/19)	1,900,000.00	1,962,246.00	3.40	FRN	01-Apr-19
*	CUA (04/19)	2,000,000.00	1,962,246.00	3.40	FRN	01-Apr-19
*	CUA (12/17) ANZ	1,000,000.00	1,004,480.00	2.94	FRN	22-Dec-17
*	Heritage (Morgans) (05/18)	2,000,000.00	2,010,380.00	2.94	FRN	07-May-18
*	Heritage (RBS/RIMSEC) (06/17)	2,500,000.00	2,550,000.00	7.25	Fixed Rate Bond	20-Jun-17
*	Heritage (Westpac) (05/18)	1,000,000.00	1,005,190.00	2.91	FRN	07-May-18
	Macquarie (ANZ) (10/18)	1,000,000.00	1,003,190.00	2.82	FRN	26-Oct-18
	Macquarie (RIMSEC) (03/20)	2,000,000.00	2,010,960.00	2.87	FRN	03-Mar-20
*	ME Bank (04/18)	1,000,000.00	1,003,380.00	3.08	FRN	17-Apr-18
*	ME Bank (ANZ) (07/19)	1,000,000.00	1,003,570.00	3.23	FRN	18-Jul-19
*	ME Bank (ANZ) (11/17)	2,000,000.00	2,011,820.00	2.76	FRN	17-Nov-17
*	NPBS (Morgans) (02/18)	1,000,000.00	1,006,070.00	2.86	FRN	27-Feb-18
*	NPBS (WBC) (01/22)	2,000,000.00	2,001,400.00	3.43	FRN	24-Jan-22
*	NPBS (Westpac) (04/20)	2,000,000.00	1,997,360.00	3.13	FRN	07-Apr-20
	Rabo (ANZ) (03/21)	2,000,000.00	2,043,160.00	3.27	FRN	04-Mar-21
	Rabo (Morgans) (02/20)	2,000,000.00	2,017,800.00	2.81	FRN	11-Feb-20
*	Suncorp (04/21)	2,000,000.00	2,024,440.00	3.16	FRN	12-Apr-21
*	Suncorp (11/19)	1,000,000.00	1,001,240.00	2.46	FRN	05-Nov-19
*	Suncorp (CBA) (08/19)	1,000,000.00	1,005,820.00	2.70	FRN	20-Aug-19
*	Suncorp (NAB) (10/20)	3,000,000.00	3,025,920.00	3.03	FRN	20-Oct-20
*	Suncorp Metway (Covered Bond) (06/21)	2,000,000.00	2,007,460.00	2.84	FRN	22-Jun-21

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
* TMB (NAB) (10/19)	1,250,000.00	1,250,450.00	3.17	FRN	28-Oct-19
* Westpac (07/20)	2,000,000.00	2,002,800.00	2.67	FRN	28-Jul-20
Westpac (WBC) (10/20)	1,000,000.00	1,006,410.00	2.85	FRN	28-Oct-20
	67,750,000.00	68,082,128.00	3.21		
LEGEND					
Investment Type		ABS = Asset Backed Security			
		Bond = Fixed Rate Bond			
		FRN = Floating Rate Note			
Counterparty		Bendigo = Bendigo & Adelaide Bank		NPBS - Newcastle Permanent Building Society	
AMP = AMP Bank		Heritage = Heritage Bank		ME = Members Equity Bank	
ANZ = ANZ Bank		ING = ING Bank		RaboDirect = Rabo Bank	
BOQ = Bank of Queensland		Investec = Investec Bank		Rural = Rural Bank (previously Elders Bank)	
CBA = Commonwealth Bank		Macquarie = Macquarie Bank		Suncorp = Suncorp Metway Bank	
CUA = Credit Union Australia		NAB = National Australia Bank		WBC = WBC Banking Corporation	

5. Term Deposits

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
NAB (Feb 2020)	03-Nov-16	03-Feb-17	03-Feb-20	1,000,000.00	2.78
* IMB (Nov 2017)	05-Nov-16	06-Feb-17	06-Nov-17	1,000,000.00	2.61
* Auswide Bank (Curve) (Feb 2017)	03-Feb-16	07-Feb-17	07-Feb-17	1,000,000.00	3.50
Bankwest (Feb 2017)	08-Nov-16	07-Feb-17	07-Feb-17	3,000,000.00	2.60
CBA (Feb 2020)	14-Nov-16	13-Feb-17	13-Feb-20	1,000,000.00	2.66
ING (RIMSEC) (Feb 2020)	11-Nov-16	13-Feb-17	11-Feb-20	1,000,000.00	2.71
NAB (Feb 2020) annual interest	14-Nov-16	13-Feb-17	12-Feb-20	2,000,000.00	2.90
* Bendigo (Curve) (Feb 2017)	11-Aug-16	14-Feb-17	14-Feb-17	2,000,000.00	2.95
* CUA (Curve) (Feb 2017)	17-Feb-16	14-Feb-17	14-Feb-17	2,000,000.00	3.05
RaboDirect (Curve) (Feb 2017) annual interest	10-Feb-16	14-Feb-17	14-Feb-17	1,000,000.00	3.40
Rural (Curve) (Feb 2017)	28-Jun-16	14-Feb-17	14-Feb-17	2,000,000.00	3.00
* Bendigo Bank (Feb 2018)	16-Feb-16	16-Feb-17	13-Feb-18	3,000,000.00	3.10
* Westpac (Curve) (Feb 2021)	17-Nov-16	17-Feb-17	17-Nov-21	1,000,000.00	2.96

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Westpac (Feb 2021)	17-Nov-16	17-Feb-17	17-Nov-21	1,000,000.00	3.00
	CBA (May 2020)	21-Nov-16	20-Feb-17	19-May-20	1,000,000.00	2.63
	CBA (May 2020)	21-Nov-16	20-Feb-17	19-May-20	2,000,000.00	2.48
*	Westpac (Feb 2021)	18-Nov-16	20-Feb-17	18-Feb-21	2,000,000.00	3.00
	BCU (Curve) (Feb 2017)	21-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.20
*	BOQ (Aug 2016)	23-Aug-16	21-Feb-17	21-Feb-17	4,000,000.00	2.80
	ING (Curve) (Feb 2017)	25-Feb-16	21-Feb-17	21-Feb-17	1,000,000.00	3.10
	NAB (May 2018)	22-Nov-16	22-Feb-17	22-May-18	2,000,000.00	2.72
*	Westpac (Aug 2020)	25-Nov-16	27-Feb-17	25-Aug-20	2,000,000.00	2.49
*	Auswide Bank (RIMSEC) (Feb 2017)	23-Aug-16	28-Feb-17	28-Feb-17	4,000,000.00	2.70
*	BOQ (Feb 2017)	30-Aug-16	28-Feb-17	28-Feb-17	1,000,000.00	2.75
	CBA (Aug 2021)	30-Nov-16	28-Feb-17	31-Aug-21	6,000,000.00	3.40
*	ME Bank (Curve) (Mar 2018)	01-Mar-16	06-Mar-17	06-Mar-18	2,000,000.00	3.13
	BCU (Curve) (Mar 2017)	30-Aug-16	07-Mar-17	07-Mar-17	1,000,000.00	2.85
	NAB (Mar 2017)	07-Sep-16	07-Mar-17	07-Mar-17	4,000,000.00	2.63
	Rabo Bank (Mar 2017) (RIMSEC)	04-Mar-14	07-Mar-17	07-Mar-17	2,000,000.00	4.15
	Rural Bank (Curve) (Mar 2017)	08-Mar-16	07-Mar-17	07-Mar-17	1,000,000.00	3.05
*	Bendigo Bank (March 2017)	08-Sep-16	14-Mar-17	14-Mar-17	1,000,000.00	2.80
*	Heritage (Mar 2017)	16-Mar-16	14-Mar-17	14-Mar-17	4,000,000.00	3.25
	ING (Curve) (Sept 2017)	07-Sep-16	14-Mar-17	14-Mar-17	3,000,000.00	2.69
*	IMB (Mar 2020)	19-Dec-16	20-Mar-17	17-Mar-20	2,000,000.00	2.84
	NAB (Dec 2019)	19-Dec-16	20-Mar-17	17-Dec-19	2,000,000.00	2.84
*	Suncorp (Sept 2017)	20-Sep-16	21-Mar-17	21-Mar-17	4,000,000.00	2.60
	Bankwest (Jan 2017)	24-Jan-17	28-Mar-17	28-Mar-17	2,000,000.00	2.55
*	BOQ (Sept 2017) quarterly interest	20-Sep-16	28-Mar-17	28-Mar-17	2,000,000.00	2.70

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Suncorp (March 2017)	30-Aug-16	28-Mar-17	28-Mar-17	2,000,000.00	2.65
*	IMB (Jan 2020)	06-Jan-17	06-Apr-17	06-Jan-20	1,000,000.00	2.74
*	Westpac (Apr 2021) quarterly interest	09-Jan-17	07-Apr-17	07-Apr-21	1,000,000.00	3.08
*	Westpac (Jan 2021)	11-Jan-17	11-Apr-17	12-Jan-21	6,000,000.00	2.88
*	Bendigo Bank (Curve) (April 2017)	13-Oct-16	18-Apr-17	18-Apr-17	2,000,000.00	3.00
*	St George (Dec 2016)	19-Dec-16	18-Apr-17	18-Apr-17	1,000,000.00	2.55
	ING (RIMSEC) (Jan 2019)	29-Jan-17	01-May-17	29-Jan-19	2,000,000.00	2.62
*	Suncorp (Oct 2017)	25-Oct-16	02-May-17	02-May-17	2,000,000.00	2.70
*	Suncorp (Oct 2017)	25-Oct-16	02-May-17	02-May-17	2,000,000.00	2.70
	AMP (RIMSEC) (May 2017)	10-May-16	09-May-17	09-May-17	3,000,000.00	3.00
	Rabo Bank (Curve) (May 2020)	20-May-16	19-May-17	19-May-20	2,000,000.00	3.20
*	Bendigo Bank (Curve) (May 2018)	17-May-16	22-May-17	22-May-18	2,000,000.00	3.05
	QLD PCU (Curve) May 2018)	17-May-16	22-May-17	22-May-18	2,000,000.00	3.15
	Defence Bank (Curve) (May 2018)	25-May-16	28-May-17	28-May-18	1,000,000.00	3.05
	NAB (May 2017)	29-Nov-16	30-May-17	30-May-17	3,000,000.00	2.75
*	Bendigo Bank (Curve) (June 2019)	01-Jun-16	01-Jun-17	04-Jun-19	2,000,000.00	3.15
	Defence Bank (Curve) (June 2018)	31-May-16	05-Jun-17	05-Jun-18	1,000,000.00	3.05
*	MyState (July 2017)	01-Sep-16	04-Jul-17	04-Jul-17	2,000,000.00	2.70
	Australian Military Bank (Curve) (July 2017)	05-Jul-16	11-Jul-17	11-Jul-17	1,000,000.00	3.15
	RaboDirect (Curve) (Jul 2021)	27-Jul-16	27-Jul-17	27-Jul-21	1,000,000.00	3.30
*	Suncorp (May 2015)	31-Jan-17	01-Aug-17	01-Aug-17	2,000,000.00	2.65

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	RaboDirect (Curve) (Aug 2019)	07-Aug-16	07-Aug-17	13-Aug-19	2,000,000.00	4.30
	AMP (Curve) (Aug 2017)	03-Aug-16	08-Aug-17	08-Aug-17	2,000,000.00	2.80
*	BOQ (Aug 2017)	06-Aug-17	08-Aug-17	08-Aug-17	1,000,000.00	3.00
*	BOQ (Aug 2017)	06-Aug-17	08-Aug-17	08-Aug-17	2,000,000.00	3.00
*	BOQ (Aug 2017)	06-Aug-16	08-Aug-17	08-Aug-17	3,000,000.00	3.00
*	CUA (Aug 2017)	09-Aug-16	08-Aug-17	08-Aug-17	2,000,000.00	2.70
*	BOQ (Aug 2020)	09-Aug-16	09-Aug-17	11-Aug-20	5,000,000.00	3.20
	MMBS (Curve) (Aug 2018)	15-Aug-16	16-Aug-17	21-Aug-18	2,000,000.00	3.00
	Rabo (RIMSEC) (Feb 2018)	19-Aug-16	21-Aug-17	20-Feb-18	3,000,000.00	3.00
	Rabo Bank (Curve) (Aug 2018)	21-Aug-16	21-Aug-17	21-Aug-18	2,000,000.00	4.10
*	Bendigo Bank (Aug 2019)	23-Aug-16	23-Aug-17	27-Aug-19	5,000,000.00	2.90
	CBA (Oct 2019)	23-Aug-16	23-Aug-17	23-Oct-19	1,999,999.00	3.20
	Rabo (Curve) (Aug 2018)	26-Aug-16	26-Aug-17	28-Aug-18	3,000,000.00	3.00
*	Bendigo Bank (Curve) (Mar 2018)	31-Aug-16	31-Aug-17	06-Mar-18	2,000,000.00	2.70
	Rabo Bank (Curve) (Sept 2019)	01-Sep-16	01-Sep-17	03-Sep-19	1,000,000.00	4.05
*	Bendigo Bank (Sept 2019)	03-Sep-16	03-Sep-17	03-Sep-19	1,000,000.00	4.15
	QLD PCU (RIMSEC) (Sept 2018)	05-Sep-16	04-Sep-17	04-Sep-18	1,000,000.00	3.05
	NAB (Sept 2017)	13-Sep-16	12-Sep-17	12-Sep-17	3,000,000.00	2.69
	P&N Bank (RIMSEC) (Sept 2017)	21-Sep-16	21-Sep-17	21-Sep-17	1,000,000.00	4.00
	NAB (Oct 2017)	04-Oct-16	03-Oct-17	03-Oct-17	2,000,000.00	2.77
*	Bendigo (Oct 2017)	19-Oct-16	17-Oct-17	17-Oct-17	4,000,000.00	2.85
	NAB (Oct 2017)	18-Oct-16	17-Oct-17	17-Oct-17	2,000,000.00	2.80
	NAB (Oct 2017)	18-Oct-16	17-Oct-17	17-Oct-17	4,000,000.00	2.80

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
Defence Bank (Curve) (Oct 2017)	26-Oct-16	24-Oct-17	24-Oct-17	1,000,000.00	3.00
Defence Bank (Curve) (Nov 2018)	23-Nov-16	23-Nov-17	27-Nov-18	2,000,000.00	3.00
Rabo (Curve) (Jul 2018)	26-Nov-16	26-Nov-17	03-Jul-18	3,000,000.00	3.10
* Bendigo Bank (Curve) (Dec 2017)	07-Dec-16	12-Dec-17	12-Dec-17	2,000,000.00	2.85
* Bendigo Bank (Dec 2017)	15-Dec-15	18-Dec-17	18-Dec-17	2,000,000.00	3.15
* BOQ (Jan 2017)	17-Jan-17	15-Jan-18	15-Jan-19	2,000,000.00	3.05
* ME Bank (Curve) (Nov 2018)	24-Jan-17	24-Jan-18	27-Nov-18	2,000,000.00	3.26
NAB (Jan 2020)	16-Jul-17	17-Apr-18	21-Jan-20	2,000,000.00	2.91
RaboDirect (Curve) (Jan 2019)	13-Jan-15	15-Jan-19	15-Jan-19	1,000,000.00	4.00
Total				190,999,999.00	3.00
LEGEND					
Counterparties					
AMP = AMP Bank		Macquarie = Macquarie Bank		WBC = Westpac Bank	
ANZ = ANZ Bank		NAB = National Australia Bank			
Auswide = Auswide Bank		ME = Members Equity Bank			
BOQ = Bank of Queensland		NPBS = Newcastle Permanent Building Society			
CBA = Commonwealth Bank		P&N = P&N Bank			
Heritage = Heritage Bank		RaboDirect = Rabo Bank			
ING = ING Bank		Rural = Rural Bank			
Investec = Investec Bank		Suncorp = Suncorp Metway Bank			

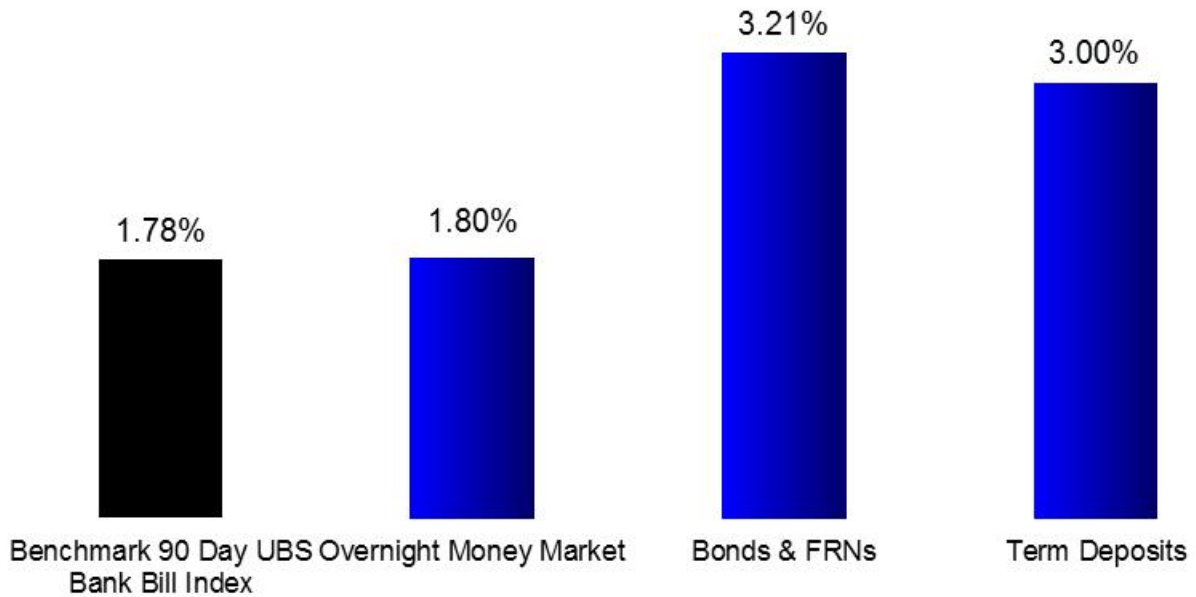
6. Ethical Investments

* Ethical Financial Institutions highlighted
\$145,313,296 which represents **54.52%** of the total portfolio
 Source: Australian Ethical - www.australianethical.com.au

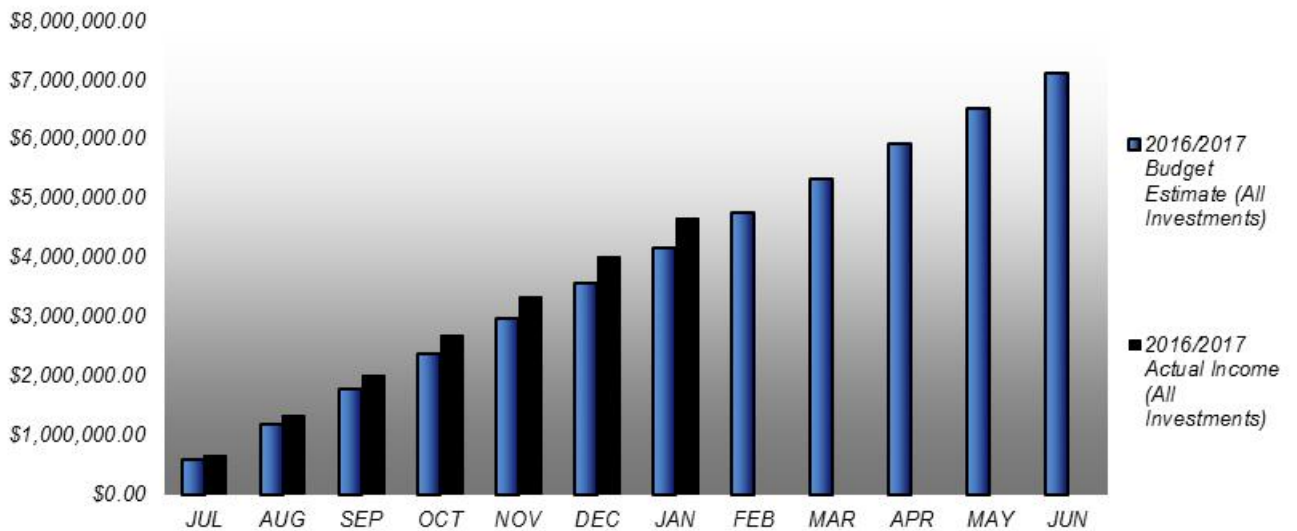
7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return by Investment Category	Above or (Below) 90 day BBSW Benchmark
Benchmark 90 Day UBS Bank Bill Index			1.78%	
Overnight Money Market	7,450,000.00	7,450,000.00	1.80%	0.02%
Bonds & FRNs	67,750,000.00	68,082,128.00	3.21%	1.43%
Term Deposits	190,999,999.00	190,999,999.00	3.00%	1.22%
Weighted Average Total Portfolio				
	266,199,999.00	266,532,127.00	3.02%	1.24%

Performance by Category Compared with Benchmark



8. Total Portfolio Income v Budget



9. Investment Policy Diversification and Credit Risk

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings	Investment Policy Limit	Actual Portfolio	Short-Term Credit Ratings	Investment Policy Limit	Actual Portfolio
AAA Category	100%	0.74%	A-1+	100%	17.70%
AA Category	100%	12.49%	A-1	100%	14.38%
A Category	60%	10.66%	A-2	60%	31.78%

BBB Category	20%	7.52%	A-3	0%	0.00%
Unrated	10%	2.07%	Unrated	10%	2.66%

Market Value by Security Rating Group (Long Term)



Market Value by Security Rating Group (Short Term)



10. Term to Maturity

Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	44.00%	Minimum 40%
More than 365 days and less than 3 years	29.45%	Maximum 60%
3 years and less than 5 years	26.55%	Maximum 35%
Total	100.00%	

Market Value by Term Remaining

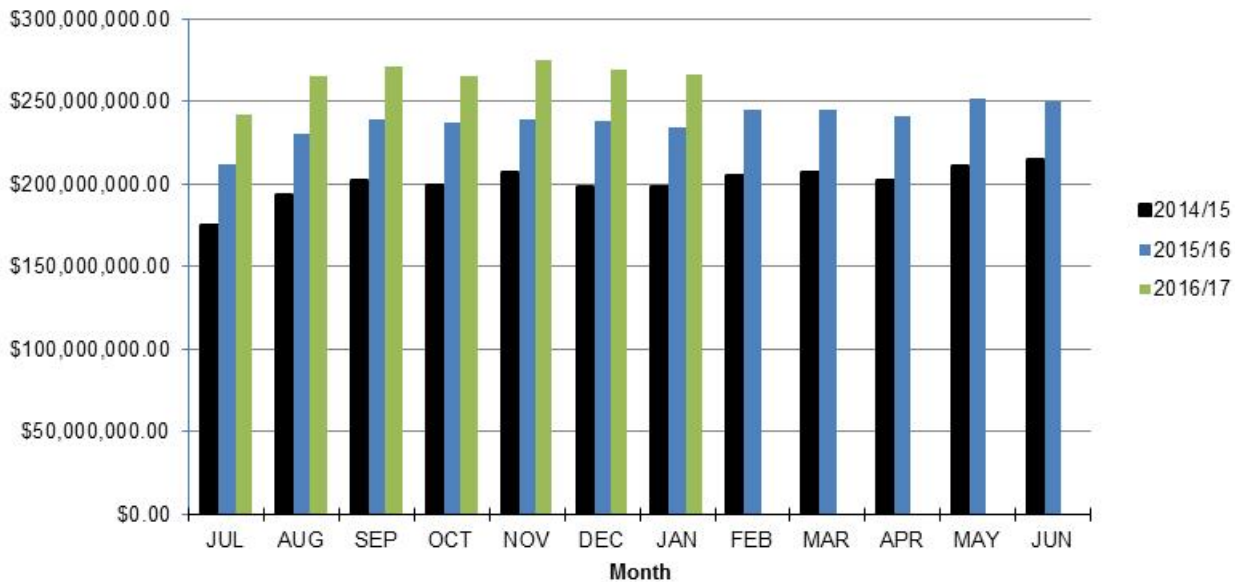


11. Investment Alternatives Explained

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
At Call Cash	At Call	Immediate to a few months	Highly liquid - same day access to funds with no impact on capital	Not a capital growth asset
			Highly secure as a bank deposit	Underperforms other asset classes in the long term
Bank Bill	1 - 180 days	Less than 1 year	Highly liquid - same day access to funds, usually with no or minimal impact on capital	Not a growth asset
			Highly secure (bank risk)	Underperforms other asset classes in the long term
				May incur a small loss for early redemption
Term Deposit	Up to 5 years	Less than 2 years	Liquid - same day access to funds	Will incur a small capital loss for early termination
			Highly secure as a bank deposit	Underperforms growth assets in the longer term
Floating Rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses is sold ahead of maturity and market interest rates have risen

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
			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	4,474,652	
2	Western Drainage	632,862	
3	DCP3 Community Facilities	1,713	
4	TRCP Road Contributions	13,528,071	31,454
5	Open Space	501,034	5,720
6	Street Trees	203,173	
7	West Kingscliff	879,611	
10	Cobaki Lakes	-1,417	
11	Libraries	2,142,707	4,714
12	Bus Shelters	115,308	298
13	Cemeteries	112,846	686
14	Mebbin Springs	94,722	
15	Community Facilities	1,557,055	6,769
16	Surf Lifesaving	96,122	
18	Council Administration/Technical Support	1,484,486	9,401
19	Kings Beach	847,206	
20	Seabreeze Estate	790	
21	Terranora Village	34,087	
22	Cycleways Shirewide	132,064	1,993
23	Carparking Shirewide	1,463,005	27,285
25	SALT	1,117,534	
26	Open Space Shire wide	1,028,359	
27	Tweed Heads Masterplan	305,976	
28	Seaside City	455,690	
91	DCP14	113,357	
92	Public Reserve Contributions	135,253	
95	Bilambil Heights	554,325	
	Total	32,010,592	88,320

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

At its 7 February, 2017 meeting the Reserve Bank of Australia (RBA) decided to leave the cash rate unchanged at 1.50 per cent.

Conditions in the global economy have improved over recent months. Business and consumer confidence have both picked up. Above-trend growth is expected in a number of

advanced economies, although uncertainties remain. In China, growth was stronger over the second half of 2016, supported by higher spending on infrastructure and property construction. This composition of growth and the rapid increase in borrowing mean that the medium-term risks to Chinese growth remain. The improvement in the global economy has contributed to higher commodity prices, which are providing a boost to Australia's national income.

Headline inflation rates have moved higher in most countries, partly reflecting the higher commodity prices. Long-term bond yields have also moved higher, although in a historical context they remain low. Interest rates have increased in the United States and there is no longer an expectation of further monetary easing in other major economies. Financial markets have been functioning effectively and stock markets have mostly risen.

In Australia, the economy is continuing its transition following the end of the mining investment boom. GDP was weaker than expected in the September quarter, largely reflecting temporary factors. A return to reasonable growth is expected in the December quarter.

The Bank's central scenario remains for economic growth to be around 3 per cent over the next couple of years. Growth will be boosted by further increases in resource exports and by the period of declining mining investment coming to an end. Consumption growth is expected to pick up from recent outcomes, but to remain moderate. Some further pick-up in non-mining business investment is also expected.

The outlook continues to be supported by the low level of interest rates. Financial institutions remain in a position to lend. The depreciation of the exchange rate since 2013 has also assisted the economy in its transition following the mining investment boom. An appreciating exchange rate would complicate this adjustment.

Labour market indicators continue to be mixed and there is considerable variation in employment outcomes across the country. The unemployment rate has moved a little higher recently, but growth in full-time employment turned positive late in 2016. The forward-looking indicators point to continued expansion in employment over the period ahead.

Inflation remains quite low. The December quarter outcome was as expected, with both headline and underlying inflation of around 1½ per cent. The Bank's inflation forecasts are largely unchanged. The continuing subdued growth in labour costs means that inflation is expected to remain low for some time. Headline inflation is expected to pick up over the course of 2017 to be above 2 per cent, with the rise in underlying inflation expected to be a bit more gradual.

Conditions in the housing market vary considerably around the country. In some markets, conditions have strengthened further and prices are rising briskly. In other markets, prices are declining. In the eastern capital cities, a considerable additional supply of apartments is scheduled to come on stream over the next couple of years. Growth in rents is the slowest for a couple of decades. Borrowing for housing has picked up a little, with stronger demand by investors. With leverage increasing, supervisory measures have strengthened lending standards and some lenders are taking a more cautious attitude to lending in certain segments.

Taking account of the available information, and having eased monetary policy in 2016, the Board judged that holding the stance of policy unchanged at this meeting would be consistent with sustainable growth in the economy and achieving the inflation target over time.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with approximately 74.5% of the portfolio held in cash and term deposits. Term deposits and bonds are paying average margins over the 90 day bank bill rate.

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

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

All investment categories out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from some higher yielding bonds and term deposits purchased before interest rate margins began contracting. Overall, the investment portfolio has returned a weighted average 1.24% 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	10,499,660.00	
FLOATING RATE NOTES	57,582,468.00	
ASSET BACKED SECURITIES	0.00	
FUND MANAGERS	0.00	
TERM DEPOSITS	60,999,999.00	
CALL ACCOUNT	7,450,000.00	136,532,127.00

WATER FUND

TERM DEPOSITS	61,000,000.00	
FUND MANAGERS	0.00	61,000,000.00

SEWERAGE FUND

TERM DEPOSITS	69,000,000.00	
FUND MANAGERS	0.00	69,000,000.00

TOTAL INVESTMENTS		266,532,127.00
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It should be noted that the General Fund investments of \$136 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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

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



Responsible Accounting Officer

Manager Financial Services

Tweed Shire Council

OPTIONS:

Not Applicable.

CONCLUSION:

Not Applicable.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

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

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

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

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

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

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

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

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

ORDERS OF THE DAY



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making processes
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28 [NOM] Round Table Discussions

NOTICE OF MOTION:

Councillor C Cherry moves that Council progresses a trial of community round table discussions as per the Byron Bay model to increase community engagement and Council's understanding of residents issues.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

The Round Table model in Byron Shire is held every 3 months at Council Offices. An invitation to submit an agenda is sent out 2-3 weeks prior to the round table. Each area representative send in their agenda no later than 7 days prior to the round table.

The attendees include two representatives from each Chamber of Commerce/Community Association or Group, whichever is appropriate, available Councillors, Mayor & Deputy Mayor and representatives from relevant departments as per agenda items

Examples of possible agenda items are:

- Road works;
 - Parking;
 - Traffic;
 - Garbage bins;
 - Maintenance;
 - Festivals/events;
 - Signage; and
 - Clarification.
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and whatever the major issues are from the residents of each area.

Benefits of this model include:

- Saves the council money and time
- Council is seen in a positive light
- Enables any questions, enquiries, issues and ideas to be dealt with by council at these meetings
- The residents are much more satisfied as they have direct voice to council
- The representatives are able to give answers or updates to their community

Management Comments:

Given the current review being undertaken of Council's existing Community Engagement Strategy, and following on from the review strategy workshop that was held with Councillors on Saturday 4 February 2017, it is suggested that this particular method of engagement be given consideration for potential inclusion in the drafting of the new Community Engagement Strategy over the next few months.

Delivery Program:

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.2	Improve decision making by engaging stakeholders and taking into account community input
1.2.4	Involve communities including youth, elderly and aboriginal groups in decision making that affects their area and the wider Tweed community

Budget/Long Term Financial Plan:

Associated expenditure has not yet been determined.

Legal Implications:

Nil.

Policy Implications:

Community Engagement Strategy to be reviewed,

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR ENGINEERING IN COMMITTEE

C1 [E-CM] Demand Management Community Reference Group

REASON FOR CONFIDENTIALITY:

This report contains information on members of the community who have applied for a position on a Council Committee and discussion on the merits of the nominees would be prejudicial if they occurred within the ordinary council meeting.

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).

Validms



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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