



**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 3 October 2019**

held at

**Harvard Room, Tweed Heads Administration Building,  
Brett Street, Tweed Heads**

commencing at the conclusion of the Planning Committee meeting  
which commences at 5.30pm.

# 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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**Items for Consideration of Council:**

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## CONFIRMATION OF PLANNING COMMITTEE MINUTES

### 1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 3 October 2019

**SUBMITTED BY:** Corporate Governance

mhm



Making decisions with you  
*We're in this together*

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

- 2 Making decisions with you
- 2.2 Engagement
- 2.2.4 Councillor and Civic Business - To provide assistance to Councillors and support for Council to operate within its legal framework.

**ROLE:** **Leader**

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#### SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 3 October 2019 require their adoption by Council for the resolutions to be acted upon.

#### RECOMMENDATION:

**That the recommendations of the Ordinary Planning Committee Meeting held Thursday 3 October 2019 be adopted.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

Nil.

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 2 [GM-CM] Business Investment Policy - Review

**SUBMITTED BY:** Land & Economic Development

mhm



People, places and moving around  
*Who we are and how we live*

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

- 3 People, places and moving around
- 3.1 People
- 3.1.5 Economic Development - To support the local economy and attract new business and employment to the Tweed.

**ROLE:** **Leader**

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#### SUMMARY OF REPORT:

The Business and Investment Policy Version 2.0 was adopted by Council in 2016. As part of the requirements in the policy a mandatory review is required after two years to ensure that it is kept current. This report summarises the proposed amendments which have resulted from this review and as a result this report recommends several minor amendments.

It is recommended that the revised Policy be placed on public exhibition for a period of 28 days with 42 days allowed for public submissions.

#### RECOMMENDATION:

**That Council publicly exhibits the amendment to the Business Investment Policy (Version 2.1) for a period of 28 days with 42 days allowed for public submissions.**

## REPORT:

The Business Investment Policy Version 2.0 was adopted in 2016. As part of the Policy a review was required two years after its adoption.

With the experience learned from administration of the Business Investment Policy over the past few years a few minor amendments have been proposed to continue to improve the policy. These proposed changes are:

- **Removal of the option to enter into a deed over assets under the Personal Property Securities Act.**

The establishment and administration of a deed under the Personal Property Securities Act is considered high risk as determining the value and the ownership of assets has also proven problematic. There is also risk associated with the potential redemption of assets if ever required. As such it is proposed that this option be removed.

- **Include a statement that the contribution amount be indexed and that the applicant be given 12 months to execute the draft agreement with the indexed amount.**

There have been several instances where an applicant under the Policy has been provided with a draft agreement to be signed. Subsequently, they have returned a signed agreement more than 12 months later. This situation requires the contribution amount to be re-indexed and the draft agreement to be updated. It is considered that the agreement be offered to the applicant at the current indexed contribution amount and the offer be made available for a 12 month period.

- **Review of wording in Developer Charges - Incentives**

This section has been reworded to better reflect current practices and terminology. This review represents no substantive changes in the process.

- **Other minor grammatical amendment.**

Updated reference of S.94 to S.7.11 as a result of recent amendments to the Environmental Planning and Assessment Act. Update several minor grammatical errors.

These changes have been marked up on the proposed amendment version (Version 2.1) of the Policy which is attached to this report.

## OPTIONS:

There are several options available to Council are that it:

1. Council publicly exhibits the amendment to the Business Investment Policy (Version 2.1) for a period of 28 days with 42 days allowed for public submissions;
2. That Council endorses the amendment to the Business Investment Policy (Version 2.1) as it considers the amendments to be minor in nature; or



3. Takes no further action with the amendment and continue with the version that is currently in force (v. 2.0).

**CONCLUSION:**

This report recommends that Council endorses the amendment to the Business Investment Policy (v. 2.1) in accordance with S.164 of the Local Government Act.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Business Investment v2.0.

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

Amendments to the Policy have been suggested to be in accordance with the way that all contributions are indexed annually.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Business Investment Policy amendment Version 2.1  
(ECM6065030)

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**3 [GM-CM] Tweed Destination Management Plan**

**SUBMITTED BY: Land and Economic Development**

**SUMMARY OF REPORT:**

Council on 19 September 2019 determined to:

*"defer this item to the Council Meeting to be held on 3 October 2019"*

It is advised that previously, at its meeting on 21 March 2019 Council considered a review of the draft Tweed Destination Management Plan (DMP) which was prepared by Tweed Tourism Company (TTC). At that meeting Council requested that TTC undertake further consultation with the tourism industry in the Tweed. This consultation has now been completed and a final DMP is presented as part of this report.

This report recommends that Council adopt the final DMP as presented in this report.

**RECOMMENDATION:**

**That Council adopts the Tweed Destination Management Plan as attached to this report.**

**REPORT:**

**Background and Consultation**

**Council and Industry Consultation**

Preparation of the Destination Management Plan (DMP) was commenced in August 2017 by Destination Tweed. They were at the time the current tourism contractor to Council. As part of the drafting process they hosted a series of themed workshops to canvas industry and community opinions of tourism in the Tweed. These workshops were open to the community to attend.

After this consultation was completed a workshop was held with Council on 10 August 2017 to present the findings and establish input into the DMP. A draft DMP was finalised and presented to Council at its meeting on 22 March 2018. At this time the tender process to establish a new tourism contract was already underway. Probity advice determined that it was not prudent to adopt a DMP in the middle of this tender process. Alternatively, the tender required the new contractor to undertake a review of the draft DMP and present their findings back to Council.

In October 2018 Council entered into a contract with DR Tourism trading as Tweed Tourism Company (TTC) to undertake the marketing, promotion and destination management of tourism services for the Tweed. As part of these contracted services, TTC were required to review the draft DMP which was prepared by the previous contractor and present their review back to Council.

During the transition to the new contractors, Destination Tweed were afforded the opportunity to present their final draft DMP to a Council workshop on 9 August 2018. This draft was then forwarded to TTC for their review.

TTC's review was presented at a Council workshop on 14 February 2019 and then to the Council meeting on 21 March 2019. At this Council meeting it was resolved:

*that Council refers the proposed amendments to the Destination Management Plan to Destination Tweed and Tweed Experiences Network for feedback and brings back a report to Council for further consideration.*

**Additional Industry Consultation**

Destination Tweed and the Tweed Experiences Network are both industry representative bodies. As a result of this resolution TTC once again consulted with the industry regarding the draft DMP. This consultation included the following organisations and resulted in no substantive change from the distributed draft. A summary of the feedback from each organisation is listed below;

<b>Organisation</b>	<b>Feedback</b>	<b>Change</b>
<ul style="list-style-type: none"> <li>• Destination NSW,</li> </ul>	<ul style="list-style-type: none"> <li>• Reinforced Sustainability</li> <li>• Reinforced product development</li> </ul>	<ul style="list-style-type: none"> <li>• Included minor additional content</li> </ul>

Organisation	Feedback	Change
<ul style="list-style-type: none"><li>• Destination North Coast,</li></ul>	<ul style="list-style-type: none"><li>• Supportive</li><li>• Need to clarify international visitation</li></ul>	<ul style="list-style-type: none"><li>• Minor amendments</li></ul>
<ul style="list-style-type: none"><li>• NSW Parks &amp; Wildlife Service,</li></ul>	<ul style="list-style-type: none"><li>• Supportive</li></ul>	<ul style="list-style-type: none"><li>• Deletion of repetitive content</li></ul>
<ul style="list-style-type: none"><li>• Northern Rivers Food,</li></ul>	<ul style="list-style-type: none"><li>• Supportive</li></ul>	<ul style="list-style-type: none"><li>• No change</li></ul>
<ul style="list-style-type: none"><li>• Destination Tweed, and</li></ul>	<ul style="list-style-type: none"><li>• Supportive</li><li>• Reinforcement of sector development plans</li><li>• Reinforcement of Destination Management Group</li></ul>	<ul style="list-style-type: none"><li>• Minor amendments</li></ul>
<ul style="list-style-type: none"><li>• Tweed Experiences Network.</li></ul>	<ul style="list-style-type: none"><li>• Supportive</li><li>• Request for more networking events</li></ul>	<ul style="list-style-type: none"><li>• Minor amendments.</li></ul>

Feedback from this final round of consultation has been incorporated into the final DMP which is attached to this report. TTC has advised that the consultation that has gone into the DMP will “ensure a final document in which stakeholders can confidently promote as fitting in with the principles of the Tweed as a region, as well as aligning with the ethos of stakeholders in the region”.

### Final Destination Management Plan – Content Version

The version attached to this report does not contain any graphical layout or branding. It does however represent the final version of the DMP. Once the content has been adopted by Council a laid out version will be finalised by TTC and forwarded to Council’s Communications and Customer Service team for final review of brand usage and layout. It is important at this stage to have the final content of the document approved so that the document can be finalised.

### OPTIONS:

There are three options available;

1. That Council adopts the Tweed Destination Management Plan which is attached to this report.
2. That Council advises Tweed Tourism Company it no longer wishes to pursue a destination management planning process for the Tweed.
3. That Council works with the Tweed Tourism Company to further review and amend the Destination Management Plan.

### CONCLUSION:

This report recommends that Council adopts the Tweed Destination Management Plan as attached to this report.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

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

Not Applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Final Tweed Destination Management Plan (ECM 6049801)

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## REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT

### 4 [SCE-CM] Classification of Council Managed Crown Reserves 86173 and 86174 at Lions Lookout Murwillumbah

**SUBMITTED BY:** Parks and Active Communities

mhm



People, places and moving around  
*Who we are and how we live*

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

- 3 People, places and moving around
- 3.2 Places
- 3.2.7 Parks and Gardens - To provide and manage quality and accessible public parks and gardens for the enjoyment and wellbeing of the community and visitors to the Tweed.

**ROLE:** **Provider**

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#### SUMMARY OF REPORT:

The *Crown Land Management Act 2016* ("CLM Act") commenced on 1 July 2018. Section 3.23 of the CLM Act states that Council is to manage Crown land it is appointed manager of as if it were public land under the *Local Government Act 1993* ("LG Act").

To ensure that Council complies with the CLM Act Council must give written notice to the Minister for Water, Property and Housing of either the assignment of categories to Council managed Crown Reserves as community land or request the classification of Crown Reserves as operational land.

Crown Reserves can only be classified as operational land if the Reserve Purpose or current land use does not meet the objectives of each of the categories, or cannot continue to be managed as it currently is if it was community land.

Council has provided notice for all Council managed Crown Reserves within the shire except for Crown Reserves 86173 & 86174 located at Lions Lookout Murwillumbah. These reserves are the site of key water infrastructure including reservoirs and as such, these areas are recommended to be classified as operational land.

Council has responsibilities regarding safety, security, restricted public access and public health that result in the land not able to be managed as community land. Reservoirs and associated infrastructure including access roads should be classified operational so as not to hinder the safe and secure operation of the water supply to the Tweed Shire allowing for the restriction of public access to the infrastructure for public safety.

It is now necessary for Council to resolve to give written notice to the Minister regarding the classification or categorisation of Crown Reserves 86173 & 86174 to comply with Section 3.22 and 3.23 of the CLM Act. Giving notice to the Governor or Minister is a non-delegable function and requires a Council resolution having regard to section 377(1) of the LG Act.

**RECOMMENDATION:**

**That:**

- 1. Council seeks consent from the Minister for Water, Property and Housing for the following land to be classified as operational land in accordance with Section 3.22 of the *Crown Land Management Act 2016*:**
  - All of Crown Reserve 86174; and
  - Part of Crown Reserve 86173 comprising Lot 7011 DP1058669, Lot 7017 DP 1061544 and a 10m wide strip through Lot 7018 DP 1120264;

at Lions Lookout Murwillumbah as mapped in Figure 5 within the report.
- 2. Notice be given to the Minister for Water, Property and Housing of the initial category of park to be assigned to the remaining community land within Council managed Crown Reserve 86173 to comply with Section 3.23 of the *Crown Land Management Act 2016*.**

**REPORT:**

**Background: The new Crown Land Management Act 2016 and Classification and Categorisation Process**

In 2016 the *Crown Land Management Act 2016* (“CLM Act”) was adopted repealing the *Crown Lands Act 1989*. However, most of the provisions did not come into effect until 1 July 2018. Part 3 of the CLM Act outlines how Crown land must be managed, with Division 3.4 providing for Crown land managed by councils.

The CLM Act introduces significant changes to the management of Crown land by Council. Specifically, Councils will now manage their dedicated or reserved land as if it were public land under the *Local Government Act 1993* (“LG Act”).

Council is required to undertake the following in accordance with the CLM Act:

1. Nominate Native Title managers (s8.8);
2. Seek consent from the Minister for the classification of Council managed Crown land as operational for applicable reserves (s3.22(5));
3. Undertake the initial assignment of categories for every Council managed Crown Reserve within the shire (s3.23(2)) that is classified as community land; and
4. Adopt plans of management for every Council managed community land Crown Reserve within the shire within three years from July 2018 (s3.23(6));

Council resolved to address item 1 at Council's meeting on 21 March 2019. This report relates to items 2 and 3.

To ensure that Council complies with section 3.23 of the CLM Act, Council must assign one or more categories of community land referred to in section 36 of the LG Act, to each Crown Reserve for which it is manager. The classification and categorisation is summarised in Figure 1 below:

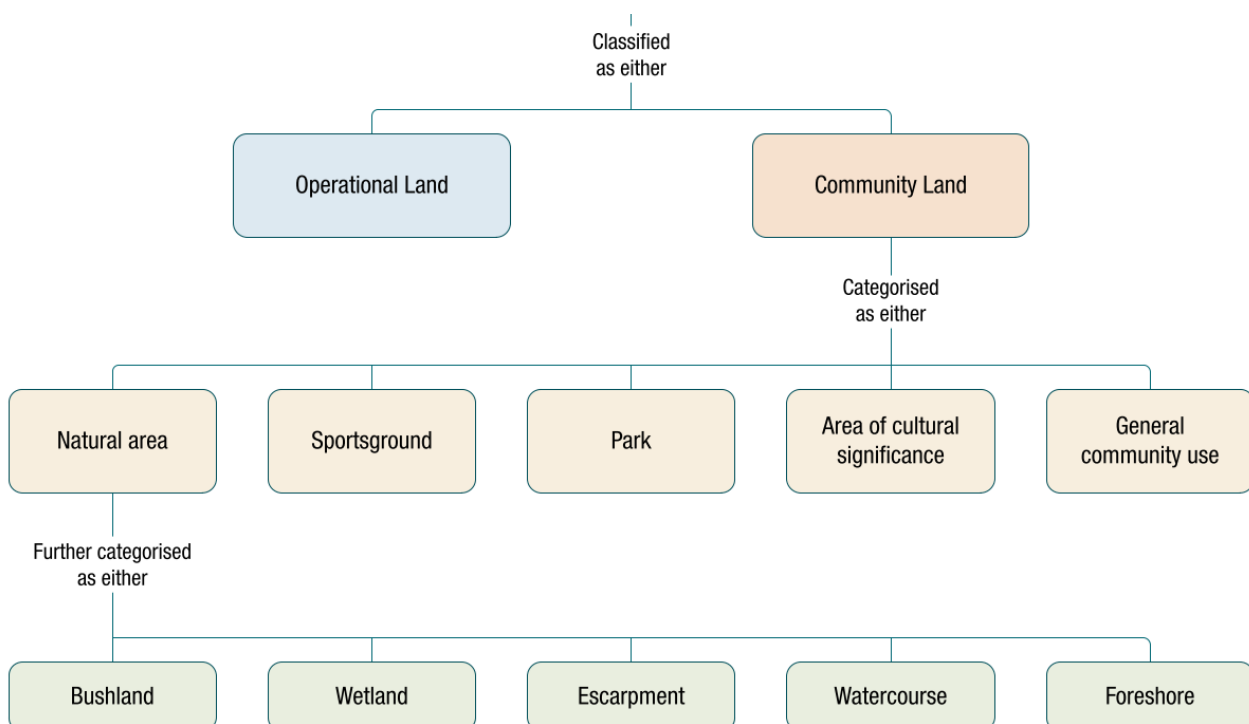




Figure 1: Classification and Categorisation as per Chapter 6 Part 2 of LG Act

Alternatively, if the land does not fall within any of the categories for community land, or it is considered that the land *could not continue to be used and dealt with as it currently can* under the legislation that applies to community land, Council can seek consent from the Minister to classify the Crown Reserve under Council management as operational land (s3.22(5)).

Written notice must be given to the Minister of the initial categories to which Council has assigned the land as soon as practicable after assigning them (s3.23(4)).

NSW Crown Lands provided “*Guideline - classification of Crown land managed by council Crown land managers*” and “*Guideline - initial categorisation of Crown land managed by council Crown land managers*” (“Guidelines”). The Guidelines have informed the classification and categorisation process and outline example reserve purposes and categories. The Guidelines are an attachment to this Council Report.

The primary consideration for categorisation of land is that the category assigned must be **most closely related to** the Crown Reserve Purpose in accordance with section 3.23(3). Further, the management of the land in accordance with the assigned category must not be considered to materially harm the use of the land for the reserve purpose.

If the Minister determines that the nominated category is not the most closely related to the reserve purpose, the Minister will issue a direction to Council requiring Council to alter the assigned categorisation in accordance with section 3.23(5) of the CLM Act. A direction of this nature must be adhered to.

It is noted that classification or categorisation may have native title implications and, as such, it is recommended that Council selects a category that most closely matches the original reservation or dedication purpose, or their land management activities may infringe upon native title rights.

Once categories are assigned to the land, Council can proceed to develop LG Act plans of management for the Crown Reserves under Council management across the shire. Plans of management are only required for community land and may involve re-categorisation should Council wish to pursue this avenue only after considering native title implications. Re-categorisation is subject to further approval from the Minister.

Giving notice to the Governor or Minister is a non-delegable function and therefore requires a Council resolution in accordance with section 377(1) of the LG Act. It is now necessary for Council to resolve to give written notice to the Minister of the either the proposed classification or initial categories assigned outstanding Council managed community land Crown Reserves in order to comply with section 3.23 the CLM Act.

### **Tweed Shire Council Managed Crown Reserves**

NSW Crown Lands provided an interim schedule of Crown Reserves to Councils in May 2018. Council officers undertook a review of the interim schedule noting extensive discrepancies between the interim schedule and Council records. A detailed table of questions was sent to NSW Crown Lands in this regard with a response received in October 2018. After the list of reserves for the shire was clarified, a review was undertaken assessing each Crown Reserve for classification and the initial assignment of categories.

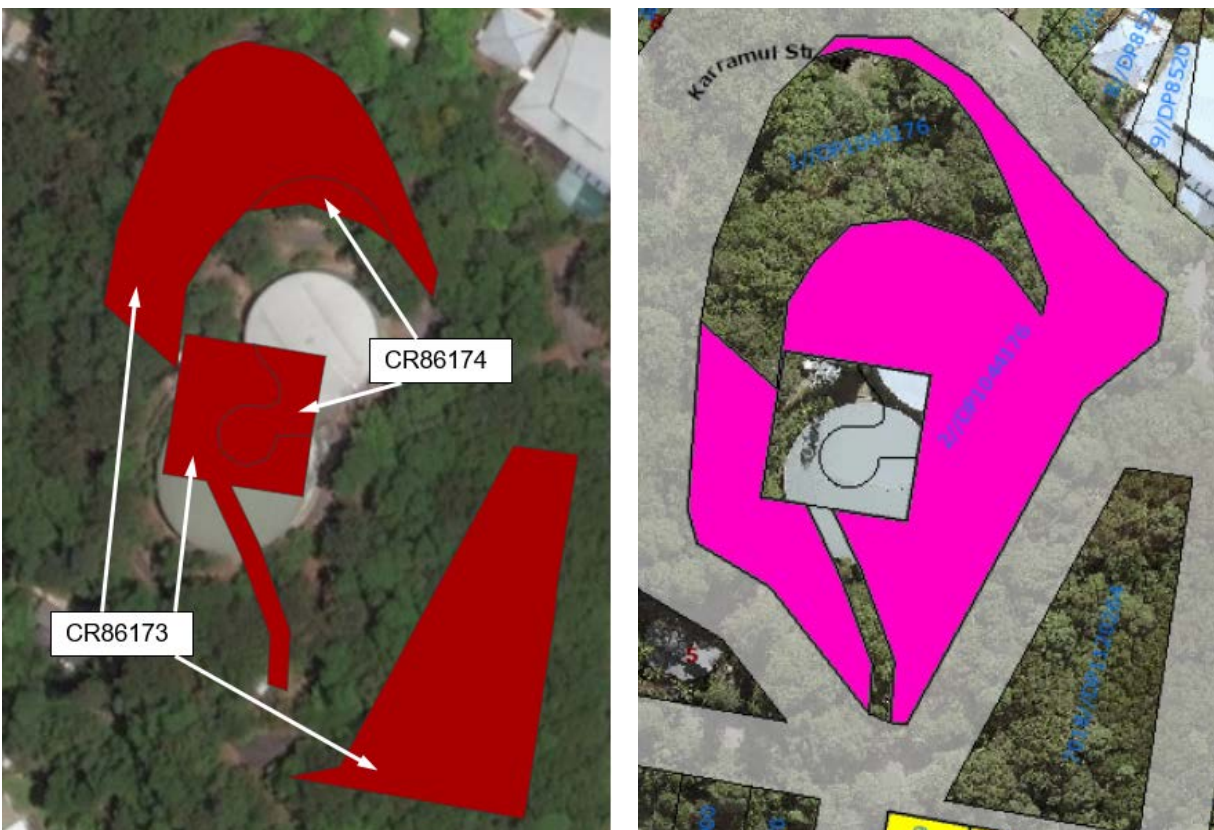
6 June 2019 Council resolved to give notice to the Minister for Water, Property and Housing of the initial categories assigned to each of the community land Crown Reserves Council manages to comply with Section 3.23 of the CLM Act. This resolution resulted in all Crown Reserves across the shire to be to be classified as community land except three.

At Council meeting of 21 February 2019, Council resolved to request that Lot 682 DP 41192 Pioneer Parade Banora Point (Crown Reserve R89237) be classified as operational land. This site is the location of Unlimited Arts and the State Emergency Service Tweed Heads Unit. Classification of the Crown land as operational land is proposed for the site as the land cannot continue to be used, and dealt with, as it is currently if it continues to be classified as community land as outlined in the CLM Act. This application is still to be determined by the Department.

Council further resolved on 6 June 2019 *that a workshop be held to discuss the possibilities for the land surrounding Lions Lookout Murwillumbah to determine the future classification and use.* This site comprises of Council owned land and two Council managed Crown Reserves 86173 & 86174. A workshop was held on 29 August 2019 which discussed the land tenure, water supply infrastructure and proposed classification of these Crown Reserves.

### Lions Lookout Murwillumbah - Crown Reserves 86173 & 86174

The following mapping shows the tenure of the land where two Council water reservoirs are located on Hospital Hill adjacent to Lions Lookout in Murwillumbah. The land tenure is a mix of Council managed Crown land and Council owned operational land. The reserve purpose for Crown Reserve 86174 is *reservoir* while the reserve purpose for Crown Reserve 86173 is *public recreation*.



Figures 2 & 3: Lions Lookout Murwillumbah Land Tenure.  
Left: Council Managed Crown Land Crown Reserves 86173 & 86174 mapped red.  
Right: Council owned Operational land mapped pink and road reserve in grey.

Council's Water and Wastewater Unit has provided the following information in relation to the site that references the information in Figure 4.

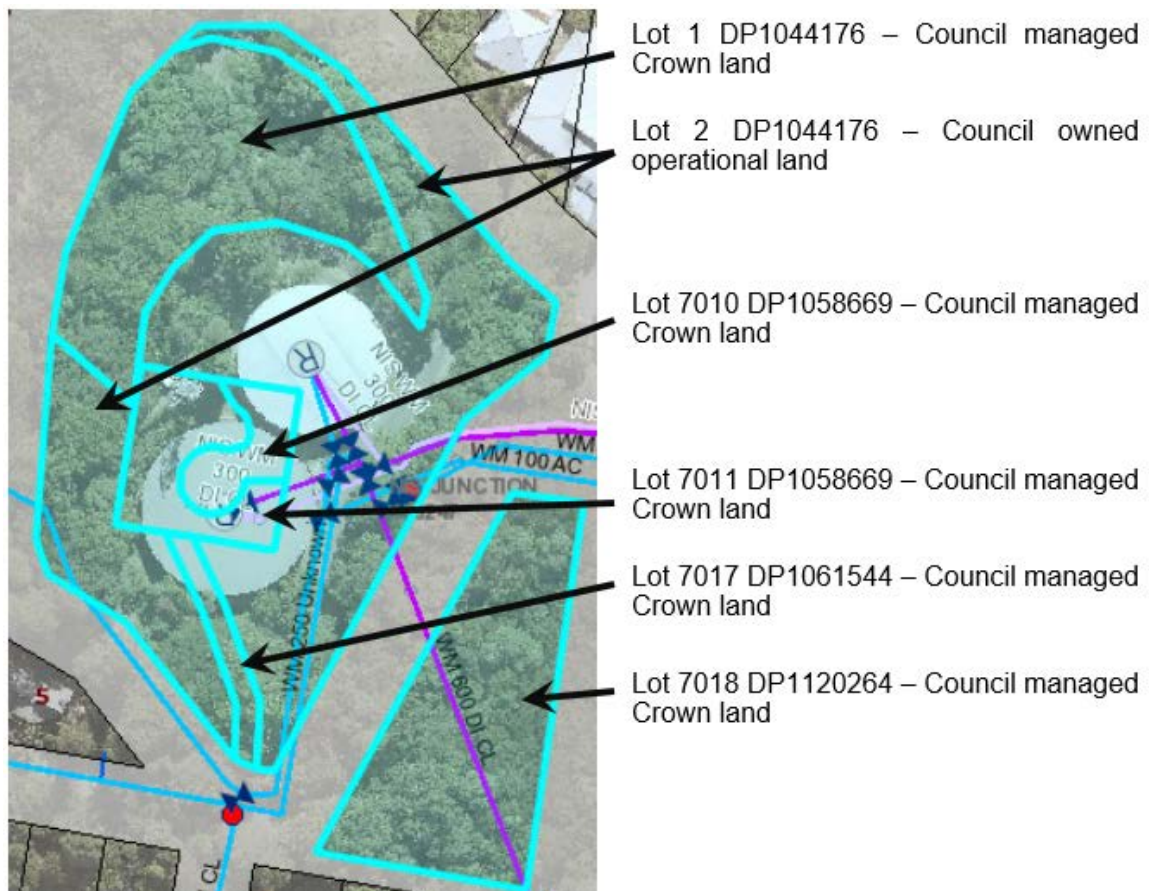


Figure 4: Lions Lookout Murwillumbah showing lot boundaries and location of water infrastructure.

Council's Water and Wastewater Unit supports the classification of the location of water infrastructure as operational land. This is consistent with the classification of the land where other reservoirs across the shire are situated on public land.

The following is noted with regard to the subject site:

- Lot 2 DP1044176 was acquired by Council using the Water fund in 2002 specifically to ensure Council control of the land containing the reservoirs other than the Crown Reserve lots. Lot 2 has been classified operational as that is the primary purpose of the land being used for reservoirs. It includes all of the access roads that are not on the road reserve.
- Lot 7010 contained the original small reservoir that was demolished prior to construction of the newest reservoir.
- Lot 7011 DP 1058669 contains portions of the newest reservoir and the telecommunications tower.
- Lot 7017 also contains a portion of the newest reservoir as well as some non-operational water mains associated with the former reservoir. It is appropriate that this land be classified operational given the infrastructure present.

- Lot 7018 is traversed by Council's 600mm diameter trunk main constructed in the early 1960's. This is one of Council's older trunk mains and may require more maintenance than it has in previous years. Ultimately it will require renewal or replacement. Being located on a steep side slope relative to its alignment and being surrounded by extensive vegetation, maintenance and replacement activities would require considerable space and removal of significant amounts of vegetation to provide safe working access and conditions. A work zone of a minimum 10m width is considered necessary in these conditions. Whilst the Water and Wastewater Unit would prefer Lot 7018 be classified as operational, the classification of the area outside the 10m wide pipeline access zone as community land would not be opposed.
- Lot 1 DP1044176 contains an old quarry that has been revegetated and an embankment that facilitates access to the northern side of the infrastructure.
- Suitable portions of operational land may be made available for public access where and when appropriate as is currently the case where there are picnic tables at the site.

The following points are to be considered when determining the classification of the Crown land at the subject site:

- Operational classification is intended to enable land held for operational purposes to be used as such without public access if necessary.
- Community land is land readily available for public access and use in accordance with the nominated land category and reserve purpose.
- Council has responsibilities regarding safety, security, restricted public access and public health that result in the land not able to be managed as community land. Reservoirs and associated infrastructure including access roads should be classified operational so as not to hinder the safe and secure operation of the water supply to the Tweed Shire allowing for the restriction of public access to the infrastructure for public safety.
- Crown Reserve 86173 has a reserve purpose of *public recreation*. Should the reserve be classified as community land, in accordance with departmental guidelines, the site would be required to be categorised as 'park' consistent with the reserve purpose. Council water infrastructure operations may not be consistent with the core objectives for management of community land categorised as a park (s36G of the LG Act). Nomination of any other category would be subject to Ministerial consent.
- All other reservoirs across the shire are situated on land classified as operational or road reserve.

In order for Council to comply with section 3.23 the CLM Act, it is now necessary for Council to resolve to give written notice to the Minister of the either the proposed classification or initial categories assigned outstanding Council managed community land Crown Reserves. Following the workshop on the matter and giving consideration to the above, it is recommended that Council seek consent for the following land classification of Council managed Crown land as mapped in Figure 5.

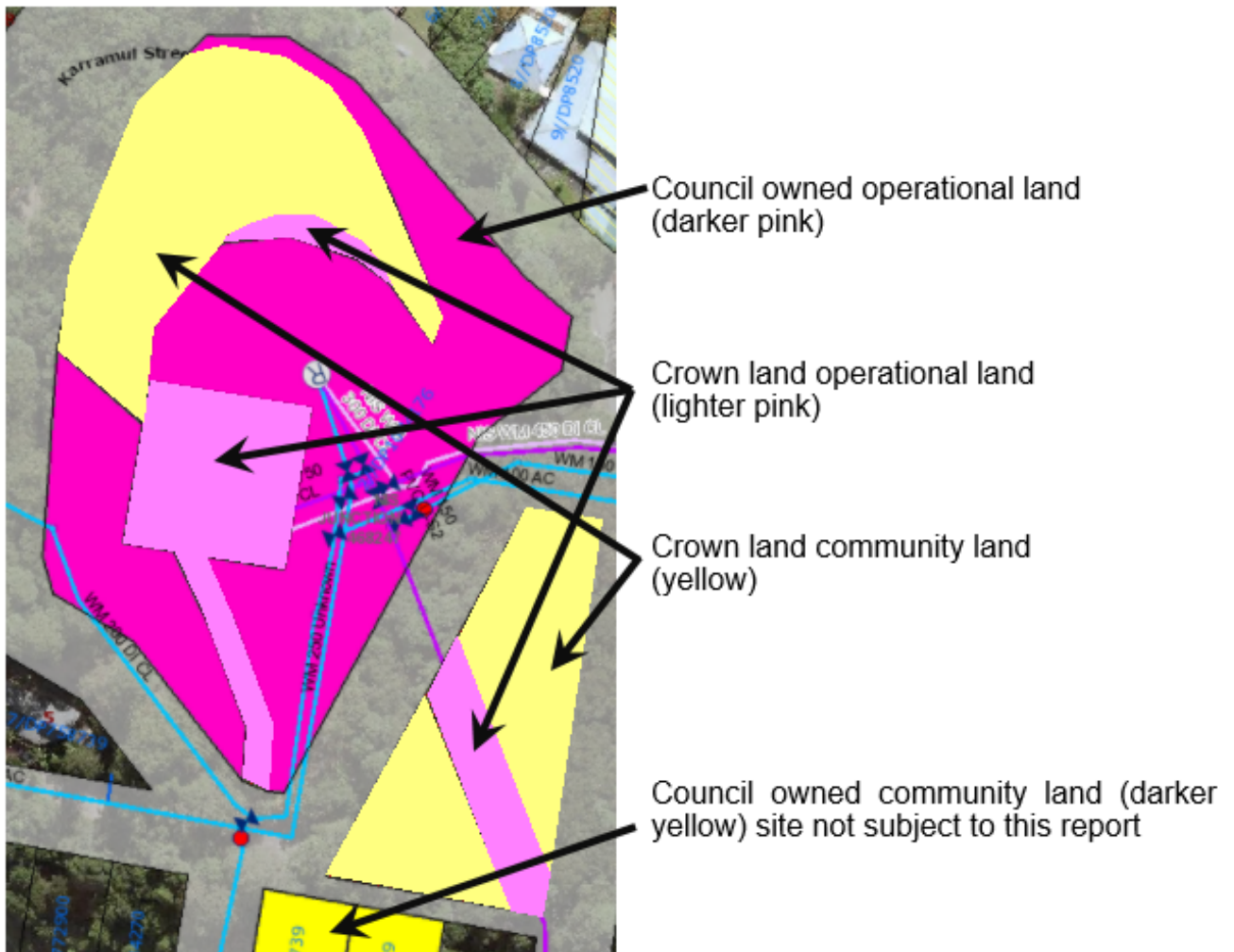


Figure 5: The recommended land tenure and classification at the subject site.

To summarise the proposed classification of Crown Reserves 86173 & 86174 mapped above:

The land classified as operational includes:

- All of Crown Reserve 86174 comprising the southern small crescent section within Lot 1 (see Figure 2 for reserve boundaries) and Lot 7010; and
- From Crown Reserve 86173, Lot 7011, Lot 7017 and a 10m wide strip through Lot 7018.

The land classified as community land with an initial categorisation of 'park' from Crown Reserve 86173 includes;

- The remainder of Lot 1; and
- The remainder of Lot 7018.

Council owned land is not subject to the requirements of the CLM Act and therefore does not form part of this review.

Crown Reserve 86173 will be required to have a plan of management for the community land section of the reserve in accordance with the CLM Act and LG Act.

## OPTIONS:

### Option 1

1. That Council seeks consent from the Minister for Water, Property and Housing for the following land to be classified as operational land in accordance with Section 3.22 of the *Crown Land Management Act 2016*:

- All of Crown Reserve 86174; and
- Part of Crown Reserve 86173 comprising Lot 7011 DP1058669, Lot 7017 DP 1061544 and a 10m wide strip through Lot 7018 DP 1120264;

at Lions Lookout Murwillumbah as mapped in Figure 5 in this report.

and

2. That notice be given to the Minister for Water, Property and Housing of the initial category of *park* to be assigned to the remaining community land within Council managed Crown Reserve 86173 to comply with Section 3.23 of the *Crown Land Management Act 2016*.

### Option 2

That Council seeks consent from the Minister for Water, Property and Housing for the classification of Crown Reserves 86173 & 86174 at Lions Lookout Murwillumbah as operational in accordance with Section 3.22 of the *Crown Land Management Act 2016*.

## CONCLUSION:

Council has undertaken an assessment of all Crown Reserves for which it is Crown Land Manager. It is a legislative requirement of Council to now give written notice to the Minister of the initial categorisation assigned to Crown land or seek consent for the classification of Council managed Crown land to operational land, in accordance with the CLM Act.

Two Crown Reserves at Lions Lookout Murwillumbah feature key water infrastructure including reservoirs and water mains. It is recommended that Council apply to the Minister to classify sections of the Crown land it manages in that area as operational land given Council has water related responsibilities regarding safety, security, restricted public access and public health that result in the land not able to be managed as community land in accordance with the CLM Act and LG Act. Seeking consent from the Minister is a non-delegable function and therefore requires a resolution of Council.

## COUNCIL IMPLICATIONS:

### a. Policy:

*Crown Land Management Act 2016, Local Government Act 1993.*

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

No future budget implications.

### c. Legal:

If no such notice is given to the Minister, Council will not be complying with requirements as Crown Land Managers under the *Crown Land Management Act 2016*.

**d. Communication/Engagement:**

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

No community consultation required.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Guideline - classification of Crown land managed by council  
Crown land managers prepared by NSW Department of  
Industry - Land & Water (ECM 5894064)

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## REPORTS FROM THE DIRECTOR ENGINEERING

### 5 [E-CM] RFO2019068 Water Main Replacement - Tamarind Avenue and Willow Avenue Bogangar

SUBMITTED BY: Infrastructure Delivery

mhm



Leaving a Legacy  
*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.3 Utility Services
- 1.3.4 Water Supply -- To provide secure, high quality and reliable drinking water which meets health and environmental requirements.

ROLE: **Provider**

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#### SUMMARY OF REPORT:

Request for Offer RFO2019068 Water Main Replacement - Tamarind Ave and Willow Ave, Bogangar was called to engage a qualified and experienced Civil Contractor to supply and install approximately 640m of 100mm diameter DICL water main and associated structures at Tamarind and Willow Avenues, Bogangar.

At the time of closing eight (8) Offers were received from seven individual Contractors.

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 RFO2019068 Water Main Replacement - Tamarind Avenue and Willow Avenue, Bogangar:**

1. Council awards the Contract to Van Damme Projects Pty Ltd (ABN 94 163 642 420, ACN 163 642 420) for the amount of \$235,950.00 (exclusive of GST).
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.



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

## REPORT:

### Offer Background

Request for Offer RFO2019068 Water Main Replacement - Tamarind Ave and Willow Ave, Bogangar was called to engage a qualified and experienced Civil Contractor to supply and install approximately 640m of 100mm diameter DICL water main and associated structures at Tamarind and Willow Avenues, Bogangar.

### Request for Offer Advertising

The Offer was invited in accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005 and the Tendering Guidelines for NSW Local Government. The Offer was advertised in the Gold Coast Bulletin and Brisbane Courier Mail on Saturday 3 August 2019 and on Council's website.

Offer submissions closed at 4.00pm (local time) on 4 September 2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### Offer Addendums

There were three (3) Offer Addendums (Notice to Bidders) issued before close of Offer.

### Offer Submissions

At the closing time for Offer Submissions, the Tender Box was opened and eight (8) Offers were recorded as below:

<b>Bidder</b>	<b>ABN</b>
BD Plumbing and Roofing Pty Ltd	68 605 343 851
CivilCS Pty Ltd	23 622 489 383
Demacs Constructions Aust Pty Ltd	20 092 182 726
Eire Constructions Pty Ltd	23 116 308 573
NTS Group Pty Ltd	37 114 576 046
Roman Contractors Pty Ltd	48 122 536 770
Van Damme Projects Pty Ltd (Conforming)	94 163 642 420
Van Damme Projects Pty Ltd (Alternate)*	94 163 642 420

### 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:

<b>Position</b>
Project Manager- Contracts
Engineer Projects

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

<b>Evaluation Criteria</b>	<b>Document Reference</b>	<b>Weighting (%)</b>
Assessed Offer Price (as adjusted)	Schedule 2	65
Relevant Experience and Capability	Schedule 3	20
Management Systems (WH&S, Quality and Environmental)	Schedules 5, 6 & 7.	5
Local Preference	Schedule 10	10
	<b>Total</b>	<b>100</b>

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(2):

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

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

**OPTIONS:**

That Council:

1. Council awards the Contract to Van Damme Projects Pty Ltd (ABN 94 163 642 420, ACN 163 642 420) for the amount of \$235,950.00 (exclusive of GST).
2. Declines to accept any of the Offers, including reasons for this course of action in accordance with Regulation 178 of the Local government (General) Regulation 2005.

**CONCLUSION:**

Van Damme Projects Pty Ltd Alternate Offer achieved the highest overall assessment score and is therefore deemed as the best value option for Council for Contract RFO2019068.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.7.

In accordance with Local Government (General) Regulations 2005.

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

Provision for the RFO2019068 Water Main Replacement - Tamarind Avenue and Willow Avenue, Bogangar is included in the 2019/2020 Budget.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. RFO2019068 - Offer Evaluation Report (ECM 6053150).

*(Confidential)* Attachment 2. RFO2019068 - Offer Evaluation Score Sheet (ECM 6053190).

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## REPORTS FROM THE EXECUTIVE MANAGER FINANCE, REVENUE AND INFORMATION TECHNOLOGY

### 6 [FRIT-CM] Carry Over Works from 2018/19 to 2019/20 Budget

SUBMITTED BY: Financial Services

mhm

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Making decisions with you  
*We're in this together*

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

2	Making decisions with you
2.2	Engagement
2.2.5	Financial Services - To collect and manage Council funds and provide information and advice to support sound financial decision-making.

ROLE: **Provider**

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#### SUMMARY OF REPORT:

This report provides details of the funds to be carried forward from 2018/2019 to the 2019/2020 budget.

The carried forward works represent those projects/services that could not be completed in 2018/2019 for a variety of reasons. It is important to note that in most cases these carry over works have been previously committed to specific projects/services and in some cases the projects may have already be completed in 2019/2020.

The funding of these works fall into the following categories:

- Unexpended Loans
- Reserves Funds
- Grants
- Section 94
- Other

#### RECOMMENDATION:

**That Council adopts the Carry Over Works from 2018/2019 and the expenditure and income, as detailed within the report, be applied to the 2019/2020 Budget.**

**REPORT:**

This report provides details of the funds to be carried forward from 2018/2019 to the 2019/2020 budget.

The carried forward works represent those projects/services that could not be completed in 2018/2019 for a variety of reasons. It is important to note that in most cases these carry over works have been previously committed to specific projects/services and in some cases the projects may have already be completed in 2019/20.

The funding of these works fall into the following categories:

- Unexpended Loans
- Reserves Funds
- Grants
- Section 94
- Other

Whilst the carry over works total \$67,752,647, 56% of the works are contained within the following project/areas:-

<b>Description</b>	<b>Amount \$</b>
Waste Management – capital works	23,155,924
Rail Trail Project	5,764,235
<u>Flood Repair</u>	
South Murwillumbah Flood Levee Repair	3,444,913
Byrill Creek Road Bridge and intersection upgrade	1,749,974
Captain Cook Memorial & Lighthouse Revitalisations	1,975,978
New Dog Pound	1,625,637
	37,716,661

<b>Income/ Expenditure</b>	<b>Description</b>	<b>\$</b>
<b>Transport</b>		
Ex	Footpaths rehabilitation	17,611
Ex	Overall Drive	272,198
Ex	Kennedy Drive Cobaki Bridge to M1	364,168
Ex	Asphalt Resurfacing	463,190
Ex	Wardrop St South Murwillumbah	229,847
Ex	Byangum Rd 2016/17 Rehab Program	456,148
Ex	Federal Assistance Grant Maintenance	1,329,982
Ex	Johnson St Segment 10 Pavement Rehabilitation	16,576
Ex	Nullum St Seg 40-50 Pavement Rehabilitation	305,920
Ex	Boyd St Seg 10 - 20 Pavement Rehabilitation	461,388
Ex	Terranora Rd Seg 80 Pavement Rehabilitation	152,202
Ex	Park Ave Bray Park Road Upgrade	291,175
Ex	Piggabeen Road Gravel Overlay Seg 160-185	205,205

Income/ Expenditure	Description	\$
Ex	Piggabeen Road Gravel Overlay Seg 55	200,000
Ex	Green Valley Way Gravel Overlay Seg 20	50,000
Ex	Reserve Creek Rd Gravel Overlay Seg160-170	105,329
Ex	Keith Compton Dr Seg 60 Pavement Rehabilitation	192,147
Ex	Powell St Seg 10 Pavement Rehabilitation	59,000
Ex	Byrrell Creek Road Bridge and Intersection Upgrade	1,749,974
Ex	Sealing of Bartletts Road	291,181
Ex	Wollumbin St Seg 10 - 20 Road upgrade and retaining wall	268,973
Ex	Baker St Seg 20 Road Upgrade	77,246
Ex	Tweed Coast Rd Pottsville Seg 145-150 Insitu Stabilisation	324,884
Ex	Florence St Seg 20 Pavement rehabilitation	224,935
Ex	Park St Seg 10 pavement rehabilitation	80,000
Ex	Solander St Seg 10 Pavement Rehabilitation	173,742
Ex	Fraser Dr Seg 80-90 Pavement Rehabilitation	347,927
Ex	Blue Waters Crescent Seg 20 Pavement Rehabilitation	146,292
Ex	Coastal Cycleway Lighting - Bells Boulevard	155,478
Ex	Kyogle Road (Byrrell Creek Rd Intersection) Black Spot 18/19	41,590
Ex	Elrond Drive Shared Path 2018-2019	28,444
Ex	Dulguigan Road Road Safety Design	40,886
Ex	Cycleways Program	13,642
Ex	Cycleway Fraser Drive Vintage Lakes Dr to Dry Dock Rd s94	62,953
Ex	Cudgen Creek Foreshore Boardwalk	20,488
Ex	Temporary Traffic Facilities resource	19,533
Ex	Altitude Aspire VPA expenditure	20,000
Ex	Traffic Facilities Council Roads	57,714
Ex	Pedestrian Facilities	22,579
Ex	Footpaths	81,397
Ex	Sec 94 Bus Shelter Construction	13,100
Ex	Bus Shelters	60,347
Ex	2015-17 Country Passenger Transport Infrastructure Grants	10,342
Ex	2017-19 Country Passenger Transport Infrastructure	18,600
Ex	Road Safety Programs	48,236
<b>Stormwater Drainage and Flooding</b>		
Ex	Asset management Levees & Floodgates	55,490
Ex	Condong Creek Boundary Adjustment & Stormwater Works	13,655
Ex	Reynolds Street Murwillumbah	4,189
Ex	Tamarind Avenue	128,631
Ex	Tweed Coast Rd opp Noble Lake Pk Chinderah	18,366
Ex	Ewing St Murwillumbah	198,451
Ex	Western Drainage Sch Mtce	418,939
Ex	Coral St Tweed Heads	40,222
Ex	Greenvale Crt Steel Culvert replacement	294,489
Ex	Pioneer Pde (View St) Drainage Upgrade	236,790
Ex	Queensland Road Segment 40 Drainage Replacement	449,565
Ex	Lundberg Drive Drainage Rectification	72,921
Ex	Flood Mit Maintenance	13,379

Income/ Expenditure	Description	\$
Ex	Incorporate Tumbulgum Gauge into BoM Flood Warning System	17,450
Ex	Coastal Creek Gauge Network Enhancement	54,242
Ex	South Murwillumbah Flood Risk Management Study	117,453
Ex	Voluntary House Purchase - Coastal Creeks	130,894
Ex	RMS Local Roads Funding June 2016 Flood Event	221,303
Ex	Commissioners Creek Rd June 2016 Flood Event	5,838
Ex	Mar 17 Flood - South Murwillumbah Flood Levee Repair	3,444,913
<b>Sustainability &amp; Environment</b>		
Ex	Waterways Asset Management	32,634
Ex	Koala Management Plan	244,211
Ex	Coastline Management Plan Implementation	3,938
Ex	Waterways Asset Replacement	87,704
Ex	Tweed Coastal Zone Management	6,881
Ex	Pottsville Environment Park NRM	234,655
Ex	Tweed-Byron Native Species Planting Guide	17,929
Ex	Coastal Creeks – Australian Research Council	33,256
Ex	Bushland management	1,634
Ex	Significant Tree Identification	18,283
Ex	Protect Threatened Fauna on Fingal Peninsula	3,705
Ex	Koala Beach	11,981
Ex	Koala road projects	49,834
Ex	Rous River Riparian Restoration	14,177
Ex	Investing in the Future of Pottsville's Koalas	32,676
Ex	Mitigating Dog Attacks in the Tweed Coast	12,844
Ex	Koala Habitat Restoration in Richmond	7,037
Ex	Small Farms Big Changes	50,576
Ex	Tweed Coast Koala Holding Facility	331,237
Ex	Riparian & Aquatic Habitat Rehabilitation	136,382
Ex	Control & Monitoring of Foxes & Rabbits on the Tweed Coast	24,889
Ex	Conserving Cockatoos & Curlews on the Tweed Coast	109,778
Ex	Bitou Bush Biosecurity Zone Weed Control 2018-2019	1,228
Ex	Koala Connections - NE Hinterland Regional Koala Conservation	133,717
Ex	Tweed Coastal Management Program - 0014	147,106
Ex	Lowland Lyrebird links	26,000
Ex	Growing Sustainable Farms	44,650
Ex	Anchorage Boardwalk Construction 2017-2018	96,594
Ex	Mooball Creek retaining wall	155,000
Ex	SOS Private Land Revegetation	4,098
Ex	Lower Tweed Management Plan	283,527
Ex	Catchment Water Quality	27,271
Ex	Tweed Coast Estuary Management	50,605
Ex	Environmental Land Purchases - NOM	20,000



Income/ Expenditure	Description	\$
<b>Community and Cultural Services</b>		
Ex	Community Sponsorship and miscellaneous donations	9,308
Ex	Other Council Property	57,000
Ex	REAP Kingscliff Library 16.8 kW solar PV	19,568
Ex	Family and Youth Community Development	25,129
Ex	Aboriginal Community Development	39,389
Ex	Murwillumbah Auditorium refurbishment	267,128
Ex	Community Buildings Maintenance	366,747
Ex	TRRM Murwillumbah Historical Museum - Recurring Costs	3,206
Ex	Youth Strategy recurring costs	115,907
Ex	Civic Centre: Tweed Heads	133,711
Ex	Murwillumbah Auditorium	41,973
Ex	Tweed Heads Auditorium capital	62,667
Ex	Tweed Heads Cultural Plaza Upgrade – Central Access	478,538
Ex	Tweed Heads Cultural Plaza Upgrade – Auditorium	177,137
Ex	Tweed Heads Cultural Plaza Upgrade – Cafe	161,390
Ex	Cultural Planning	5,000
Ex	Cultural Development Fund	1,547
Ex	Public Art Maintenance	57,700
Ex	Goorimahbah Public Art	82,816
Ex	Library Grant Expenditure	128,285
Ex	Tweed Heads Library Expansion/Re-fit	21,335
Ex	Gallery Carpark Unisex Accessible Toilet	22,000
Ex	International exhibitions 2017 to 2019	20,000
Ex	Homelessness policy	2,890
Ex	Olive Cotton 2019 Competition	37,800
Ex	Museums Program	24,810
Ex	Museum Projects	7,216
Ex	Museum Storage Facility	2,102
Ex	COP Operating Costs	119,684
Ex	Contemporary Voices - Rites of Passage	6,496
Ex	Contemporary Voices - Wollumbin's Country	21,046
Ex	Contemporary Voices - Untold Stories, Living with Ability	7,308
Ex	Grant expenditure	152,803
Ex	Regional Assessment Service (RAS)	87,352
Ex	Tweed Heads Museum Precinct Redevelopment	21,743
Ex	Northern Rivers Community Recovery Fund	1,583
Ex	DOH - Commonwealth Home Support Program 01/11/15 to 30/06/18	32,140
Ex	Social Planning	65,337
Ex	Age-friendly Plan	18,521
Ex	Aged & Disability Community Development	47,909
Ex	Aged & Disability Development Other Costs	18,000
Ex	Community Transport Vehicle	8,300
Ex	Community Development Strategy	30,575

Income/ Expenditure	Description	\$
Ex	Access and Inclusion Plan	32,425
Ex	Nullum House	14,003
Ex	DADHC - Podiatry (RECURRENT)	9,310
Ex	Pottsville Beach Community Centre (Build 0059-01) (Hall)	54,546
Ex	Kingscliff Community Hall	74,984
Ex	DADHC - Extended Family Support	100
Ex	Tweed Aboriginal Cultural Heritage Oral History Project	34,700
Ex	Tweed Byron Resilience Coordination Project	69,699
Ex	Art Exhibition - Art Deco NGA	7,777
Ex	Art Exhibition - Use	3,000
Ex	Art Exhibition - Dean Home	5,000
Ex	Art Exhibition - Fred Jessup	88,173
Ex	Art Exhibition - Olley Collection Show 2019	2,000
Ex	Murwillumbah Art Precinct	61,717
Ex	Gallery Down Town	69,312
Ex	Natural History Wall - Murwillumbah Arts & Heritage	84,249
Ex	Treasures of the Tweed - Murwillumbah Arts & Heritage	77,132
Ex	Museum - Land/Life/Culture permanent display	30,000
<b>Parks &amp; Active Communities</b>		
Ex	Pools Capital Expenditure - Murwillumbah	27,708
Ex	REAP Council facilities HVAC systems efficiency improvements	40,000
Ex	REAP Council facilities lighting upgrade to LED	162,351
Ex	REAP Tweed Regional Aquatic Centre 165 kW solar PV	292,876
Ex	REAP Administration Centre Tweed Heads 95 kW solar PV	108,082
Ex	IND - SCCF Tweed Heads South Pool Solar Installation 2018-2019	8,146
Ex	Surf Life Patrols	154,667
Ex	Surf Life Saving Strategy 2020	11,463
Ex	Sportsgrounds (local) recurrent costs	78,450
Ex	Knox Park Youth Precinct	111,952
Ex	Eviron gardens recurring costs	224,549
Ex	Eviron gardens Visitors Centre	27,000
Ex	Eviron gardens VIC Recurring costs	30,000
Ex	Regional All Access Playground	346,650
Ex	Sport Development Officer	119,802
Ex	Active recreation asset maintenance program	695,660
Ex	Passive recreation asset maintenance program	331,595
Ex	Grants To SLSCs	59,916
Ex	Public Toilets Capital	154,704
Ex	Recreation Services Asset Systems Development	92,537
Ex	Pool Disability Subsidy	15,554
Ex	Sports fields Capital Work	247,882
Ex	Barry Sheppard Field Upgrades	663,385
Ex	Les Burger Field s94 (CP 5)	23,823

<b>Income/ Expenditure</b>	<b>Description</b>	<b>\$</b>
Ex	Kingscliff Sports field Masterplan	393,616
Ex	Jack Evans Boat Harbour draft Plan of Management	34,336
Ex	Public Parks Furniture	100,139
Ex	Queen St Toilet Conversion	1,181
Ex	Sec 94 Street Trees	195,952
Ex	Passive recreation s94 projects	255,971
Ex	Open Space Strategy	122,892
Ex	Temporary Project resource - Parks & Active Communities	83,565
Ex	Arkininstall Pk MP (Stage 2) - Feasibility Study	4,750
Ex	Depot road sports field construction s94	281,038
Ex	Rous River Way Park	45,000
Ex	Captain Cook Memorial & Lighthouse Revitalisation	1,975,978
Ex	Les Burger Fields Training Centre	52,628
Ex	Crown Lands Plans of Management	50,336
Ex	Tweed Heads Pool Aquatic Centre Upgrade	195,714
Ex	Exercise Trail Stations - Tweed Heads	210,385
Ex	Casuarina Sports field Lighting	120,000
Ex	Jim Devine Football Field Upgrade 2018-2019	147,492
Ex	Exercise Trail Stations - Murwillumbah	84,649
Ex	Murwillumbah Hockey Centre Lighting	242,760
Ex	Fingal Foreshore Park Upgrade	19,186
Ex	Freedom camping facilities Burringbar	49,600
Ex	Les Cave Change rooms Capital Works 2017-18	122,689
<b>Waste Management</b>		
Ex	Eviron Road Precinct - Non Domestic	344,474
Ex	Eviron Road Precinct - Domestic	46,444
Ex	Waste & Sustainability Improvement Expenditure	63,679
Ex	Organics processing facility - Domestic	6,479,324
Ex	Organics processing facility - Non Domestic	2,650,000
Ex	Food & Garden Organics Collection System	65,616
Ex	Better Waste & Recycling Fund	896,387
Ex	Stotts to Eviron road works internal - Non Domestic	2,750,000
Ex	Stotts to Eviron road works internal - Domestic	2,660,000
Ex	Stotts Creek RRC cell construction - Domestic	1,500,000
Ex	Stotts Creek RRC cell construction - Non Domestic	1,500,000
Ex	Internal roadworks - Domestic	500,000
Ex	Internal roadworks - Non Domestic	500,000
Ex	Sawtooth drop off area	2,500,000
Ex	Landfill rehabilitation - Domestic	150,000
Ex	Landfill rehabilitation - Non Domestic	150,000
Ex	Weighbridge and office upgrade - Domestic	200,000
Ex	Weighbridge and office upgrade - Non Domestic	200,000

Income/ Expenditure	Description	\$
<b>Others</b>		
Ex	Mayor & Councillors - Professional Development	100,000
Ex	IT Resourcing Strategy	929,077
Ex	GM Professional Development	30,000
Ex	Software Maintenance	95,000
Ex	Information Technology Resources	161,994
Ex	Drone equipment and licences	25,000
Ex	Salary amendments to original budget	30,000
Ex	Risk Management Program	225,700
Ex	Health and Safety Initiatives Fund	96,334
Ex	Communications	140,000
Ex	Sth Mbah Industrial Precinct Infrastructure Joint Venture	50,000
Ex	Small Smart Sustainable Housing - Council resolution	80,000
Ex	Economic Development Fund – Incl Downtown Gallery	250,000
Ex	Sale Yards	65,000
Ex	Murwillumbah Airfield	197,153
Ex	Economic Development - Internal	388,243
Ex	Festivals & Events	265,472
Ex	Wardrop Valley Area 6 - Employment Lands	34,000
Ex	Closed Circuit Television (CCTV)	126,000
Ex	Property reclassification	9,742
Ex	Temporary Development Assessment resource	141,420
Ex	Development Assessment Legal Expenses	500,000
Ex	Accelerated Strategic Planning & Urban Design program	250,348
Ex	Scenic Landscape Strategy	20,040
Ex	Tweed Local Heritage Places Establishment	2,286
Ex	E Zone Review	49,558
Ex	PP13/0002 Palm Lake Resort	2,474
Ex	Planning projects internal income	43,201
Ex	Murwillumbah heritage demonstration project	37,114
Ex	Furniture	10,000
Ex	Rural Lands Strategy	63,990
Ex	Local Growth Management Strategy (LGMS)	85,127
Ex	Community Consultation (local planning)	15,000
Ex	PP15/0004 Water Extraction-Rural Industries Planning Proposal	382
Ex	PP15/0006 River Retreat Caravan Park	3,331
Ex	PP16/0002 Winchelsea Way	6,030
Ex	PP16/0004 for Palms Shopping Village	4,801
Ex	PP18/0001 Minor Zoning	348
Ex	PP19/0002 Wardrop Valley	18,182
Ex	Locality Plans - Kingscliff	12,143
Ex	REAP Tweed Heads depot 15 kW solar PV	17,066
Ex	SES Operation Centre additions Banora Po	70,000
Ex	Emergency Management Plan Implementation	20,839

<b>Income/ Expenditure</b>	<b>Description</b>	<b>\$</b>
Ex	Building Compliance Officer	20,597
Ex	Corporate Planning - 7 Year Plan	181,500
Ex	Corporate Planning - Initiatives	155,364
Ex	Locality Plans - Rural Villages	26,812
Ex	SES Operations Centre Banora Point	242,736
Ex	Locality Plans - Burringbar/Mooball	24,414
Ex	Donation To RFS	23,252
Ex	Bush Fire Control Expenses (Inc RFS Buildings)	158,336
Ex	SES / Flood Rescue (Inc SES Buildings)	463,191
Ex	Coolamon Centre Council Office	250,799
Ex	NSW Environmental Protection Authority Grant Funding	9,012
Ex	Health Education & Equip	7,712
Ex	OLG - Northern Rivers Emerging Vector Response 2016-2017	4,404
Ex	New Dog Pound	1,625,637
Ex	Water & Food sample testing charges	1,380
Ex	Emergency Management	10,000
Ex	Industrial land subdivision Lundberg Dr / Quarry Rd MB	50,095
Ex	Project Management System	56,234
Ex	Rail Trail Project Development	5,764,235
Ex	Mar 17 Flood - Murwillumbah Visitor Information Centre	25,000
Ex	Local Strategic Planning Statement	80,000
Ex	Low Rise Density - notification expenses	50,000
Ex	Mur Civic Centre - Staff Lunch Room	10,000
Ex	Organisation Leadership Training	170,000
	<b>Total expenditure</b>	<b>67,752,647</b>

<b>Carry Over funding sources</b>		<b>\$</b>
In	Grant funds	19,325,979
In	Loan funds	2,417,297
In	Reserve funds	24,816,797
In	Asset Management Reserves	9,385,580
In	Works carried forward reserve funds	9,066,931
In	s94 funds	1,430,122
In	Other	1,309,941
	<b>Total funding sources</b>	<b>67,752,647</b>

**OPTIONS:**

Not Applicable

**CONCLUSION:**

Based on current projections, the 2019/2020 Budget is expected to remain balanced for all funds. The rolled over expenditure and funding is required to be voted in the 2019/2020 Budget so as these projects/services can be completed.

**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.

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## REPORTS FROM THE EXECUTIVE MANAGER PEOPLE, COMMUNICATION AND GOVERNANCE

### 7 [PCG-CM] Proposed Amendments Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy

**SUBMITTED BY:** Executive Manager People, Communication and Governance

mhm



Behind the scenes  
*Providing support to make it happen*

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

4 Behind the scenes  
4.1 Assurance

**ROLE:** **Provider**

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#### SUMMARY OF REPORT:

At the Council meeting of 19 September 2019 a matter from the Mayoral Minute relating to the payment of a professional development expense was deferred due to a lack of a specific reference to the payment of professional memberships within Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy.

To address this issue non-material amendments are proposed to the Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy; and Councillor Induction and Professional Development Policy, to provide a clearer alignment between the two policies with regard to the identified issue.

#### RECOMMENDATION:

That Council endorses

1. The proposed amendments to the Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors (v1.2); and Councillor Induction and Professional Development Policies (v1.1); and
2. Payment of the AICD membership renewal for Cr Owen as expenditure under his Councillor Training Allowance.

**REPORT:**

Council's Councillor Induction and Professional Development Policy (CIPD Policy), provides the framework to provide the mayor and councillors with access to appropriate professional development opportunities to assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities. The CIPD was adopted effective from 19 July 2018, in accordance with provisions of section 23A of the *Local Government Act 1993* (NSW).

With regard to the approval of professional development activities and associated expenses, the CIPD Policy stipulates that they will be determined in accordance with Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy (CPEPF Policy). Amendments to the CPEPF Policy were last adopted on 26 October 2017, prior to the establishment of the CIPD Policy.

As a result of the general reference to the CPEPF Policy within the CIPD Policy, some ambiguity has arisen with regard to interpretation of the interaction between the two policies regarding expenses for councillor professional development activities.

Minor non-material amendments to the two Policies, as detailed below are considered to remove the ambiguity:

1. Councillor Induction and Professional Development Policy
  - a. Change references to "training" to refer to "professional development"; and
  - b. Add additional examples to include webinars, topical articles and reports.
2. Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy
  - a. Add reference to "professional development activities" additional to conferences, seminars, training and educational courses; and
  - b. Add direct reference to requirement for approvals for professional development activities, including conferences, seminars, training and educational courses to be within budget provisions provided for councillor induction and professional development.

**OPTIONS:**

That Council endorses:

1. Implementation of the recommended non-material changes to Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy;
2. Further amend and implement with noted amendments the non-material changes to Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy;



3. Public exhibition of the proposed changes to Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy for a period of 28 days, with 42 days allowed for submissions;
4. Does not endorse the proposed changes to Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy.

**CONCLUSION:**

A review of Council's Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy and Councillor Induction and Professional Development Policy have identified some ambiguity in interpretation of the two policies regarding expenses for professional development activities.

As neither Policy is changing to any material extent and both Policies have previously been publicly exhibited, it is recommended that the amendments be endorsed by Council.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Councillor Induction and Professional Development v1.0.

Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors v1.1.

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

Not Applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

As neither Policy is changing to any material extent and both Policies have previously been publicly exhibited it is recommended that the amendments be endorsed by Council without the requirement for further public consultation.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Draft Councillors – Payment of Expenses and Provision of Facilities for Mayor and Councillors v1.2 (ECM 6070690).

Attachment 2. Draft Councillor Induction and Professional Development v1.1 (ECM 6070609).

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## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

### 8 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held 24 June 2019

**SUBMITTED BY:** Parks and Active Communities

nhm

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People, places and moving around  
*Who we are and how we live*

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

- 3 People, places and moving around
- 3.2 Places
- 3.2.9 Sporting Fields - To provide a range of accessible sports facilities and major event venues to promote an active and healthy lifestyle.

**ROLE:** Leader

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#### SUMMARY OF REPORT:

The Minutes of the Sports Advisory Committee Meeting held Monday 24 June 2019 are reproduced in the body of this report for the information of Councillors.

#### RECOMMENDATION:

**That the Minutes of the Sports Advisory Committee Meeting held Monday 24 June 2019 be received and noted.**

**REPORT:**

The Minutes of the Sports Advisory Committee Meeting held Monday 24 June 2019 are reproduced as follows for the information of Councillors.

**Venue:**

Arkininstall Park Netball

**Time:**

5.30pm

**Present:**

Cr Pryce Allsop, Dion Andrews, Rob Nienhuis, Bruce Campbell, Helen Rigney, Leirna Dooley (Tweed Netball), Leigh Richards (Tweed Netball) Jess Willemse (Cricket NSW), Matt McCann.

**Apologies:**

Cr Warren Polglase, Linton Alford, Gillian Austin.

**Minutes of Previous Meeting:**

**Moved:** Rob Nienhuis

**Seconded:** Dion Andrews

**RESOLVED** that the Minutes of the Sports Advisory Committee meeting held Monday 1 April 2019 be accepted as a true and accurate record of the proceedings of that meeting.

**Business Arising:**

Nil

**Agenda Items:**

**1. Welcome by Matt McCann**

Welcome was extended to invited guests from Tweed Netball Association, Cricket NSW and all committee members.

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**2. Club Operations Overview - Host Tweed Netball Association**

**Sports Club/Association Questionnaire:** Response from Club President Helen Rigney

**How and when was your club/association founded?**

Originally we were based in Coolangatta and came under the banner of Tweed/Coolangatta Basketball. It was in the late 1960's that the club moved to Arkininstall Park where we were still known as Tweed Basketball and changed to Tweed Netball Association Incorporated in 1972.

**What has been your player registration numbers over the past 3 seasons?**

We have always hovered around the 900 mark.

**Does your club/association have a strategic plan ie. 5yr Business Plan?**

Yes we do and we are in the process of updating it.

**What are your biggest challenges as a not for profit sports club/association?**

Getting grants as we are based in NSW but compete in the QLD competition. We have never been able to apply for travel grants for teams travelling to QLD state events due to our location. We have over the years sent teams to compete in the NSW state events but still couldn't apply because we were not affiliated with any NSW sporting bodies.

**Rate your level of satisfaction with the facilities and field maintenance being provided by Council. Using a 1 to 10 scale with 1 being Council do not meet your needs at all, and 10 being your needs are completely met.**

1 2 3 4 5 6 7 8 **9** 10

Gary Bryant has always been amazing when we need anything done and we are extremely grateful for this.

If we could get one wish we would wish for another amenities block because when you have 900 members who are majority young ladies and woman, the four toilets provided in our complex just isn't enough.

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**3. Report from Jess Willemse NSW Cricket**

Jess explained that she has been making good progress through local schools developing cricket programs and awareness. Jess has been focussing her attention on trying to help Terranora Lakes Cricket Club increase player participation numbers, as the club presently has one senior team and no junior teams.

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**4. NSW Office of Sport - Child Safe Sports Workshop Review**

Child Safe Sport Work - Free training for sport volunteers

Sport and recreation clubs have a responsibility to protect children from harm and abuse. The Child Safe Sport workshop helps club committees, administrators and volunteers to understand the practical ways to create safer clubs for children and young people. The workshop also provides an overview of Working with Children Check responsibilities. Fourteen people attended the workshop held at Cudgen Leagues Club on Tuesday 21 May 2019.

Temporary Sports Field Licence - Schools & Government Agencies

The committee discussed some of the challenges being experienced by clubs and Council staff in administering Temporary Sports Field Licences. The online 'Licence Agreement Form' requires the school wanting to use a sports field to liaise/contact the sporting club who holds the seasonal licence for the facility to avoid double bookings and over use of a specific field. Council has amended the application form to ensure the school follows this process and the situation will be monitored.

**5. Opportunity for SAC to become a 'Zero Waste' Champion**

The community was provided with a news article about Eureka Football Club who is setting a fine example in reducing plastic waste through the clubs canteen and like by the motto 'Eureka Football Club - Playing for the Planet'. The community was interested by the article and are happy for Council staff to provide a presentation at the next meeting held on 5 August 2019.

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**6. Sports Club Participation Numbers Annual Report Development**

It was suggested that a mid-season survey be circulated to clubs/sports field licence holders asking a range of questions including participation numbers. Currently clubs are asked to supply this information when applying for seasonal licences but unfortunately player registration and participation numbers are not normally finalised well into a sporting season. Approaching the various sporting associations' head body might also provide a more accurate result.

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**General Business:**

No general business.

**Next Meeting:**

The next meeting of the Sports Advisory Committee will be held 5 August 2019.

The meeting closed at 7:30pm.

**EXECUTIVE LEADERSHIP TEAM'S COMMENTS:**

Nil.

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - adopted 21 August 2012 (ECM 2846627).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

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**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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9 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 August 2019

SUBMITTED BY: Community and Cultural Services

mhm



People, places and moving around  
*Who we are and how we live*

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

- 3 People, places and moving around
- 3.1 People
- 3.1.2 Community and Cultural Development - To provide community and cultural development services to foster and improve social and cultural well-being.

**ROLE:** Leader

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**SUMMARY OF REPORT:**

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 August 2019 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That:**

1. The Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 August 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

**GB3. Local Government Aboriginal Network Conference (LGAN)**

***That subject to availability, the Aboriginal Advisory Committee nominates Victor Slockee to attend the 2019 Local Government Aboriginal Network Conference. If Victor Slockee is unable to attend the conference, the AAC nominated Des Williams as the alternate delegate.***

**REPORT:**

The Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 August 2019 are reproduced as follows for the information of Councillors.

**Venue:**

Minjungbal Aboriginal Museum & Cultural Centre

**Time:**

10.00am

**Present:**

Des Williams (Tweed Byron Local Aboriginal Land Council representative), Victor Slockee (Canowindra representative) (arrived at 10.18am), Dale Williams (Bugalwena representative), Leweena Williams (Tweed Aboriginal Corporation for Sport representative), Jackie McDonald (Tweed Wollumbin Aboriginal Education Consultative Group representative).

**Ex-officio:**

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

**Guests (in order of arrival):**

Andrew Illingworth (Tweed Holiday Parks) (arrived at 10.00); Tom Alletson (Tweed Shire Council) (arrived at 10.24am); Sarah McGhee (Tweed Regional Gallery & Margaret Olley Art Centre) (arrived at 10.57am).

**Apologies:**

Mayor Katie Milne, Cr Chris Cherry, Robert Appo, Chantelle Howse (Tweed Shire Council), Desrae Rotumah (Tweed Aboriginal Co-operative Society representative).

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

Business suspended for new Agenda Item A4.

**A4. Breach of conduct at Pottsville Community Association meeting on 31 July 2019**

In good faith, Council attended a community meeting with Pottsville Community Association during the week to discuss the Aboriginal Cultural Heritage Management Plan. During that meeting there was a serious breach of public conduct. Council is acting on the breach and acknowledges that it has a duty of care to its staff. A formal apology has been requested from the member involved which has been received. Council does not condone the behaviour. Council will be rethinking the way that it engages with community and has immediately put in place a new policy. Council is taking a strong position in relation to the incident.

Victor Slockee arrived at 10.18am  
Quorum achieved.

The AAC requested that Council make a public comment in relation to the breach of public conduct stating that Council will not tolerate harassment, racist slurs or bad behaviour at any meetings and referring to the Statement of Commitment.

Tom Alletson arrived at 10.24am

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**Chair:** Victor Slockee  
**Moved:** Des Williams  
**Seconded:** Jackie McDonald

**RESOLVED** that the Chair was declared vacant and nominations were called. Victor Slockee was nominated and was unanimously elected to Chair the meeting.

Victor opened the meeting with a welcome to all present and paid respect to Elders past, present and those emerging.

Business suspended for Agenda Item A1.

**A1. Fingal Head Holiday Park Upgrade and Aboriginal Cultural Heritage Assessment – Andrew Illingworth (Tweed Holiday Parks)**

Andrew advised that as at 1 July 2019, 'Tweed Coast Holiday Parks' has been rebranded as 'Tweed Holiday Parks' (THP) and 'Fingal Holiday Park' has been renamed 'Fingal Head Holiday Park'. Andrew tabled a site directory and explained the footprint of the holiday park. Andrew advised that over a period of time the holiday van sites will be turned into tourist sites. There is no plan to redevelop the holiday park; only to carry out improvements and enhancements that make the park more authentic. There is no intention to change the footprint the park; it is all about improving the utilities and amenities in the park which would include some of the slabs being removed and replaced and the old pipe network being upgraded.

Andrew advised that the holiday park has undertaken a survey of visitors and tabled a document outlining a summary of comments received. The clear message that has been received is that the visitors love the holiday park the way it is.

Andrew advised the new Business Strategic Plan for the next 10 years includes developing stronger relationships with both the Aboriginal and Fingal Head community, converting holiday van sites to tourist sites and replacement of three of the cabins that are in a bad state of repair.

Two submissions have been received for the Aboriginal Cultural Heritage Assessment (ACHA) tender. The ACHA will provide a clear map and plan recognising the boundaries of the cemetery. Andrew advised that whilst the past encroachment cannot be undone, THP will be making every effort to maintain the holiday park in a culturally sensitive manner and is aware that if further investigations indicate the necessity to move the boundary, Council will need to consider moving the boundary.

Leweena advised that the boundary of tent sites seems to be encroaching onto Aboriginal land.

Andrew urged the AAC and Aboriginal community to raise any concerns regarding the holiday park with him.

**Action:** *Director Sustainable Communities & Environment (Tracey Stinson) to confirm with Environmental Scientist (Sally Cooper) whether the Fingal Holiday Park ACHA notice has been distributed or whether it will be advertised in the Tweed Link and newspaper and to advise the AAC.*

Andrew Illingworth left at 10.57am  
Sarah McGhee arrived at 10.57am

**A2. Tweed River Estuary Management Plan – Tom Alletson (Tweed Shire Council)**

Tom tabled a summary of the Tweed Estuary Coastal Management Program and worked through the document with the AAC. A report has been prepared for Council recommending that the management plan be placed on public exhibition. Tom has met with the AAC previously regarding the plan which has been prepared over the past four years. A random telephone survey of 400 residents in the Shire was conducted along with paper and online surveys with 840 responses received. Recreational fishing came out as the item that absolutely has to be protected. Tom focused on the ecological assessment and recreational use study during his presentation. The floodplain in the catchment is highly modified with impacts on the natural drainage and natural purification of the water before it enters the river. The high level of human use forms a huge threat to flora and fauna.

Leweena asked whether there is any intention to run education or programs for kids regarding fishing line, plastic etc. Tom advised education and engagement is critical across all age groups. Whilst there isn't a specific action in the plan, Tom would like to conduct a survey to see whether there are any areas in the estuary that are collection points. Council could then partner with TBLALC to collaboratively work together to clean up those areas.

Tracey advised there is a movie called "Plastic Oceans" which could be tied into this plan as well as resource recovery.

Upstream of Murwillumbah there are opportunities to work with large property owners to address river bank improvements. The work is expensive and it requires land owners to be committed to work with Council. It is a slow process and once the work is completed there is also ongoing maintenance work that has to be continued.

The overall condition rating table indicates very poor condition in the Rous River and Upper estuary areas. If there is cane to the river bank there would be an economic impact for farmers as they may lose land on the edge of the river through erosion.

Without significant investment from State and Federal governments there will be a significant challenge in affording the extent of work required. The size of the population across the border that visit the Tweed has a significant impact on the natural environment.

Boating and water entry infrastructure needs to be maintained. Building additional ramps and jetties is not ideal and Council is focussed on maintenance. Riverside parks are well used near boat ramps but there is a limited amount of land that is publicly accessible along the river.

One of the things that may be a high profile issue is the concept of character zones eg. Stotts Island and upstream of Murwillumbah. There are some locations that are more suited to passive recreation such as kayaks eg. not for tow boats, wake boards, jet skis etc. If Council adopts this in the plan it can be recommended to the State Government. Council does not have jurisdiction to enforce the character zones.

Jackie asked whether regulated zones are policed eg. near Cobaki bridge. Tom advised this is a State Government responsibility.

The Tweed River Estuary Management Plan will be on public exhibition in September and October 2019. Following Council's adoption of the plan it will be referred on to the State Government.

Leewena commented that this is an important plan as the use of the river impacts the health of the environment and individual interests may need to be compromised. Leewena commented that if any of the Aboriginal organisations can lend support to funding or other submissions, they would be pleased to support.

**A3. 'For Country, for Nation' Exhibition – Sarah McGhee (Tweed Regional Gallery & Margaret Olley Art Centre)**

Sarah advised that the 'For Country, for Nation' exhibition is an Australian War Memorial touring exhibition. The exhibition opens at the Tweed Regional Gallery & Margaret Olley Art Centre (the Gallery) on 29 November 2019. The Gallery is following the lead of the Australian War Memorial Museum in presenting this exhibition. The exhibition recognises the valuable and selfless military service of Aboriginal and Torres Strait Islander peoples, and their contribution to the Anzac legend. It is a story that is little known, but one that deserves to be told.

The exhibition comprises over 200 objects, artworks and photographs from the Australian War Memorial's collection. A significant aspect of 'For Country, for Nation' was the commissioning of Indigenous artists to tell their stories and family and community connections to the defence of Australia. Two large-scale multimedia experiences at human scale create a compelling visual connection between visual storytelling and visitors. In addition, the exhibition includes a touch screen that provides a digital platform to highlight stories that are not presented in physical form; allowing for new stories and content to be added periodically as they come to light during the tour.

Jackie advised there would be local stories that could be added to the touch screen. Sarah was requested to liaise with the Australian War Memorial and obtain information about the touch screen exhibition ie. is it about collecting local stories and the sharing stories for the people visiting?

The Gallery would like to extend an invitation to the AAC member organisations and Aboriginal community including family members of Aboriginal members who have served to attend the official opening on 29 November 2019 at 6pm. The Gallery would appreciate it if the AAC could recommend an Aboriginal person to formally open the exhibition.

The AAC requested that there be a section in the exhibition for local content. If the family members give permission, it would be important and respectful to include the names of local Aboriginal and Torres Strait Islander community members who served in the exhibition. Leewena acknowledged the exhibition and asked if it would be possible to include local content separate to the exhibition which tells the stories of local people as there appears to be a forgotten story that hasn't been told. Leewena advised that the local content would value-add to the exhibition.

**Action:** *Sarah McGhee (Exhibition Curator) to liaise with Australian War Memorial regarding the touch screen exhibition and whether local stories can be collected and added to the screens, and to advise CDO-Aboriginal.*

**Action:** *CDO-Aboriginal to provide email and address details of AAC and Torres Strait Islander organisations to Sarah McGhee (Exhibition Curator) so that invitations can be forwarded.*

Sarah McGhee left at 12.09pm

**Minutes of Meeting Held Friday 3 May 2019:**

**Moved:** Des Williams

**Seconded:** Dale Williams

**RESOLVED** that the Minutes of the Aboriginal Advisory Committee meeting held Friday 3 May 2019 be accepted as a true and accurate record of the proceedings of that meeting. The minutes were endorsed by Council at its meeting held on 20 June 2019.

**Minutes of Previous Meeting:**

**Moved:** Des Williams

**Seconded:** Dale Williams

**RESOLVED** that the Minutes of the Aboriginal Advisory Committee meeting held Friday 5 July 2019 be accepted as a true and accurate record of the proceedings of that meeting.

**Business Arising:**

**Business Arising from meeting held on 5 July 2019 at Agenda Item IC3**

**BA1. NAIDOC Awards 2019 Person of the Year Nomination**

Jackie advised that when receiving her award, Auntie Joyce Summers acknowledged all the people who worked with her in the community rather than taking the accolades herself. The AAC acknowledged that it is good for community to recognise each other.

**Business Arising from meeting held on 5 July 2019 at Agenda Item GB1**

**BA2. Membership of Tweed Aboriginal Co-Operative Society Ltd**

Victor asked whether a letter has been sent to the Tweed Aboriginal Co-Operative Society Ltd regarding its membership and advised he will follow up with Nicole Rotumah.

**Business Arising from meeting held on 5 July 2019 at Agenda Item GB2**

**GB3. Sustainability Awards (discussed at meeting on 5 July 2019)**

Council is running its first Sustainability Awards to celebrate and build the capacity of the Tweed community to take action for great environmental outcomes. An information sheet in relation to the Awards was tabled and discussed at the meeting on 5 July 2019. Nominations close on 2 September 2019 and award winners will be announced at an awards showcase event on Friday 15 November 2019.

The awards showcase event is an opportunity for Council to reflect and respect local indigenous perspectives about caring for country, as much as possible and as much as is culturally appropriate. The AAC members were encouraged to make nominations.

**Action:** *CDO-Aboriginal to advise Sustainability Officer (Debbie Firestone) that the AAC will make a nomination at its meeting on 6 September 2019.*

**Action:** *Gabby to email to the AAC the information sheet from the website and website hyperlink on 2 August 2019 today so that nominations can be considered at the next AAC meeting.*

**Incoming Correspondence:**

Nil.

**Outgoing Correspondence:**

Nil

**General Business:**

**GB1. Sign at Razorback**

Jackie advised that the Joongurrabah 'Place of Pelican' signage at Razorback has been removed and Council has advised that it is not aware of where the sign has gone. It appears that the sign has been grinded off at ground level and the sharp tube edges have been smoothed off. There has been significant vandalism at Razorback and the Police believe the removal of the sign may be part of the recent vandalism. Senior Sergeant Cullen has requested that Council make a formal complaint.

**Action:** *CDO-Aboriginal to liaise with Manager Parks & Active Communities (Stewart Brawley) to ensure a formal complaint has been made to Police regarding the vandalism of the Joongurrabah 'Place of Pelican' signage at Razorback.*

**GB2. Support for retention of dry stone walls at new Tweed Hospital site**

Jackie advised that the South Sea Islander Community Association has requested the support of First Nations people for retention of the dry stone walls at the new Tweed Hospital site and to incorporate them into landscaping. The dry stone walls are scheduled to be removed next week. To speed up the process of obtaining the support, the AAC suggested that Jackie request the South Sea Islander Community Association to send the request via email to the individual local Aboriginal organisations. Jackie advised that the South Sea Islander Community Association does not oppose the new hospital site.

**GB3. Local Government Aboriginal Network Conference (LGAN)**

Robyn advised that Local Government Aboriginal Network Conference (LGAN) will be held from 14 to 16 October 2019 in Sydney. Council will sponsor the attendance of an AAC member along with a member of the RAP Working Group. Victor Slockee was nominated and advised he will check with family and advise of his availability. If Victor is unable to attend, Des Williams was nominated as the alternate delegate.

**Moved: Leweena Williams**

**Seconded: Dale Williams**

**RECOMMENDATION:** That subject to availability, the Aboriginal Advisory Committee nominates Victor Slockee to attend the 2019 Local Government Aboriginal Network Conference. If Victor Slockee is unable to attend the conference, the AAC nominated Des Williams as the alternate delegate.

**Next Meeting:**

The next meeting of the Aboriginal Advisory Committee will be held Friday 6 September 2019.

The meeting closed at 1.25pm.

**EXECUTIVE LEADERSHIP TEAM'S COMMENTS:**

Nil.

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

**GB3.Local Government Aboriginal Network Conference (LGAN)**

*That subject to availability, the Aboriginal Advisory Committee nominates Victor Slockee to attend the 2019 Local Government Aboriginal Network Conference. If Victor Slockee is unable to attend the conference, the AAC nominated Des Williams as the alternate delegate*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Aboriginal Advisory Committee adopted 19 September 2013 (ECM 3146605).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**10 [SUB-CHAC] Minutes of the Community Halls Advisory Committee Meeting held 28 August 2019**

**SUBMITTED BY: Community and Cultural Services**

mhm



People, places and moving around

*Who we are and how we live*

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

- 3 People, places and moving around
- 3.1 People
- 3.1.2 Community and Cultural Development - To provide community and cultural development services to foster and improve social and cultural well-being.

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

The minutes of the Community Halls Advisory Committee meeting held Wednesday 28 August 2019 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That the minutes of the Community Halls Advisory Committee meeting held Wednesday 28 August 2019 be received and noted.**

**REPORT:**

The minutes of the Community Halls Advisory Committee (CHAC) meeting held Wednesday 28 August 2019 are reproduced as follows for the information of Councillors.

**Venue:**

Canvas and Kettle Meeting Room

**Time:**

11:00am

**Present:**

Jennifer Kidd (Tumbulgum Hall - Deputy Chairperson), Helen Manning (Fernvale Hall), Janet Tkachenko, Ruth Clarke and Yvonne Hogan (Pottsville Beach Hall), Maree Edwards (Chillingham Hall), Steve Sweetnam (Doon Doon Hall), Elisabeth Mioni (Piggabeen), Tracey Stinson (Tweed Shire Council)

**Apologies:**

Cr Warren Polglase, Cr Ron Cooper, Robyn Grigg (Tweed Shire Council), Marg Wilson (Limpinwood Hall) and Reg Robinson (Crabbes Creek Hall)

**Ex-officio:**

Chantelle Howse and Shannon Rees (Tweed Shire Council - Minutes)

**Minutes of Previous Meeting:**

**Moved:** Janet Tkachenko

**Seconded:** Helen Manning

**RESOLVED** that the Minutes of the Community Halls Advisory Committee meeting held Wednesday 15 May 2019 be accepted as a true and accurate record of the proceedings of that meeting.

**Outstanding Matters Report:**

Nil outstanding matters for this meeting.

**Agenda Items:**

**AI1. Volunteer Induction**

Shannon reiterated that it was intended that individual committees use the information from the volunteer induction session on 28 August to induct their own committee members. Pottsville Beach have had this on their meeting agenda, and Fernvale also briefed their committee members. Shannon noted that Piggabeen and Crabbes Creek Halls committee representatives did not attend the induction, and will be followed up separately for this to occur. Clarification on how the inductions are presented, can either be electronically to committee members or through a meeting/workshop arrangement. The essential outcome is that committee members understand the various roles, responsibilities and relationships with regard to being a volunteer for Council. Shannon requested that Committees send in their signed attendance sheets for these induction sessions.

**Action:** *Shannon to send the Volunteer Induction Attendance sheet including role of committee member to Committees to complete and return to Council.*



**AI2. Management Agreements**

Shannon thanked those hall committee management members who had signed and returned the management agreements, and requested those that are outstanding are sent in as soon as possible. Shannon also reminded members that the agreements are responsive to changes in requirements and legislation, so may be updated, reissued etc. as the need arises. Liz Mioni (Piggabeen Hall) requested further information from other committee members regarding how they store these documents. Information provided was that some hall committees keep electronic copies of the documents and some keep paper copies in a secure place at their hall. Shannon noted that good governance and record keeping practice is for committees to also send electronic copies of records to Council, as these will then be recorded in Council's record management system for hall committee records to be maintained and secure regardless of personnel changes on the committees.

**Action:** *Shannon to provide copies of signed agreements to individual hall committees.*

**AI3. Council Resolution (20 September 2018 Meeting)**

Chantelle will send the Community Halls Matched Funding Scheme Protocol when it has been finalised. A prerequisite to apply for the funding is to complete an Owner's Consent form which is a simple project management form. Chantelle and Shannon are happy to assist with this process as required. Project costs and project funding are on the last page of the form. Matched funding can be applied for in this part of the form for up to \$3000. This is the trigger for the Protocol to be applied and an application will be sent to you. Once an application for matched funding is received it is reviewed and actioned by Coordinator Community Development (Chantelle) and Manager Community and Cultural Services (Robyn Grigg). How or where funds are allocated will be determined if Council is undertaking the work or if external suppliers are. Chantelle reminded the committee that the nature of the works is outlined as part of the Council resolution, ie. *annual dollar for dollar funding up to the value of \$3000 per Council owned community hall for hall committees to seek funding for building improvements such as kitchen upgrades, lighting and internal building maintenance.*

**AI4. Insurance**

Shannon reported that there have been a couple of incidents in Council owned community halls that have raised insurance issues, and acknowledged that the classification of committee members as volunteers for Council also influences this process. Council will continue with the current insurance arrangements at this stage, however issues that are not covered by these arrangements are in relation to faulty equipment that is not owned by Council, storage of equipment in community halls etc. Council is continuing with internal discussions regarding these issues and will keep the committee informed and is also in the process of gathering information to inform these discussions. Shannon and Chantelle requested that hall committees provide information regarding their contents insurance status and if they have any arrangements in place for tagging and testing of equipment in the halls.

**Action:** *Hall committees to provide information regarding their contents insurance status and if they have any arrangements in place for tagging and testing of equipment in the halls.*

**AI5. Events**

**Chillingham Hall** will be a possible wedding weather venue this Saturday. Hosted Chillingham Voices last week. Regular Indonesian street food stall once a month. No set up or clean up requirements for the hall committee which works well.

**Fernvale Hall** was used by Murwillumbah Potters earlier in the month for the Mud Trail ceramics weekend. Will be hosting a community event in October rather than a Christmas party at the end of the year.

**Doon Doon Hall** has had no events recently.

**Pottsville Hall** is still being utilised on a regular basis by usual/regular hirers. Will be closing down in the September/October school holidays for the floor replacement project. The hall has also recently been used for the commencement of a project in partnership with Pottsville Beach Neighbourhood Centre for a cooking for the homeless project, using rescued food. Volunteers would like to extend the program for people who come out of hospital. Community pantry operates on a Wednesday.

The hall committee are also planning an Op-shop Fashion Parade event once the floor project has been completed.

**Piggabeen Hall** has held the annual "Piggabeen's Got Talent" event and Bush Dance. The hall was used for a wedding hire recently and the hirers donated the fairy lights they used to decorate the hall to replace old existing ones. The hall is due to be used for another wedding hire soon. Hall is also being hired for sound therapy on Sundays and the Australian School of Meditation uses it for meditation for children. Piggabeen Valley Market is becoming a wellness event. A community Christmas party is also being planned.

**Tumbulgum Hall** kitchen building works and flood repair have been completed. Hall continues to be hired for regular community events. September is booked out each weekend for weddings. Hall Committee has moved to electronic banking. Have experienced some challenges with this with changing names and bank accounts but are working through these. Hall will be supporting a community Christmas Carol event on 1 December at the Tumbulgum Public School. Tumbulgum Community Association have also been working with Council on the launch of the Rous River Canoe Trail.

**Inwards Correspondence:**

Nil.

**Outgoing Correspondence:**

Nil.

**General Business:**

**GB1. Acknowledgement of Claire Masters**

Shannon acknowledged the unexpected passing of Claire Masters, and noted her significant contribution to this committee and to the community in general. Shannon informed the committee that the recent tree planting ceremony and event at Chillingham Community Centre to celebrate Claire's life and achievements was extremely well attended and was a fitting tribute to her.

**GB2. Director Sustainable Communities and Environment**

Tracey thanked the committee for their continued participation on the committee and their contribution to their community, and also the increased collaboration with Council that has resulted in positive outcomes. Tracey noted that governance arrangements have improved, which was one of the key intentions of the committee being established.

**GB3. Disability Audits for Community Halls**

Members requested a copy of the audits recently conducted by Karen Collins (Community Development Officer – Ageing and Disability) for each of the community halls, to assist with grant applications and future planning. Shannon will follow up on these audits and provide information as appropriate.

**GB4. Scheduling Next Meeting, including venue**

The next meeting will be held 11:00am Wednesday 6 November 2019 at the Canvas and Kettle Meeting Room, Murwillumbah Civic and Cultural Centre.

The meeting closed at 1:00pm.

**EXECUTIVE LEADERSHIP TEAM'S COMMENTS:**

Nil.

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice v3.0.

Terms of Reference Version 1.1 - adopted 15 December 2017 (ECM 4934120).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**11 [SUB-TRMAC] Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 August 2019**

**SUBMITTED BY: Community and Cultural Services**

mhm

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People, places and moving around  
*Who we are and how we live*

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

- 3 People, places and moving around
- 3.2 Places
- 3.2.6 Museum - To preserve and share the history of the Tweed for the benefit and enjoyment of visitors and the community.

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

The Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 August 2019 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That the Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 August 2019 be received and noted.**

**REPORT:**

The Minutes of the Tweed Regional Museum Advisory Committee Meeting held Wednesday 28 August 2019 are reproduced as follows for the information of Councillors.

**Venue:**

Tweed Regional Museum, Murwillumbah

**Time:**

4.00pm

**Present:**

Cr Warren Polglase; Robyn Grigg (Manager Community & Cultural Services); Gary Fidler (Community); Sandra Flannery (Community); Ian Fox (Community); Chris Core (Community); Brian O’Keeffe (Tweed Heads Historical Society); David Taylor (Murwillumbah Historical Society); Marion Roberts (Uki & South Arm Historical Society); Jim Sachs (Tweed Heads Historical Society); Max Boyd (Murwillumbah Historical Society); Judy Kean (Museum Director); Gabby Arthur (Museum Collection and Program Support Officer).

**Apologies:**

Tracey Stinson (Director Sustainable Communities & Environment); Marion Mewett (Community); Christian Ellis (Community); Helena Duckworth (Uki & South Arm Historical Society).

**Minutes of Previous Meeting:**

**Moved: Max Boyd**

**Seconded: Brian O’Keefe**

**RESOLVED** that the Minutes of the Tweed Regional Museum Advisory Committee meeting held Wednesday 8 May 2019 be accepted as a true and accurate record of the proceedings of that meeting.

**Business Arising:**

**Agenda Items:**

**A1. Museum Director’s Report**

The Museum Director’s Report was circulated prior to the meeting.

Judy provided an overview of the report:

- Update re Land | Life | Culture (previously referred to as Natural History Wall) installation. Closure of Murwillumbah Museum for eight weeks for installation and rearranging of display area.
- Possibility that Tweed Museum will open for an additional day during this period.
- Event to be held on 23 September 2019 acknowledging substantial donations including Restart NSW and media will be invited.
- Social media measures – increase in number of followers on Facebook and Instagram and an increase in engagement for the past 12 months.

**Moved: Max Boyd**

**Seconded: Chris Core**

**RESOLVED** that the Museum Director's Report be accepted by the Tweed Regional Museum Advisory Committee.

## **A2. Proposed Acquisitions**

List of Proposed Acquisitions was circulated prior to the meeting.

For the purpose of the Minutes, Judy requested that the Committee acknowledge the following:

- Accession ID 42992 - Compact disc, titled 'Boyd Brothers Fisherman' featuring songs written and sung by Jeff Boyd: Do It Yourself; Boyd Brothers Fishermen; Keep Rolling Along, 2002. Recommendation to accept the content of the disc as well as the physical disc.
- Accession Item No. 42942 - 35 items associated with Herb Moore's Menswear Store and his son Peter Moore's glass printing business. Includes bank robber t-shirts, Australian Hotel commemorative plate, printed glasses, photographs and news clippings. Judy noted that Herb is still working through his items and further items will be donated which will be a representative collection of Herb Moore's Menswear Store.

**Moved: Sandra Flannery**

**Seconded: Marion Roberts**

**RESOLVED** that the proposed acquisitions be accepted by the Tweed Regional Museum Advisory Committee and acknowledged the additional information provided regarding Accession IDs 42992 and 42942.

## **A2. Proposed De-accessions**

List of Proposed De-accessions was circulated prior to the meeting.

Brian raised a query prior to the meeting regarding ID 31353 and ID31328. Judy advised that regarding ID 31353, the Museum already holds similar items in the collection which tell the general agriculture story. Judy advised that ID31328 'peg-survey-8-20-21-c early 1900's' will be removed from the de-accessions until further research is undertaken.

No further queries were received from members at the meeting.

**Moved: Jim Sachs**

**Seconded: Chris Core**

**RESOLVED** that the proposed de-accessions be accepted by the Tweed Regional Museum Advisory Committee and that the 90 day cooling off period prior to disposal be waived for all items on the De-accession list that do not have identified donors.

## **General Business:**

### **GB1.Lisnagar Homestead**

Max raised concerns regarding the vulnerability of the historically significant 'Lisnagar' Homestead which is a heritage listed building. During discussion it was agreed that the Historical Societies will follow up with family members and it is not a matter for the Tweed Regional Museum Advisory Committee.

**Next Meeting:**

The next meeting of the Tweed Regional Museum Advisory Committee will be held on 27 November 2019.

The meeting closed at 4.56pm.

**EXECUTIVE LEADERSHIP TEAM'S COMMENTS:**

Nil.

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Reviewed 21 August 2012 (ECM 3283132).

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**CONFIDENTIAL ITEMS FOR CONSIDERATION**

**REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE**

**REPORTS FROM THE DIRECTOR PLANNING AND REGULATION IN COMMITTEE**

**C1 [PR-CM] Development Application DA18/0730 for the Use of Part of the Shed as a Rural Workers Dwelling at Lot 22 DP 1006926 & Lot 23 DP 1006926 Kaness Road, Cudgera Creek**

**REASON FOR CONFIDENTIALITY:**

This report is confidential due to commercial information provided within the report.

**Local Government Act**

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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

mhm



Making decisions with you  
*We're in this together*

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

- 2 Making decisions with you
- 2.1 Built Environment
- 2.1.2 Development Assessment - To assess development applications lodged with Council to achieve quality land use outcomes and to assist people to understand the development process.

**ROLE:** **Provider**

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