

Mayor: Cr K Milne

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

LATE Agenda

**Ordinary Council Meeting
Thursday 5 December 2019**

held at
**Harvard Room, Tweed Heads Administration Building,
Brett Street, Tweed Heads**
commencing 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.

Items for Consideration of Council:

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REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT

14 REPLACEMENT REPORT [SCE-CM] Draft Black Rocks Sports Field Master Plan

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**

SUMMARY OF REPORT:

Council has resolved to prepare a master plan for the Black Rocks Sports Field in Pottsville prior to the conclusion of the 2019 calendar year. Community stakeholder consultation regarding the proposed master plan was undertaken and the draft Black Rocks Sports Field Master Plan has been developed. The Master Plan comprises of a Site Plan, Master Plan Report including a site analysis and literature review and Community Consultation Report all of which are attached to this Council Report. The draft Black Rocks Sports Field Master Plan is being presented to Council within the requested timeframe and is recommended for public exhibition.

RECOMMENDATION:

That Council endorses the draft Black Rocks Sports Field Master Plan and Master Plan Report and place on public exhibition for 28 days.

REPORT:

Background

The Black Rocks Sports Field is a 4 hectare sports field situated on Council owned community land which is surrounded by Council land dedicated as koala habitat. The subject site has an extensive planning and management history. The site is currently regularly utilised by Pottsville Beach Cricket Club, Pottsville Fun Croquet Club, Far North Coast Electric Fliers and the Pottsville and District Men's Shed. An amenities building, shelters, Men's Shed and storage exists at the site.

At its meeting held 17 April 2019, Council considered a request from the Pottsville and District Men's Shed Inc. ('Men's Shed') for Council to consider granting them a licence in perpetuity for their facility at the site or a modification of the licence to include an appropriate renewal clause. Council also considered a request from the Men's Shed for an extension to the licenced area. At the Council meetings held 17 April 2019 and 16 May 2019 Council resolved to support the proposal to grant a licence to the Men's Shed for a period of five years with an option to renew for a further five years commencing upon the expiry of the existing licence agreement in 2022. This application is currently being considered by the Minister.

As part of this consideration, Council resolved to develop a master plan for Black Rocks Sports Field prior to the conclusion of the 2019 calendar year and include *consideration of a request for an extension of the Licence area when developing a master plan for the Black Rocks Sports Field, which will be incorporated into the Plan of Management.*

Community Consultation

Council sent invitations to 12 community stakeholder user groups to nominate representatives for a Black Rocks Sports Field Master Plan Working Group.

Subsequently, Council sent questionnaires to the community stakeholder user groups seeking information in relation to the user groups' current and potential future requirements of the site and the community's vision for use of the area. The questionnaires provided a framework for written submissions and gave user groups an opportunity to provide input into the draft master plan.

Council received six nominations from the user groups towards the Working Group and seven completed questionnaires.

Following review of the completed questionnaires, a workshop was held with the Working Group on Tuesday 24 September 2019. The aim of the workshop was to obtain a level of consensus among user groups regarding the site plan and create a design brief for a shared community building using the questionnaire feedback as a foundation for discussions.

A preliminary draft Master Plan was then created for discussion which was sent to the Tweed Coast Koala Management Committee (TCKMC) with an invitation to comment.

Feedback from the TCKMC was considered and integrated into an updated draft master plan which was then presented at the second workshop with the Working Group on Wednesday 13 November 2019.

The feedback received through the questionnaires, submissions and workshops are detailed in the draft Community Consultation Report which is attached to this Council report.

Draft Black Rocks Sports Field Master Plan

The draft Black Rocks Sports Field Master Plan has been developed and comprises of the following:

- Draft Site Plan;
- Draft Master Plan Report including a site analysis, literature review and proposal discussion; and
- Draft Community Consultation Report.

These documents are attached to this Council report.

The draft Master Plan Report provides a discussion for the proposal including site analysis, site history, community input and consideration of relevant planning documents. The Report includes a literature review summarising the relevant findings and recommendations of the *Tweed Shire Open Space Strategy 2019-2029*, *Tweed Sports Fields Strategy 2014*, *Generic Plan of Management for Community land Categorised as a Sportsground 2012*, *Tweed Development Control Plan 2008 - Section B21 Pottsville Locality Based Development Code*, *Draft Community Facilities Plan 2019 – 2036* and *Black Rocks Sports Field Precinct Operational Plan*.

Many of the concerns raised by various stakeholders have been addressed through the community consultation and design process. The contentious matters that featured during the community consultation and design process primarily involved the proposed perimeter landscaping and car parking. The draft Master Plan as proposed is considered to address the requests and concerns raised by each stakeholder group.

The draft Master Plan as proposed includes a landscaped edge treatment comprising low growing vegetation (grasses and shrub species) in addition to a minimum of 15 koala food trees, as required under Development Consent DA15/0160 which approved the construction of the Men's Shed. The landscaping as proposed is not considered to compromise the use of the site as a sports ground, nor does it present any additional bush fire risk. The landscaping proposed involving mulched garden beds and rounded corners and is not considered to be 'bush regeneration' however would result in improved amenity of the development and reduced maintenance requirements with reduced mowing. The scale and arrangement of the proposed buildings and car parking are consistent with sports ground facilities provided across the Shire and are considered to be consistent with Council's plans and strategies regarding open space and sports field facility provision.

OPTIONS:

At its meeting held 16 May 2019, Council resolved that Council:

"...

2. *Includes consideration of a request for an extension of the Licence area when developing a master plan for the Black Rocks Sports Field, which will be incorporated into the Plan of Management.*
3. *Develops the master plan prior to the conclusion of the 2019 calendar year."*

There is no statutory requirement to place the draft master plan on exhibition and the stakeholder engagement process included 12 community stakeholder groups. Therefore it

may be considered that the draft master plan was developed through a robust consultation process and Council is in a position to adopt the draft plan as presented. However, given the broader community interest that has ensued for many years, it is recommended to now seek feedback on the Draft Master Plan by placing it on public exhibition for a period of 28 days.

Option for consideration by Council are therefore:

1. Council endorses the draft Black Rocks Sports Field Master Plan and Master Plan Report and place on public exhibition for 28 days.
2. Council adopts the draft Black Rocks Sports Field Master Plan and Master Plan Report attached to this report.
3. Council does not endorse the draft Black Rocks Sports Field Master Plan Master Plan Report.

CONCLUSION:

Council has resolved to prepare a master plan for the Black Rocks Sports Field in Pottsville prior to the conclusion of the 2019 calendar year. Community stakeholder consultation was undertaken regarding the current and potential future requirements of the site. A draft master plan and supporting documentation has been compiled and is being presented to Council within the requested timeframe recommended for public exhibition.

COUNCIL IMPLICATIONS:

a. Policy:

Community Engagement Strategy v2.0

b. Budget/Long Term Financial Plan:

Development of the site in accordance with the proposed draft master plan will be implemented progressively as funding is identified. Higher cost elements such as buildings will be dependent on grant funding. Other elements will be progressed through stakeholder contributions and existing Council funding sources (S94, capital works allocations) with reference to shire wide priorities.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

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

Community consultation with community stakeholder user groups has been undertaken in the development of the draft master plan as outlined in the report and attachments. Further wider public consultation is recommended in accordance with Council's Community Engagement Strategy by placing the Draft on Public exhibition for a period of 28 days.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- Attachment 1. Draft Black Rocks Sports Field Master Plan (ECM 6143644)
- Attachment 2. Draft Black Rocks Sports Field Master Plan Report (ECM 6163488)
- Attachment 3. Draft Black Rocks Sports Field Master Plan Community Consultation Report (ECM 6143695)
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LATE ITEMS

30 LATE [E-CM] RFO2019140 Review and Recommendations for Tweed Shire Council's Water Management Strategies

SUBMITTED BY: Director

Valid



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**

SUMMARY OF REPORT:

At its meeting on Thursday 21 November 2019 Council resolved:

"that this report be deferred to the Council Meeting of 5 December 2019 to seek legal advice."

This advice was provided by one of the members of Council's legal service panel of providers on Thursday 28 November 2019, via a phone conference attended by Councillors, the Executive, relevant senior staff and the legal service provider.

This report is again resubmitted for Council's consideration and determination.

Original Summary

Request for Offer RFO2019140 Review and Recommendations for Tweed Shire Council's Water Management Strategies was called to engage a suitably qualified and experienced Consultant/s to:

Separable Portion A: Review and make recommendations for the Tweed Shire Council's Demand Management and Water Efficiency Strategy through the preparation and presentation of a report.

The combined contract value of Separable Portions A and B was not expected to exceed the threshold that requires a Council resolution to award the contract. However, given the high public interest in the work to be done by the consultant/s and to ensure there is probity in the process followed by the Water Strategies Review Project Reference Group, a Council resolution to award the work is being sought.

Separable Portion B: Review and make recommendations for the Tweed Shire Council's Water Augmentation Strategy through the preparation and presentation of a report.

At the time of closing seven (7) Offers were received for both Separable Portion A and Separable Portion B from eight individual organisations.

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 RFO2019140 Review and Recommendations for Tweed Shire Council's Water Management Strategies:

1. **Council awards the contract to two (2) organisations as follows:**
 - a) **Hydrosphere Consulting Pty Ltd ABN 74 162 782 428 be awarded Separable Portion A for the amount of \$28,520.00 excluding GST.**
 - b) **Hydrology and Risk Consulting Pty Ltd ABN 87 553 755 959 be awarded Separable Portion B for the amount of \$63,001.82 excluding 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 RFO2019140 Review and Recommendations for Tweed Shire Council's Water Management Strategies was called to engage a suitably qualified and experienced Consultant/s to:

Separable Portion A: Review and make recommendations for the Tweed Shire Council's Demand Management and Water Efficiency Strategy through the preparation and presentation of a report.

Separable Portion B: Review and make recommendations for the Tweed Shire Council's Water Augmentation Strategy through the preparation and presentation of a report.

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 officially advertised in The Sydney Morning Herald on Tuesday 17/09/2019 and also in the Brisbane Courier Mail on 14/09/2019 and on Council's website.

Offer submissions closed at 4.00pm (local time) on 9/10/2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Offer Addendums

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

Notice to Bidders No.01 was issued to advise Bidders that:

Council would like to advise potential bidders for RFO2019140 of the following groundwater water study currently under way.

The link to the Initial report into Northern Rivers bottled water is provided below:

<https://www.industry.nsw.gov.au/water/news/initial-report-into-northern-rivers-bottled-water-released>.

“Minister for Primary Industries, Minister for Regional Water and Minister for Trade and Industry Niall Blair said the initial report was an important first step in providing advice on what the sustainable groundwater extraction limits are in the Northern Rivers region. The independent review's final report will further assess what impact the bottled industry is having on both surface and groundwater.”

Offer Submissions

Offer submissions closed at 4:00pm (local time) on 9/10/2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

The Tender Box was opened by Council's delegated Officers after 4:00pm (local time) and the following Offers were recorded:

Separable Portion A:

Bidder	ABN
Stantec Australia Pty Ltd	17 007 820 322
Institute for Sustainable Futures, University of Technology Sydney	77 257 686 961
Hydrosphere Consulting Pty Ltd	74 162 782 428
Hunter H2O Holdings Pty Ltd	16 602 201 552
Hydrology and Risk Consulting Pty Ltd	87 553 755 959
Ganden Engineers and Project Managers	52 128 434 846
Alluvium Consulting Australia Pty Ltd	76 151 119 792

Separable Portion B:

Bidder	ABN
Stantec Australia Pty Ltd	17 007 820 322
Hydrosphere Consulting Pty Ltd	74 162 782 428
Hunter H2O Holdings Pty Ltd	16 602 201 552
Hydrology and Risk Consulting Pty Ltd	87 553 755 959
GHD Pty Ltd	39 008 488 373
Ganden Engineers and Project Managers	52 128 434 846
Alluvium Consulting Australia Pty Ltd	76 151 119 792

Combined Separable Portion A and Separable Portion B:

Bidder	ABN
Stantec Australia Pty Ltd	17 007 820 322
Hydrosphere Consulting Pty Ltd	74 162 782 428
Hunter H2O Holdings Pty Ltd	16 602 201 552
Hydrology and Risk Consulting Pty Ltd	87 553 755 959
Ganden Engineers and Project Managers	52 128 434 846
Alluvium Consulting Australia Pty Ltd	76 151 119 792

Offer Evaluation

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

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

Position
Engineer – Water Efficiency and Connections
Coordinator – Strategy and Business Management
Engineer – Asset Management

Offers were evaluated based on the criteria noted in the table below.

Evaluation Criteria	Document Reference	Weighting (%)
Assessed Offer Price (as adjusted)	Schedule 5.12	30
Demonstrated track record in finding a diverse range of solutions, including innovative and sustainable options, utilising best practice from Australia and overseas	Part A: Schedule 5.4 Part B: Schedule 5.5	20
Understanding of the project requirements, including the proposed methodology	Part A: Schedule 5.6 Part B: Schedule 5.7	14
Capability of the organisation, including experience	Part A: Schedule 5.8 Part B: Schedule 5.9	13
Key personnel and sub-contractors, including capability, experience and time/task allocation	Part A: Schedule 5.10 Part B: Schedule 5.11	13
Local Content	Schedule 5.15	10
	Total	100

The details of the price and non-price evaluation are shown on the Offer Evaluation Report and Offer Evaluation Scoring Sheet. A copy of the Offer Evaluation Report and Offer Evaluation Scoring Sheet are included as ATTACHMENTS 1 and 2 which are CONFIDENTIAL in accordance with Section 10A(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. Awards the contract to two (2) organisations as follows:
 - a) Hydrosphere Consulting Pty Ltd ABN 74 162 782 428 be awarded Separable Portion A for the amount of \$28,520.00 excluding GST.
 - b) Hydrology and Risk Consulting Pty Ltd ABN 87 553 755 959 be awarded Separable Portion B for the amount of \$63,001.82 excluding 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:

Awarding Separable Portion A to Hydrosphere Consulting Pty Ltd and Separable Portion B to Hydrology and Risk Consulting Pty Ltd is deemed as the best value option for Council for the contract RFO2019140.

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 RFO2019140 Review and Recommendations for Tweed Shire Council's Water Management Strategies is included in the 2019/2020 Budget.

c. Legal:

At its meeting on Thursday 21 November 2019 Council resolved:

"that this report be deferred to the Council Meeting of 5 December 2019 to seek legal advice.

This advice was provided by one of the members of Council's legal service panel of providers on Thursday 28 November 2019, via a phone conference attended by Councillors, the Executive, relevant senior staff and the legal service provider.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2019140 - Offer Evaluation Report (ECM 6121457).

(Confidential) Attachment 2. RFO2019140 - Offer Evaluation Scoring Sheet (ECM 6121456).

31 LATE [E-CM] Introduction of Water Restrictions for the Tweed District Water Supply

SUBMITTED BY: Water and Wastewater - Business & Assets

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

SUMMARY OF REPORT:

Level 1 water restrictions for the Tweed District Water Supply, including Uki, are normally to take effect when the Level in Clarrie Hall Dam reaches 75% as per Council's Drought Water Restriction Policy.

However due to:

- Severity of the drought across the state.
- The lack of any useful rainfall in the October / November storm season.
- The deepening of the drought within the shire.
- That rainfall forecasts are not predicting significant rainfall in the next 2 to 3 months.
- Residential water consumption has increased from 188 to 193 L/p/d as residents use more water to 'beat' restrictions despite significant communication to the community to voluntarily reduce their consumption during this period prior to the actual implementation of restrictions.
- The level of Clarrie Hall Dam at 79 per cent and is now falling at a rate of 1.8 per cent a week, against an original 1 per cent a week during August / September.
- Significant rainfall of between 100mm and 150mm over 3-4 days is needed in the catchment above Bray Park Weir to reverse this current decline.

It is therefore proposed to skip Level 1 and move straight to Level 2 water restrictions. It is also proposed to move to Level 3 water restrictions and Level 4 water restrictions more quickly than the policy to ensure the water supply lasts as long as possible.

RECOMMENDATION:

That Council:

- 1. Introduces Level 2 Water Restrictions for the Tweed District Water Supply and Uki from midnight on 12 December 2019.**
- 2. Introduces Level 3 Water Restrictions for the Tweed District Water Supply and Uki when Clarrie Hall Dam drops to 65% of capacity.**
- 3. Introduces Level 4 Water Restrictions for the Tweed District Water Supply and Uki when Clarrie Hall Dam drops to 60% of capacity.**
- 4. Submits Building Better Regions Round 4 grant application for the Water Supply Link with City of Gold Coast.**
- 5. Writes to the Water Licencing Regulator - Natural Resources Access Regulator (NRAR) to request a relaxation of Environmental Flow requirements for Bray Park Weir.**

REPORT:

Level 1 water restrictions for the Tweed District Water Supply, including Uki, are normally to take effect when the level in Clarrie Hall Dam reaches 75% as per Council's Drought Water Restriction Policy. This level is expected to be reached just prior to Christmas.

It was planned that Level 1 Water Restrictions for Tweed District Water Supply (including Uki) would commence from midnight on Thursday 12 December 2019, to ensure the community is aware and compliant prior to the Christmas break, noting office and business closures, minimal media availability and residents being tuned out during this period.

However due to:

- The Tyalgum Water Supply is already on Level 4 Restrictions and water is being tankered from the Tweed District Water Supply directly to the village. Tankering commenced on 19 November 2019.
- The Severity of the drought across the state.
- The lack of any useful rainfall in the October / November storm season.
- The deepening of the drought within the shire.
- Rainfall for the calendar year to 1 December is currently the lowest on record at 632mm for Murwillumbah, compared to the 1902 value of 742mm, since records began in 1881.
- The level of Clarrie Hall Dam at 79 per cent and is now falling at a rate of 1.8 per cent a week, against 1 per cent per week during August / September.
- Rainfall forecasts are not predicting significant rainfall in the next 2 to 3 months.
- Significant rainfall of between 100 and 150mm over 3-4 days is needed in the catchment above Bray Park Weir to reverse this current decline.
- Residential water consumption has increased from 188 to 193 L/p/d as residents use more water to 'beat' restrictions despite significant communication to the community to voluntarily reduce their consumption during this period prior to the actual implementation of restrictions.
- Our Water supply conations one dam which is relatively small. Once the Tweed River effectively stops flowing and we are fully reliant on Clarrie Hall Dam (CHD) and the level starts to fall, we lose capacity quickly. Moving to restrictions will slow the rate of decline and if successful, will prolong the supply as long as possible.

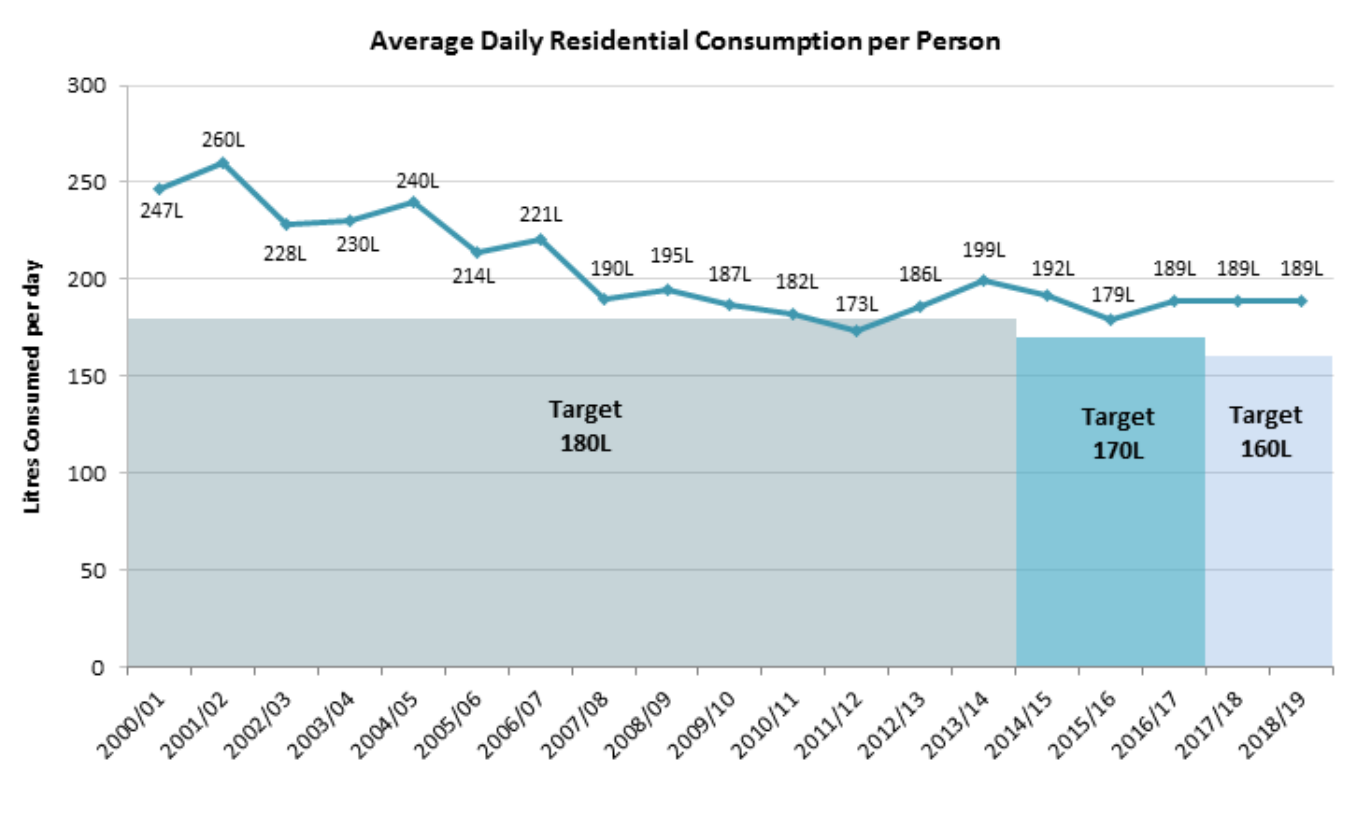
It is therefore proposed to skip Level 1 water restrictions and move straight to Level 2 water restrictions. It is also proposed to move to Level 3 water restrictions and Level 4 water restrictions more quickly than the policy to ensure the water supply last as long as possible.

Specifically this means:

- Introduce Level 2 when CHD falls to 75% instead of 60%.
- Introduce Level 3 when CHD falls to 65% instead of 50%.
- Introduce Level 4 when CHD falls to 60% instead of 40%.

The main difference between Level 1 and Level 2 Water Restriction for **residential** premises is the reduction target drops from 153 to 144 L/p/day. That is, residents are required to reduce their consumption by an extra 9 L/person/day. Therefore, to meet Level 2 Restrictions the current consumption of 193L/person/day needs to be reduced 50L/person/day (in round figures).

Below is a graph showing average residential consumption per person per day since July 2000.



The Table below lists the Level 2 Water Restrictions for **Residential Urban & Rural Premises** from the Drought Water Restrictions Policy Revision 3.2.

ID Code	Customer Group Residential Urban & Rural Premises	Level 2 Restrictions (20% Demand Reduction to 144L/person/day)
R.1	Internal Water Use e.g. showers, toilets, taps etc.	Residents using water from the town water supply are requested to conserve water wherever possible. Target total residential consumption is 144 litres per person per day. Showers, toilets and taps should be at least 3-star WELS rated.
R.2	High Volume Water Users	If water use for single dwelling equivalent is greater than or equal to 2500L/day then Council may conduct a water efficiency audit. Outdoor water use ban may apply.
R.3	Garden Watering	Watering cans or buckets permitted at any time. Hand held hoses permitted for 30 mins per day every second day between 4pm and 9am on odd or even days matching house number. Micro-sprays and drip (sub-surface) irrigation permitted for 15 mins between 4pm and 9am on odd or even days matching house number. Garden watering not permitted on the 31st day of any month. Any other watering systems including sprinklers, soaker hoses and unattended hoses not permitted. All hand held hoses must be fitted with an on/off nozzle.
R.4	Lawn Watering (established lawns)	Not permitted.
R.5	New Turf/New Lawns and Gardens	Watering-in permitted for 1 hr only on the day of establishment. Then 30mins daily between 4pm and 9am for 7 days after the date of establishment.
R.6	Swimming Pools and Spas (existing)	Topping up permitted between 4pm and 9am using hand held hose only. Emptying and refilling of existing pools/spas not permitted.

R.7	Swimming Pools and Spas (new)	Filling of new pools/spas permitted. Rainwater tank must be provided for pool/spa top-up.
R.8	Water Play Tools, Water Toys and Water Slides	Not permitted.
R.9	Outdoor Showers	Not permitted.
R.10	Pet Care/Dog Washing	Provision of drinking water permitted. Washing pets and pet pens with bucket or hand held hose permitted.
R.11	Fountains/Ponds/Water Features/Outdoor Aquariums	Operation or top up not permitted except to maintain fish life. Installation and filling of new facilities not permitted.
R.12	Washing of Driveways, Paved Areas and Paths	Permitted prior to sale or lease of property with Council approval. Not permitted for any other reason except for health and safety reasons. Efficient high pressure, low flow rate cleaners with trigger control are to be used.
R.13	Washing of Roofs and External Surfaces of Buildings	
R.14	Window Cleaning	
R.15	Car/Vehicle Washing	Buckets and hand held hoses permitted for 10 mins only between 4pm and 9am on odd or even days matching house number. Efficient high pressure, low flow rate cleaners with trigger control are to be used if possible.
R.16	Washing of Boats, Boat Motors and Trailers used in Salt Water	Permitted for 10 mins at any time.

Please refer directly to the Drought Water Restrictions v3.2 for other customer groups including: Public Facilities (including Sports Clubs), Business & Commercial Premises, Pools, Spas, Ponds, Fountains & Water Play, Animals and Stock, Lawns, Turf, Gardens & Nurseries, Vehicle Washing, Outdoor Maintenance & Cleaning, Construction, Public Amenities, Industrial/Commercial.

Communications Leading up to Christmas

Media Campaign commences Friday 6 December.

Formal public communication via print media will commence Tuesday 10 December.

The key messages for this shire-wide, high impact campaign prior to Christmas are:

- The Tweed is in Drought.
- Save water now.
- Level 2 water restrictions begin from midnight on Thursday 12 December 2019.
- This means Save 50 Litres per person per day.

If considered necessary, Council may seek proposals for external communications support for the period from mid to late January.

Related Items

Council resolved at its meeting of 21 November 2019 to:

1. *Progresses with the detailed design and environmental assessment of the Mini-Link, being the upgrade of the water supply pipeline link in Tweed Heads/ Coolangatta between Tweed Shire Council and Gold Coast City Council.*
2. *Continues negotiations with City of Gold Coast in respect to the Mini-Link.*

It is now proposed to expedite these resolutions along with making an application for funding through Building Better Regions - Round 4 NSW Government Grants program.

Council is obliged through its **Water Licence** to maintain an environmental flow through the Fish Ladder at Bray Park Weir. The flow requirements are tied to the level of CHD and are detailed in the Table below.

Trigger	Qty	Weir Operation
Environmental requirement is 8ML/day and Dam > 75%	Daily production + 8ML/day	Maintain weir level at Bray Park Weir to higher than or equal to 310mm below crest
Environmental requirement is 5ML/day and Dam > 50%	Daily production + 5ML/day	Maintain weir level at Bray Park Weir to higher than or equal to 400mm below crest
Environmental requirement is 3ML/day and Dam <50%	Daily production + 3ML/day	Maintain weir level at Bray Park Weir to higher than or equal to 480mm below crest

Currently on an average day, Council is releasing 43 ML/day from CHD. Council then extracts 29 ML/day for the Tweed District Water Supply, Releases 8 ML/day from the Weir through the Fish Ladder and loses 6ML/day due to losses along the river, evaporation and private use by adjacent landholders.

The 8ML/day and subsequent reductions to 5ML and 3ML are a big impost on the CHD during drought, particularly now as there is no natural river flow at all reaching Bray Park Weir. Therefore CHD is artificially providing an environmental flow at the weir when naturally there would be none. The CHD catchment is 60km² based on Doon Doon Creek, which represents 10.6% of the 565km² catchment above Bray Park Weir. The real environmental flow should be based on Doon Doon Creek's contribution, not the combined Tweed and Oxley River systems. The current situation of negligible to no river flow has been the case since the third week of October.

It is therefore proposed to write to the State Water Licencing Regulator - *Natural Resources Access Regulator (NRAR)*, to request a relaxation of the environmental flow requirements who can refer such an application to the minister after Level 2 water restrictions have been in place for two weeks.

OPTIONS:

1. Implement Level 2 Water Restrictions as recommended by this report.
2. Only implement Level 1 Water Restrictions as per Council Policy.

CONCLUSION:

This report recommends the earlier implementation of water restrictions specified in Council Drought Water Restrictions v3.2, due to the severe drought being experienced across the state and with no forecast relief in at least the next two to three months to ensure the water supply lasts as long as possible.

COUNCIL IMPLICATIONS:

a. Policy:

Drought Water Restrictions v3.2

b. Budget/Long Term Financial Plan:

The associated communication campaign will be funded within the allocated Water Fund Budgets with any changes included in the second and third quarter Budget Reviews. An initial estimate for the early phases of this campaign is \$40,000.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

A detailed communication plan has been developed by Council's Communications and Customer Experience Unit and will continue to be refined and or escalated to meet emerging issue's needs.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

32 LATE [CS-CM] Amendment to Code of Meeting Practice

SUBMITTED BY: Corporate 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
- 4.1.1 Governance - To provide assistance to Councillors and support for Council to operate within its legal framework.

ROLE: **Leader**

SUMMARY OF REPORT:

Council at its meeting of 6 June 2019 resolved to adopt a new Code of Meeting Practice.

From 14 December 2019, Council is required to webcast all meetings of council and committees of the council on council's website.

As webcasting infrastructure is in the process of being installed in the Murwillumbah and Tweed Heads Council Chambers, it is necessary for the Code of Meeting Practice to be amended to reflect the nature of Council's webcasting.

RECOMMENDATION:

That Council authorises the amended Code of Meeting Practice be placed on public exhibition for 28 days with 42 days for receipt of submissions.

REPORT:

Council will be required to webcast meetings of the council and committees of which all members are councillors from 14 December 2019. The webcasting requirement may be met simply by posting an audio or video recording of the meeting on the council's website.

As Council is installing webcasting infrastructure, it is prudent to update the Code of Meeting Practice to include supplementary provisions to specify how meetings will be webcast.

It is proposed that the following amendments be made to existing clause 5.18 of the Code of Meeting Practice:

Webcasting of meetings

5.18 All meetings of the council and committees of the council are to be webcast on the council's website.

Note: Councils must include supplementary provisions in their adopted codes of meeting practice that specify whether meetings are to be livestreamed or recordings of meetings uploaded on the council's website at a later time. The supplementary provisions must also specify whether the webcast is to comprise of an audio visual recording of the meeting or an audio recording of the meeting.

5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.

5.19A For the purposes of clause 5.18, a webcast will comprise an audio recording or an audio and visual recording of the meeting to be uploaded on Council's website on the next business day following the meeting.

5.20 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.

5.21 A recording of each meeting of the council and committee of the council is to be retained on the council's website for a minimum of four years. Recordings of meetings may be disposed of in accordance with the State Records Act 1998.

Councils are required to adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice prescribed by the Regulation. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.

Council's adopted meeting code may also incorporate the non-mandatory provisions of the Model Meeting Code and any other supplementary provisions adopted by the council.

OPTIONS:

1. Approve the amended Code of Meeting Practice.
2. Approve an alternate version of the amended Code of Meeting Practice.

CONCLUSION:

Amendments to the Code of Meeting Practice are necessary to reflect Council's method of webcasting from 14 December 2019.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice

b. Budget/Long Term Financial Plan:

There is sufficient budget allocation for installation of webcasting infrastructure.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Under section 361 of the LGA, Council must exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft amended code.

A communications plan for members of the public is being developed, with the intent to inform the public that meetings will be webcast from 14 December 2019.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Code of Meeting Practice Version 3.0 (ECM 5845772)
