



AGENDA

OPERATIONS COMMITTEE MEETING Tuesday 19 December 2006

Chairman: Mr Frank Willan

**Administrators: Mr Frank Willan
Ms Lucy Turnbull
Mr Max Boyd AM**

THIS
PAGE
IS
BLANK

THIS
PAGE
IS
BLANK

ITEMS FOR CONSIDERATION OF THE COMMITTEE:

ITEM	PRECIS	PAGE
	REPORTS THROUGH THE GENERAL MANAGER	5
O1	[GM-OC] Tweed Economic Growth Management Strategy	5
O2	[GM-OC] Tweed Economic Development Corporation Management Agreement	13
O3	[TCS-OC] Code of Meeting Practice - Council Meetings 2007	17
O4	[TCS-OC] Councillors - Payment of Expenses and Provision of Facilities for Mayors and Councillors	19
O5	[TCS-OC] Monthly Investment Report for Period Ending 30 November 2006	33
O6	[TCS-OC] A New Direction for Local Government - Department of Local Government Position Paper	39
O7	[TCS-OC] Planning a Sustainable Future - Department of Local Government Options Paper	45
O8	[EO-OC] EC2005-129 Terranora Creek and Cobaki Creek Bridge Crossings	51
O9	[EO-OC] EC2006-159 Supply of Manual Traffic Control Teams for Council Works	55
O10	[EO-OC] Airborne Laser Scanning and Provision of Elevation Data Products	57
O11	[EO-OC] EC2006-154 Gray Street Depot Workshop Upgrade	61
O12	[EO-OC] Tree Poisoning - Casuarina	65
O13	[EO-OC] Water and Wastewater Activity Management Plans	73
O14	[EO-OC] Tweed District Long Term Water Supply	77
O15	[EO-OC] Feasibility of Interstate Transfer of Water - National Water Commission	87
O16	[EO-OC] Tweed Integrated Water Cycle Management (IWCM) Context Study & Strategy Report	89
O17	[EO-OC] Kingscliff Foreshore Protection - Preliminary Outcomes from the Environmental Impact Study	97
O18	[EO-OC] Road Widening - Lot 9 DP 1082139 Eucalyptus Drive, Banora Point and Lot 2 DP 777844 Coast Road, Bogangar	107

O19	[EO-OC] Road Closure - Footpath - Goonal Place, Banora Point	113
O20	[EO-OC] Tweed Heads Streetscape Masterplan Review, Concept Design and Technical Notes Project	117
O21	[EO-OC] EC2006-118 Civil Works Design and Project Management In-House Consultancy	123
O22	[EC-OC] Request for "In Kind" Support/Waive Fee	125
O23	[EC-OC] Tweed Coolangatta & Tweed Shire Community Safety Action Plan	129
O24	[EC-OC] Footpath Dining Licence Agreement - Policy Variation	133
O25	[EC-OC] Annual Inspections of Caravan Parks	137

REPORTS THROUGH THE GENERAL MANAGER

01 [GM-OC] Tweed Economic Growth Management Strategy

ORIGIN:

Business & Economic Development

SUMMARY OF REPORT:

In 2005 a draft Economic Growth Management Strategy was presented to Council and subsequently placed on public exhibition. Since this exhibition considerable negotiations have been undertaken with Tweed Economic and Development Corporation (TEDC) about the focus of economic development projects identified in the Strategy.

The final Strategy identifies projects and actions by both Council and TEDC that will support economic activity within the Tweed. This Council report recommends that Council adopt the Economic Growth Management Strategy.

RECOMMENDATION:

That Council adopts the Economic Growth Management Strategy as exhibited and modified in accordance with the changes recommended in this report.

REPORT:

Background

In 2002 Council adopted its first Economic Development Strategy. This Strategy identified specific projects to encourage economic development within the Tweed. These projects were to be undertaken by Council, Tweed Economic and Development Corporation (TEDC) and Tweed and Coolangatta Tourism Inc. (TACTIC).

Although it has achieved results it was considered appropriate to review this Strategy given the changes that have occurred to the Tweed economy over the last few years.

During early 2005 Council and TEDC agreed to jointly prepare a completely new economic strategy for the Tweed which would replace the existing Economic Development Strategy (2002). This document was to present a jointly agreed direction for economic development and is to be known as the Economic Growth Management Strategy.

In June 2005 a draft Economic Growth Management Strategy was presented to Council and it was resolved to place the Strategy on exhibition during August 2005. The draft identified projects and actions by both Council and TEDC that will support economic activity within the Tweed.

Exhibition

The public exhibition of the draft Strategy was conducted between 6 July and 16 August 2005. A copy of the draft was also forwarded to relevant organisations.

During the progress of the exhibition a total of three (3) submissions were received. In Table 1 below is a summary and a response to these submissions.

Table 1: Summary of Submission and Response

1. Tweed and Coolangatta Tourism Inc. (TWEED TOURISM (FORMALLY TACTIC))	
Submission	Response
TEDC and Council are portrayed as the one agency	The document clearly identifies the two organisations as separate but has combined efforts to provide a combined vision and direction for economic development for the Tweed.
Council engage TWEED TOURISM (FORMALLY TACTIC) to undertake tourism marketing and marketing services within Tweed	Discussion has been undertaken between TWEED TOURISM (FORMALLY TACTIC) and TEDC regarding the roles and responsibilities in respect to Tourism marketing and industry development. TEDC have reported that there was general agreement that the projects identified in the Strategy do not conflict or overlap with any of TWEED TOURISM (FORMALLY TACTIC)'s projects. A separate Tourism Strategy is to be developed in collaboration with TWEED TOURISM (FORMALLY TACTIC).

Lack of integrated economic approach and fails to recognise TWEED TOURISM (FORMALLY TACTIC) and State and Federal Govt role in economic development	The Strategy was always intended to represent only the efforts of TEDC and Council. Consultation has previously been conducted with TWEED TOURISM (FORMALLY TACTIC) about strategic tourism directions during the preparation and exhibition of the Tweed Strategic Plan. Council and TEDC work closely with State and Federal government to undertake work on numerous projects that promote economic development.
Aspects regarding tourism component should involve TWEED TOURISM (FORMALLY TACTIC)	Discussions between TEDC and TWEED TOURISM (FORMALLY TACTIC) have indicated there is no overlap between current and projects. Council have discussed a proposed tourism development strategy in recent times. Development of this project is proposed for after the Economic Growth Management Strategy has been adopted.
2. Tweed District Residents & Ratepayers Association	
Submission	Response
The Economic Development Strategy supports the Gold Coast's plans for growth and expansion	On 16 August 2000 Council resolved to oppose the draft Master Plan for the airport "to the extent that the Plan proposes the extension of runway and surrounding operational areas beyond the airport land and onto a reserve for public recreation (Lot 319)". On 14 August 2001 the Federal Government approved the Gold Coast Airport Masterplan. In January 2005 the Gold Coast Airport exhibited its Major Development Proposal with the Federal Government for the extension of the airport runway.
"Behind the Ball" by promoting a cross border rail connection	This is not a new proposal and one that has been identified as important for the economic development for the Tweed as well as the Northern Rivers Region. Despite the closure of the Murwillumbah to Casino rail line it is considered important to still recognise the economic importance of this proposal. Issues of alignment are a matter of conjecture at this point and are recommended for removal.
TEDC and Council generally support transport infrastructure projects across the state border to South East Queensland	Transport infrastructure projects represent one of the most important and critical investments into regional and local economic development.
No mention is made of the Murwillumbah to Casino rail closure	Council have always supported the reinstatement of the Murwillumbah to Casino rail line. This issue is recommended for inclusion into the final Strategy.
3. Private Submission (Name withheld for privacy)	
Submission	Response
Concern that the Strategy does not adequately encourage sustainability	The Strategy reflects one aspect of sustainability – economic development. Overarching issues of sustainability are dealt with in Council's Strategic Plan. The main focus of this Strategy is to establish sustainable employment.
The job multipliers and employee densities of industrial areas are inaccurate	TEDC have advised that these data have been compiled from reliable professional sources.
The submission does not support the Tweed recognising it is a part of the South East Queensland economy.	South East Queensland has a major influence on the Tweed's economy. It would be imprudent to ignore this influence. As a result of this close working relations have been established with the Southern Regional Organisation of Council's Economic Development Working Group.

These submissions have been reviewed and have been taken into consideration in the proposed changes.

Proposed Changes to the Draft Strategy

Below is a summary of the proposed changes to the draft Economic Development Strategy which was exhibited.

1. Inclusion of Tweed Tourism (formally TACTIC) into tourism,
2. Updated of reference of TACTIC to Tweed Tourism,
3. Update of statistics,
4. Include new section to undertake Commercial Floorspace Strategy,
5. Review of infrastructure section to revise transport and water infrastructure.

Summary of Actions for Tweed Economic Growth Management Strategy

Below is a table which summarises all of the actions for both Council and TEDC identified in the Growth Management Strategy.

Table 2: Tweed Economic Growth Management Strategy - Action Summary (this table is reproduced in colour in the attachment)

Project	Action	RESPONSIBLE AGENCY	STATUS	ESTIMATED COMPLETION DATE	Jan-07	Jul-07	Jan-08	Jul-08	Jan-09
RESEARCH AND DEVELOPMENT									
TWEED & NORTHERN RIVERS ECONOMIC MODEL	Assist in policy analysis and establishing direction for sustainable economic growth in the Tweed & Northern Rivers.	TEDC	Ongoing						
	Undertake analyses for external agencies on a consultancy basis.	TEDC	Ongoing						
INDUSTRY AUDIT & DATABASE	Undertake audits on a bi-annual basis	TEDC	Planned	Jul-07					
	Provide update on new, business-related development applications and licences	TSC	Ongoing						
DEMOGRAPHIC & STATISTICAL RESEARCH	Access & analyse 2006 Census data as it becomes available	TEDC	Planned	Dec-07					
	Access relevant ABS statistics as they become available	TEDC	Ongoing						
	Monitor local, regional, national and international economic trends and statistics as they become available	TEDC	Ongoing						
	Respond to enquiries for statistics and information.	TEDC	Ongoing						
TWEED LOCAL ENVIRONMENTAL PLAN REVIEW (STAGE II)									
TWEED RURAL LAND USE STUDY	Undertake Stakeholder Meeting	TEDC/TSC	Planned						
	Confirm Project Brief & Identify Funding Sources	TEDC/TSC	Planned						
	Continue to deal with LEP issues	TSC	Ongoing						
RURAL LAND RELEASE STRATEGY	Finalise preparation of Rural Settlement Strategy	TSC	Current						
	Achieve NSW Government endorsement of the Tweed Rural Land Release Strategy	TSC	Ongoing						
LAND INFRASTRUCTURE	Establish a Tweed Enterprise Land Taskforce	TEDC/TSC	Planned	Jul-06					
	Identify a bank of enterprise land	TEL	Planned	Jul-06					
	Address issues relating to stream-lining the planning approval process	TEL	Ongoing						
	Investigate the concept of fully master-planned estates	TEL	Planned	Jul-06					
COMMERCIAL FLOORSPACE STRATEGY	Prepare a Commercial Floorpace Strategy	TSC / TEDC	Planned	Jan-08					
HOME-BASED BUSINESS DEVELOPMENT	Review the LEP to ensure that home-based businesses can be adequately accommodated.	TSC	Planned						
	Prepare a set of clear guidelines to explain planning requirements for home-based businesses in the Tweed.	TSC	Planned						
	Establish a standard for the maximum acceptable impacts from a home-based business to easily identify exempt and complying developments.	TSC	Planned						
RETAIL STRATEGY	Finalise Tweed Retail Development Strategy	TSC	Completed	Nov-05					
	Prepare a Draft Retail Development Control Plan based on the Tweed Retail Strategy	TSC	Planned	Dec-06					
TWEED HEADS CBD REVITALISATION PROJECT	Facilitate the redevelopment of the Tweed Heads business precinct as identified in the Master Plan.	PFT	Ongoing						
	Review TSC's planning policies to reflect the vision of the Master Plan.	TSC	Ongoing						
	Prepare a plan of management and redevelopment of the Jack Evans Boat Harbour	PFT	Ongoing						
	Revise the size and location of zones in which retail developments are permissible.	TSC	Planned						
MURWILLUMBAH MASTERPLAN	Facilitate the development of the Murwillumbah Masterplan.	TEDC/TSC	Planned						
	Review TSC's planning policies to reflect the vision of the Masterplan.	TSC/TEDC	Planned						
TOWNS & VILLAGES CENTRES (TEDC to provide input into the economic development component of the following plans)	Kingscliff	TSC	Current	Jun-07					
	Tweed Heads South	TSC	Planned	Jun-07					
	Murwillumbah	TSC	Planned	Jun-07					
	Pottsville	TSC	Current	Jun-07					
	Cabarita	TSC	Current	Dec-06					
	Haslings Point	TSC	Planned						
	Fingal	TSC	Planned						
	Kings Forest	NSW Govt	Planned						
	Area E	TSC	Current	Dec-06					

Project	Action	RESPONSIBLE AGENCY	STATUS	ESTIMATED COMPLETION DATE	Jan-07	Jul-07	Jan-08	Jul-08	Jan-09
MARINE INDUSTRY DEVELOPMENT INITIATIVES									
TWEED MARINE INDUSTRY ASSOCIATION INC	Establish and assist the Association to achieve its initial goals	TEDC	Current	Jun-06					
	Work with the Association to achieve industry development outcomes	TEDC/TSC	Ongoing						
TWEED HEADS SLIPWAY RECURBISHMENT									
	Confirm funding sources	TEDC	Completed	Jan-06					
	Obtain relevant approvals	TEDC/TSC	Completed	Apr-06					
	Undertake refurbishment project	TEDC	Current	Sep-06					
TWEED HEADS SOUTHERN BOAT HARBOUR REDEVELOPMENT									
	Facilitate coordinated management of the marine facilities in the Harbour	TEDC	Current						
	Develop a brief for expressions of interest	TEDC	Planned						
	Advertise expressions of interest	TEDC	Planned						
	Facilitate development of the precinct	TEDC	Planned						
SOUTHCROC MARINE SUPPLY CHAIN PROJECT									
	Work with GCCC and the appointed consultants to ensure a productive outcome from the project	TEDC	Planned	Dec-07					
CONDONG REGIONAL BOATING FACILITY									
	Access funding for the development of the Condong Regional Boating Facility, including floating pontoon	TSC	Completed	Feb-06					
	Acquire all necessary approvals for construction of floating pontoon	TSC	Current	May-06					
	Construct floating pontoon	TSC	Planned	Jun-06					
TWEED MARINE SERVICE PRECINCT									
	Encourage the identification of a suitable site	TEDC/TSC	Current						
	Facilitate the commercial development of a marine service precinct, including approval process	TEDC/TSC	Planned						
TOURISM INDUSTRY DEVELOPMENT INITIATIVES									
TWEED RIVER LINK									
	Re-establish a Tweed River Link Advisory Group	TEDC	Planned						
	Identify funding sources for Stage One of the project	TEDC	Current						
	Undertake Stage 1 Tweed River Link Project	TEDC	Planned						
OTHER RIVER-BASED TOURISM INFRASTRUCTURE									
	TEDC to continue to work with significant investors on the development of private tourism infrastructure	TEDC	Ongoing						
OTHER INDUSTRY DEVELOPMENT INITIATIVES									
HEALTH & AGEING									
	TEDC to continue to work with existing businesses and potential investors on opportunities to create economic growth through the health and ageing sector.	TEDC	Ongoing						
EDUCATION & TRAINING									
	TEDC to continue to work with industry partners to facilitate education and training initiatives that facilitate economic growth.	TEDC	Ongoing						
FOOD MANUFACTURING									
	Work collaboratively to identify positive initiatives and outcomes for the regional food manufacturing industry.	TEDC	Planned						

Project	Action	RESPONSIBLE AGENCY	STATUS	ESTIMATED COMPLETION DATE	Jan-07	Jul-07	Jan-08	Jul-08	Jan-09
CROSS BORDER ISSUES									
TEDC / REDAB CROSS BORDER WORKING PARTY	Participate on Cross-Border Working Party	TEDC/REDAB	Current						
	Identify, initiate, and facilitate projects that address cross-border issues	TEDC/REDAB	Ongoing						
GOLD COAST/TWEED TRANSPORT, AVIATION & DISTRIBUTION HUB	Investigate participating in an annual delegation to Canberra to lobby Federal politicians on significant cross-border and Tweed issues	TEDC/REDAB	Current						
	Use the developed marketing collateral to promote the Tweed/Gold Coast region in any identified economic growth opportunities.	TEDC	Ongoing						
SEAMLESS BORDERS REGULATION REDUCTION PROJECT	Work with GCCC to ensure the project achieves productive outcomes.	TEDC/TSC	Current	Apr-07					
STRATEGIC INFRASTRUCTURE DEVELOPMENT									
TRANSPORT INFRASTRUCTURE									
WATER INFRASTRUCTURE	Identify a proactive approach to planning and implementing transport infrastructure needs that support economic growth	TSC/TEDC	Ongoing						
	Promote regional transport infrastructure to attract investment and business growth	TEDC	Ongoing						
TELECOMMUNICATIONS INFRASTRUCTURE	Develop and promote future water supply strategies for the Tweed.	TEDC/TSC	Ongoing						
TWEED MARKETING	Promote and support positive outcomes for the Broadening Broadband project	TEDC/TSC	Current	Dec-06					
MARKETING, PROMOTION AND COMMUNICATION									
TRADE SHOWS & CONFERENCES	Establish an Industry Advisory Committee	TEDC	Planned						
	Employ a Marketing Coordinator	TEDC	Planned						
TRADE SHOWS & CONFERENCES	Develop a program for attending relevant trade shows and conferences	TEDC	Planned	Feb-05					
	Implement programme	TEDC	Ongoing						
EVENTS & PRESENTATIONS	Review the existing generic Tweed Shire marketing collateral	TEDC	Ongoing						
	Implement results of the review	TEDC	Ongoing						
WEBSITE & E-BULLETIN	Develop a program for delivering relevant events and presentations	TEDC/TSC	Planned	Jul-06					
	Seek sponsorship for delivery of this program	TEDC	Ongoing						
	Deliver the program of events and presentations	TEDC	Ongoing						
REGIONAL PARTNERSHIPS	Upgrade the E-Bulletin and continue to distribute regularly	TEDC	Ongoing						
	Redevelop TEDC website	TEDC	Current	Sep-06					
SOUTHERN REGIONAL ORGANISATION OF COUNCILS									
NORTHERN RIVERS REGIONAL ORGANISATION OF COUNCILS	Participate in the SouthROC	TSC/TEDC	Ongoing						
	Participate in relevant regional projects	TSC/TEDC	Ongoing						
GOLD COAST CITY COUNCIL ECONOMIC DEVELOPMENT ADVISORY BOARD	Participate on NORROC	TSC	Ongoing						
	Participate in relevant regional projects	TSC	Ongoing						
NORTHERN RIVERS REGIONAL DEVELOPMENT BOARD	Participate on REDAB	TEDC	Ongoing						
	Participate in relevant regional projects	TEDC	Ongoing						
NORTHERN RIVERS REGIONAL DEVELOPMENT BOARD	Participate in relevant regional projects	TEDC	Ongoing						
	Participate in relevant regional projects	TEDC	Ongoing						

Tweed Shire Council Seven Year Plan

In Council's Seven Year Plan economic development and tourism is featured prominently. Specifically, there are two projects identified in the Seven Year Plan which overlap the objectives of the Economic Development Strategy. These are:

1. Condong Regional Boating Facility - \$465,000. This is specifically a component of the Tweed River Link Project of TEDC.
2. Economic Marketing and Promotion - \$2,290,000. This includes Council's commitment to TEDC and TWEED TOURISM (FORMALLY TACTIC). Through this funding these organisations can undertake projects identified in the Economic Development Strategy.

Conclusion

This report recommends that the joint Council and TEDC Economic Growth Management Strategy be adopted as policy as presented in this report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. Tweed Economic Growth Management Strategy (DW 1509059)
-

O2 [GM-OC] Tweed Economic Development Corporation Management Agreement

ORIGIN:

Business & Economic Development

SUMMARY OF REPORT:

Council currently have a funding agreement with Tweed Economic Development Corporation (TEDC), which expires on 31 December 2008. In Council's 7 year plan and 2006/07 Budget an increase in the Business Rate was included over and above the Residential rate increase. It was identified that this increase in the business rate would be used specifically for economic and tourism development and promotion.

This report recommends that Council enter into a new Agreement with TEDC.

RECOMMENDATION:

That Council:

- 1. Endorses the draft agreement as presented in appendix to this report.**
- 2. Authorises the agreement to be duly signed and executed under the Common Seal of Council.**

REPORT:

Background

In October 2005 Council and Tweed Economic Development Corporation (TEDC) signed an agreement for future funding and performance targets on economic development.

During the preparation of the 2006/07 budget Council also prepared a seven (7) year plan which identified long term expenditures. The plan identified an increase in the Business Rate over and above the Residential Rate. This increase is specifically being used for economic and tourism development and promotion.

From the increased in Business Rate, TEDC has been allocated an additional \$70,000 to undertake specific economic development projects in the Tweed. The potential projects, which the funding allocation can be spent on, have been identified in the Tweed Economic Growth Management Strategy prepared by TEDC and Council and presented for adoption to this Council meeting.

During the last six months a new form of Agreement has been negotiated with the board of TEDC. Attached to this report is the new draft Agreement for Council consideration.

Draft Agreement

This Agreement has been developed in conjunction with and subsequently endorsed by the Board of TEDC. It has been redrafted from the existing Agreement which has previously been discussed with the Administrators, and is considered an equitable and reasonable platform upon which to continue and improve the relationship between Council and TEDC.

The main features and/or amendments to the previous Agreement include: -

1. Greater specificity in performance measurement and reporting
2. Clarifies Council representation on the TEDC Board
3. Stipulates reporting timelines
4. Requires TEDC to cooperate and participate with Council in the production of a joint Tweed Economic Growth Management Strategy
5. Requires a presentation between TEDC and Tweed Tourism (formally TACTIC)
6. Provide for 3 meetings a year with Administrators to discuss matters and afford opportunity to ask questions, etc.
7. Generally "tightens-up" loosely expressed and/or unclear items in the previous Agreement

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

This report recommends that Council enter into a management agreement with TEDC to have effect from signing and to remain in force until 30 June 2010. The agreement will maintain an annual funding allocation to TEDC for them to undertake their commitments under this agreement.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. **Confidential Attachment** - Draft TEDC Agreement (DW1508905)
-

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

03 [TCS-OC] Code of Meeting Practice - Council Meetings 2007

ORIGIN:

Risk & Human Resources

SUMMARY OF REPORT:

Council's Code of Meeting Practice specifies the date and time for the conducting of Council meetings. Section 365 of the Local Government Act 1993, further specifies that Council is required to meet at least 10 times each year, in a different month.

The current practice is for Council to meet every three (3) weeks and it is proposed that this practice be followed in 2007, with the first meeting being held Tuesday, 23 January 2007.

RECOMMENDATION:

That in accordance with the Code of Meeting Practice, Section 2.1 How often does the Council Meet, the meeting dates for 2007 be:

23 January	10 July
13 February	31 July
6 March	21 August
27 March	11 September
17 April	2 October
8 May	23 October
29 May	13 November
19 June	4 December

REPORT:

As per summary.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

04 [TCS-OC] Councillors - Payment of Expenses and Provision of Facilities for Mayors and Councillors

ORIGIN:

Corporate Compliance

SUMMARY OF REPORT:

Council at its meeting of 17 October 2006 resolved to advertise the draft Payment of Expenses and Provision of Facilities for Mayors and Councillors Policy for at least 28 days and call for public submissions.

The draft policy was advertised in the Tweed Link on 24 October 2006 and placed on Council's website calling for public submissions which closed on 1 December 2006. No submissions were received as result of the public consultation process.

RECOMMENDATION:

That the Draft 'Councillors - Payment of Expenses and Provision of Facilities for Mayors and Councillors' Policy be adopted, as follows:

Councillors – Payment of Expenses and Provision of Facilities for Mayors and Councillors

PART 1 INTRODUCTION

Purpose of the Policy

The purpose of the policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by Councillors. The policy also ensures that the facilities provided to assist Councillors to carry out their civic duties are reasonable.

Objectives and coverage of the Policy

In accordance with Section 439 of the Local Government Act 1993, Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under this Act or any other Act.

Furthermore, it is to ensure that the Councillors would not be financially or otherwise disadvantaged in undertaking their civic responsibilities.

Legislative Compliance

The Local Government Act 1993 has statutory requirements which describe what fees, expenses and facilities may be paid or provided to Councillors.

Information on the pertinent sections applicable to this policy is contained in the Department of Local Government's Circular 06-57 - Guidelines for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors.

Other NSW Government policy provisions

There are a number of publications which provide assistance to Councillors in complying with the provisions of this policy.

DLG Guidelines for payment of expenses and provisions of facilities

Section 252(5) of the Local Government 1993, the Council expenses policy must comply with these guidelines issued under Section 23A of the Act.

Model Code of Conduct

This policy is consistent with the Model Code of Conduct for Local Councils in NSW in particular with the use of Council resources.

DLG Circulars to Councils

Circular 05/08 Legal assistance for Councillors and Council employees
Circular 02/34 Unauthorised use of Council resources

Adopted at Council Meeting held

wp\policies\Council Policy - Councillors Payment Of Expenses.Doc and Provision of Facilities

Page 1 of 10

ICAC publications

No Excuse for Misuse, preventing the misuse of Council resources.

PART 2 PAYMENT OF EXPENSES

GENERAL PROVISIONS

Civic duties are defined as:

- Council and Committee Meetings;
- Community Meetings approved by the Mayor or General Manager;
- Meetings with the staff approved by the General Manager; and
- Conferences, seminars, training courses, formal and social functions where representing Council, approved by the Council, Mayor or General Manager;
- Meeting with constituents in the course of discharging duties as Mayor and Councillor.

Where a Councillor must use a form of transport other than own vehicle for travel within the local government area, then such approval must be obtained in advance from the Mayor or General Manager.

Allowances and expenses

No annual, monthly or daily allowance or expenses type allowance payment shall be payable in any circumstances.

Reimbursement and reconciliation of expenses

Reimbursement of expenses shall only be made upon the production of appropriate receipts and tax invoices and the completion of the required claim forms.

All reimbursement of expenses must be approved by the General Manager.

All expenses being reimbursed must be in accordance with the provisions of this policy.

A Councillor seeking reimbursement of expenses must lodge a claim within three months of the expense being incurred.

Payment in advance

This policy does not provide for cash payments being advanced to Councillors in anticipation of expenses being incurred in the conduct of their civic duties.

Establishment of monetary limits and standards

Monetary limits applying to this policy include:

- **Mobile Telephone**

Council will meet the cost of providing the mobile telephone, maintenance, monthly service and access fees, and call charges up to a maximum of \$400 per month for the Mayor and \$200 per month for other Councillors made in the conduct of the civic duties only.

- **Care and other related expenses**

The maximum entitlement for such expenses is \$2,000 per annum.

Incidental expenses incurred in attending related Council business, approved conferences, seminars, training and educational courses

Facsimile -	to and from Council Office or residence only;
Internet Charges -	maximum daily limit \$5.00;
Laundry and Dry Cleaning-	maximum daily limit \$10.00;
Newspapers -	maximum daily limit \$2.00;
Taxi Fares -	from transport destination to accommodation and/or conference venue
Parking Fees -	include airport parking when plane travel is being used,

Any other costs incurred by a Councillor in addition to the daily limits, are the responsibility of the individual Councillor.

Councillors are to use their mobile telephones for all calls including business and private. Special circumstances will be permitted, when mobile telephone reception does not allow the use of a mobile telephone.

The daily limit for meals (including refreshments) will be in accordance with the Australian Taxation Office allowance guideline.

Spouse and partner expenses

Council will not normally reimburse the expenses of spouses, partners and accompanying persons for attendance at any Council function.

Council may reimburse expenses of spouse, partners and accompanying persons in certain and special circumstances at any Council approved function, with prior approval being sought from the Mayor and General Manager.

Accommodation (shared basis) will be met by Council, provided that there are no additional costs incurred by Council.

Mayor and Councillors must make separate arrangements for the payment of expenses incurred by a spouse or partner.

Adopted at Council Meeting held

wp\policies\Council Policy - Councillors Payment Of Expenses.Doc and Provision of Facilities

Page 3 of 10

SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

Attendance at dinners and other non-Council functions

Consideration may be given to meeting the cost of Councillors attendance at dinners and other non-Council functions which provide briefings to Councillors from key members of the community, politicians and business.

Approval to meet expenses will only be given when the function is relevant to Council's interest and attendance at the function is open to all Councillors.

No payment will be reimbursed for any component of the ticket that is additional to the service cost of the function, such as a donation to a political party or candidate electoral fund or some other private benefit.

An additional payment to a registered charity may be acceptable as part of the cost of the function.

Councillors seeking reimbursement for this type of expense, must have it approved by Council and not the General Manager.

Attendance at seminars and conferences

Attendance at conferences and seminars by Councillors must be authorised in advance by a Council Resolution. An exception may occur in an emergency, then such attendance must be authorised by the Mayor and General Manager.

The exception will only apply to short term (1 day) events and be organised within the local region.

Council will be responsible for the following expenses to be incurred by a Councillor in attending an approved conference or seminar.

- **Registration Expenses**

Including official luncheons, dinners and tours relevant to the conference, seminar or training course.

- **Travel Expenses - Local or Outside Local Government area**

As detailed within this policy.

- **Accommodation Expenses**

Accommodation for attendance at approved conferences, seminars and training courses will only be authorised on the following basis:

- venue where the conference, seminar and training course is being conducted;
- where venue is unavailable, then the alternative venue is up to a standard of four star NRMA rating;

-
- night before and after depending on the event and travel circumstance, such approval must be obtained in advance from the General Manager;
 - Council to make the relevant accommodation booking.

- **Meals and Other Incidental Expenses**

Outlined in the establishment of monetary limits and standard provisions contained in this policy.

Attendance at training and educational courses

Attendance at training and educational courses by Councillors must be authorised in advance by a Council Resolution. An exception may occur in an emergency, then such attendance must be authorised by the Mayor and General Manager.

The exception will only apply to short term (1 day) events and be organised within the local region and facilitated by the Local Government & Shires Association, Independent Commission Against Corruption or Department of Local Government.

Council will be responsible for the following expenses to be incurred by a Councillor in attending an approved training or educational courses.

- **Registration Expenses**

Including official luncheons, dinners and tours relevant to the training or educational course.

- **Travel Expenses - Local or Outside Local Government area**

As detailed within this policy.

- **Accommodation Expenses**

Accommodation for attendance at approved training or educational courses will only be authorised on the following basis:

- venue where the training or educational course is being conducted;
- where venue is unavailable, then the alternative venue is up to a standard of four star NRMA rating;
- night before and after depending on the event and travel circumstance, such approval must be obtained in advance from the General Manager;
- Council to make the relevant accommodation booking.

- **Meals and Other Incidental Expenses**

Outlined in the establishment of monetary limits and standards provisions contained in this policy.

Local travel arrangements and expenses

Councillors will be entitled to be reimbursed for travel from their home whilst undertaking civic duties at the rate per kilometre as set out in the Notional Agreement Preserving the State Award, Local Government (State) Award 2004.

Adopted at Council Meeting held

wp\policies\Council Policy - Councillors Payment Of Expenses.Doc and Provision of Facilities

Page 5 of 10

Travel outside local government area including interstate travel

Councillors must obtain approval from Council for all travel outside of the Local Government Area, including interstate travel.

Councillors will be entitled to travel to official engagements at Council's expense by the most practical method, i.e. aircraft, Council vehicle or private vehicle.

Councillors when travelling by air will travel Economy Class or as determined by the General Manager.

All "Frequent Flyer" points accrued are to remain the property of Council.

A Councillor who travels in his/her own vehicle will be reimbursed at the appropriate per kilometre rate or airfare whichever is the lower.

Telephone costs and expenses

Councillors will be provided with a mobile telephone to assist in undertaking civic duties.

Council will meet the cost of providing the mobile telephone, maintenance, monthly service and access fees, and call charges up to a maximum of \$400 per month for the Mayor and \$200 per month for other Councillors made in the conduct of their civic duties.

Individual Councillors must meet the cost of all non- business calls and any additional Council calls above the limits.

Councillors will be provided with a fax machine to assist in undertaking civic duties. Council will meet the cost of providing the fax machine, maintenance and rental charges for one (1) home facsimile line, together with fax paper.

Computer Facilities

Councillors will be provided with computer facilities to assist in undertaking civic duties.

Postage of Official Councillor Correspondence

Councillors will be reimbursed for official postage, provided expenses can be verified and where it is impractical to use the Council's own mail system.

Applications for reimbursement of postage expenses must contain verification information and be authorised by the General Manager

Internet

Council will meet the cost of Internet charges involved in the conduct of the Mayor and Councillors civic duties.

Adopted at Council Meeting held xxxxx at Minute No xxxx

Tweed Shire Council

Policy Document

Care and other related expenses

Councillors are entitled to the reimbursement of carer expenses that were necessary to enable Councillors to undertake their civic duties.

The maximum entitlement for such expenses is \$2,000 per annum.

Insurance expenses and obligations

Councillors are to receive the benefit of insurance cover for:

- **Personal Injury**

Whilst on Council business, covering bodily injury caused by accidental, violent, external and visible means up to a sub-limit for death and capital limits as specified in the Councillors and Officers Liability Insurance Policy. Also covering permanent disablement, temporary total disability and temporary partial disability.

- **Professional Indemnity**

For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors provided the performance or exercise of the relevant civic duty or function in the opinion of Council is bona fide and/or proper and is carried out in good faith, as required under 731 of the Local Government Act.

- **Public Liability**

For matters arising out of Councillors' performance of civic duties or exercise of their functions as Councillors, being carried out in good faith.

Legal expenses and obligations

Legal expenses for a Councillor may be either paid or reimbursed by the Council only if the matter is authorised by the Local Government Act 1993 either expressly or because it is supplemental or incidental to or consequential upon the exercise of its functions.

Council may therefore indemnify or reimburse the reasonable expenses of:

- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (Section 731) ; or
- a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act ; or
- a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or investigative body and where the finding is substantially favourable to the Councillor.

Council will not indemnify or reimburse the legal expenses of Councillor arising merely from something that a Councillor has done during his or her term in office.

Council will not meet the costs of an action in defamation taken by a Councillor as a plaintiff in any circumstances.

Adopted at Council Meeting held

wp\policies\Council Policy - Councillors Payment Of Expenses.Doc and Provision of Facilities

Page 7 of 10

Council will not meet the costs of a Councillor seeking advice in respect of possible defamation or in seeking a non-litigious remedy for possible defamation.

Additional Mayoral Expenses

Provision of a dedicated motor vehicle

A motor vehicle bearing no markings or identification will be provided for the sole use of the Mayor.

The motor vehicle is and shall remain the property of Council and shall be surrendered to Council by the Mayor in the event that the person is no longer the Mayor.

The Mayor is to be given unrestricted use of such vehicle with the Council servicing and maintaining such vehicle, paying registration and insurance (including full comprehensive cover) and providing fuel. Private use means that the Mayor and his/her spouse or other licensed driver (provided the Mayor or Mayor's spouse is in the car) or any other Council employee are allowed to drive the vehicle.

The type of vehicle that will be provided is to be at a standard in accordance with Council's Motor Vehicle Lease Policy, and sets a standard for energy efficiency.

The vehicle is to be replaced at the most economically beneficial time as determined by the Works Manager.

Other equipment, facilities and services

Other equipment, facilities and services that are to be provided by Council for the use of the Mayor are as follows:

- An experienced person suitably qualified to provide secretarial support to the Mayor.
- Mayoral letterhead, envelopes and stationery generally
- Where appropriate assistance with the organisation of functions, meetings and briefings to which the Mayor is invited to attend.
- A furnished office will be provided at the Council Administration Office, to enable the Mayor to undertake the civic duties appropriate to that position.
- Limited refreshments will be provided in the Mayoral Office for entertainment purposes.
- An allotted parking space will be provided at the Council Administration Offices for the parking of the Mayoral vehicle.

PART 3 PROVISIONS OF FACILITIES

GENERAL PROVISIONS

Provision of facilities generally

Council will provide facilities and equipment to each Councillor to ensure that they can undertake their civic duties in an appropriate manner. The facilities and equipment include:

Stationery

Provision of personalised Councillor letterhead and envelopes exclusively for Council related business

Business cards

Provision of 250 business cards (replacement on request)

Christmas cards

Maximum of 100 per year

Name badges

Councillors to be provided with a name badge

Filing cabinet

Councillors to be provided with a home filing cabinet if required.

Filing cabinet is to be returned if the person ceases to be a Councillor.

Meetings meals and refreshments

Provision of meals and refreshments associated with Council, committee and working party meetings where appropriate

Meeting rooms/ Councillor room

Provision of meeting room facilities, including telephone, computer network facilities and access to a photocopier in the Administration Centre for the purpose of Council, committee and working party meetings and for meeting with constituents.

Secretarial support

Provision of secretarial support, as necessary for Councillors to undertake their civic duties.

Private use of equipment and facilities

A Councillor must not use any of the facilities allocated by Council for their private use.

A Councillor may use their mobile telephone or facsimile machine for their private use however payment is to be made to Council for such use.

Adopted at Council Meeting held

wp\policies\Council Policy - Councillors Payment Of Expenses.Doc and Provision of Facilities

Any contravention of this policy will result in the matter being reviewed against the provisions of Council's Code of Conduct.

PART 4 OTHER MATTERS

Acquisition and returning of facilities and equipment by Councillors

Councillors are to return to Council, where appropriately practicable, after the completion of their term of office or entering extended leave of absence or at the cessation of their civic duties all facilities and equipment that have been allocated by Council.

Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.

Status of the Policy

The provisions of the Councillors- Payment of Expenses and Provision of Facilities for Mayors and Councillors shall remain valid until revoked or amended by Council.

REPORT:

In accordance with Section 252 of the Local Government Act 1993, Council must within five months after the end of each year adopt a policy concerning the payment of expenses incurred or to be incurred by and the provision of facilities to Mayors, Deputy Mayors and other Councillors.

To assist Council in adopting a policy, the Department of Local Government has issued new guidelines contained in Circular 06-57 – Guidelines for the Payment of Expenses and the Provision of facilities to Mayors and Councillors.

A new draft policy, Councillors - Payment of Expenses and Provision of facilities for Mayors and Councillors has been prepared to ensure compliance with the new guidelines.

The draft policy establishes strong audit and accountability requirements that Councillors must adhere to before any reimbursement will be approved, including production of receipts.

Other requirements include the establishment of monetary limits and standards for the payment of expenses, such as:

- Mobile Telephone Charges - \$400 per month for the Mayor and \$200 per month for other Councillors;
- Care and other related expenses \$2,000 per annum;
- Incidental expenses incurred in attending approved conferences, seminars, training and educational courses;
- Spouse and partner expenses and
- Attendance at dinners and other non-council functions, seminars, conferences, training and educational courses, travel arrangements, both local and outside local government area, postage and insurance.

In regard to the provision of facilities, the policy provides standards on the dedicated mayoral vehicle, other mayoral facilities and services and provision of other facilities generally to Councillors.

A new protocol is being developed that provides general administration advice to Councillors.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Councillors - Payment of Expenses and Provision of facilities for Mayors and Councillors to replace current policy, Tweed Shire Council – Councillors.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

O5 [TCS-OC] Monthly Investment Report for Period Ending 30 November 2006

ORIGIN:

Financial Services

SUMMARY OF REPORT:

This report is provided to Council to advise details of monies Council has invested in accordance with Section 625 of the Local Government Act 1993.

RECOMMENDATION:

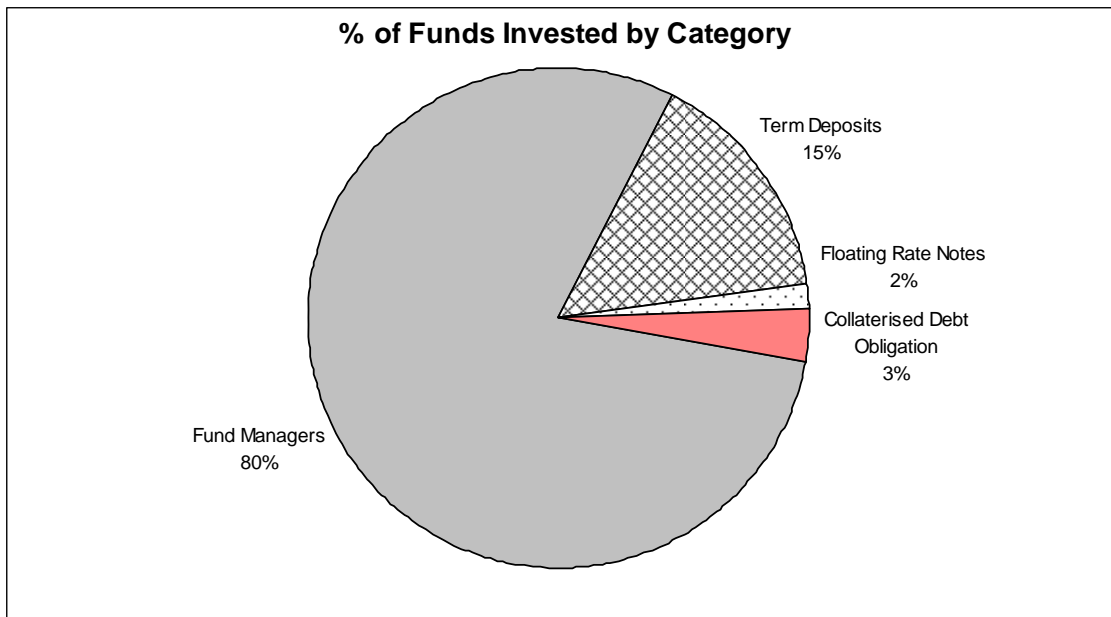
That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at 30 November 2006 totalling \$123,622,411.37 be received and noted.

REPORT:

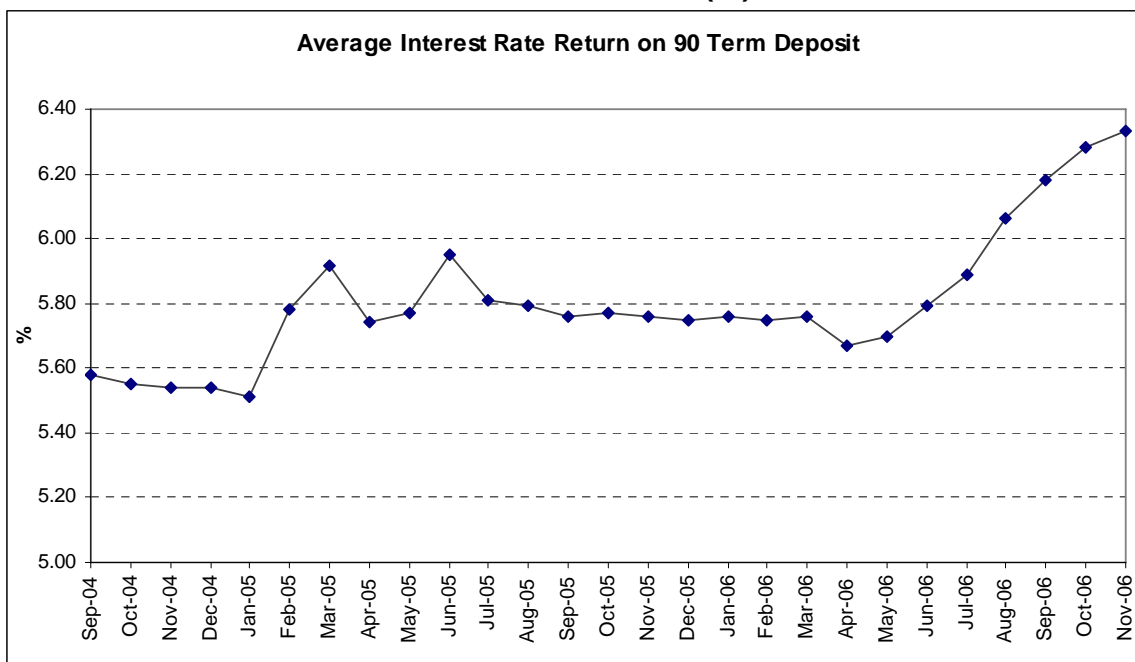
Report for Period Ending 30 November 2006

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested and certification has been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies.

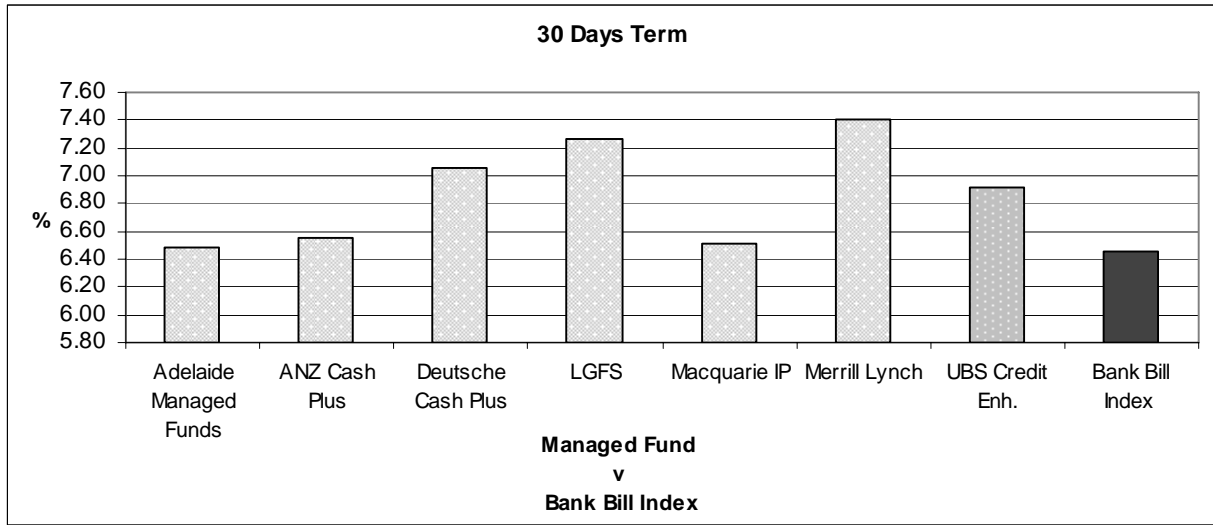
1. CURRENT INVESTMENT PORTFOLIO BY CATEGORY



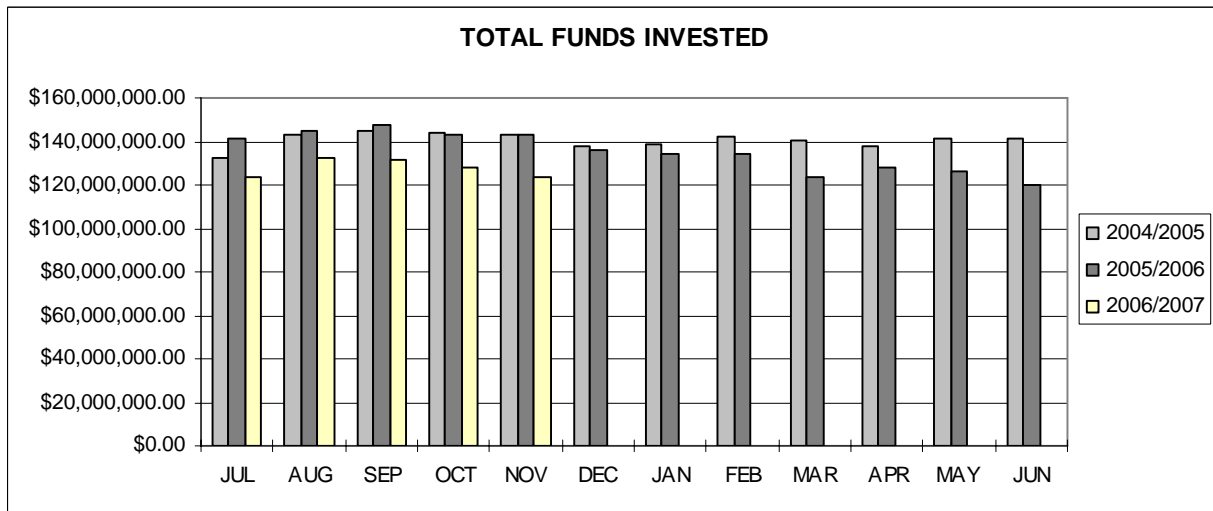
2. INVESTMENT RATES - 90 DAY BANK BILL RATE (%)



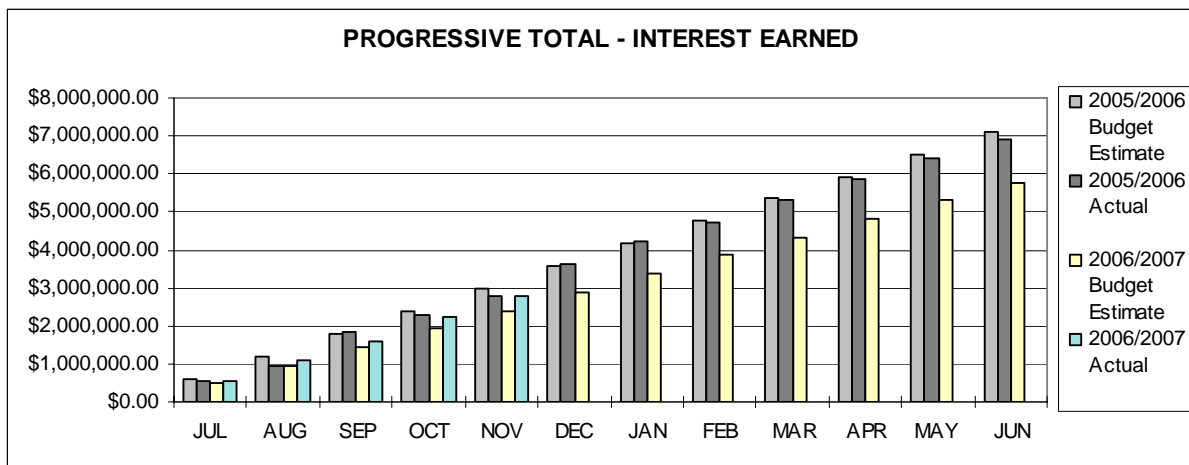
3. ANNUALISED RATE OF RETURN FOR FUNDS MANAGERS - NET OF FEES



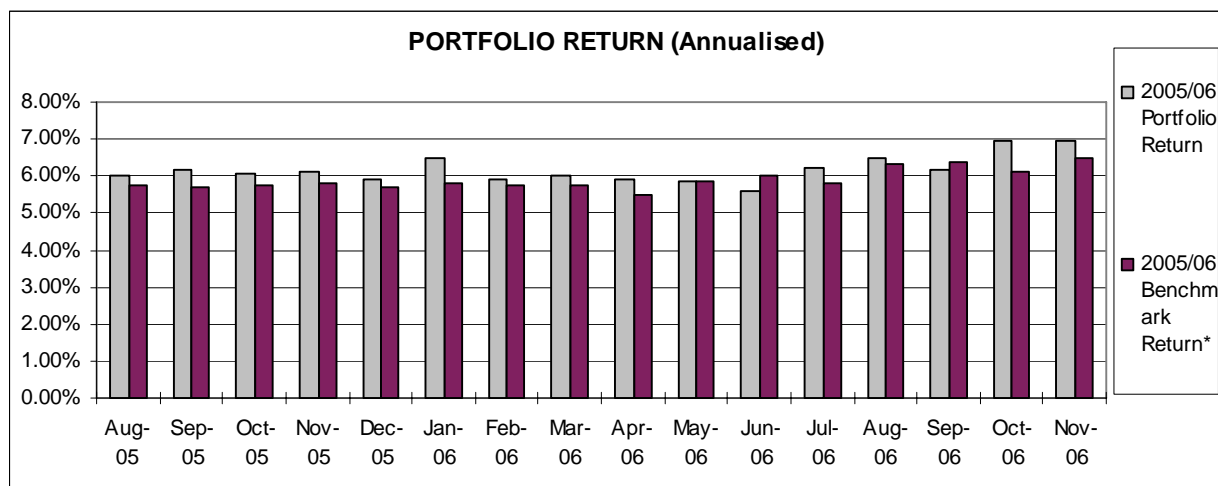
4. MONTHLY COMPARISON OF TOTAL FUNDS INVESTED



5. ANNUAL PROGRESSIVE TOTAL OF INTEREST ON TOTAL FUNDS INVESTED



6. PORTFOLIO PERFORMANCE



7. MARKET COMMENTARY

Domestic Economy

The annual inflation rate remained at 3.9% and was well above the Reserve Bank of Australia (RBA) target range of 2 to 3%.

The unemployment rate declined to a generational low of 4.6% while new homes sales grew marginally by 1.3%.

The RBA raised the Official Cash Rate by 0.25% to 6.25% on 8 November citing inflationary pressures, a tightening labour market, high commodity prices and a generally strong global economy.

Global Economy

US growth slowed beyond analyst expectations. The key driver was the fall in the national manufacturing index to 49.5.

Inflation in the Asian region continues to remain well contained despite increases in the oil price and other commodities. CPI inflation of 2.75% is expected to continue throughout the remainder of 2006 and into 2007.

European economies are expanding at the fastest pace in 6 years. Inflation has dropped below the European Central Bank's 2% ceiling for the first time since January 2005.

Sources: Oakvale Capital Investment Portfolio Monthly Review

Following on from October the investment portfolio continued to benefit from a further marginal tightening in global credit spreads. One of the most influential factors in the most recent widening of credit spreads has been the particularly large volume of bond issuance that typically matures at this time of year. This had the effect of many holders trying to "park" funds short term in the secondary market until longer dated issues become available. Basically large demand for limited supply translated to good capital gains from existing holdings.

The portfolio further benefited from limited exposure by the managed funds (i.e less than 5% holdings) in the debt issues of companies under Mergers and Acquisition speculation. Merger speculation tends to have a negative impact on the debt issues of subject companies due to the flow on effects on their cash flow prospects and possible credit rating migration.

8. INVESTMENT SUMMARY AS AT 30 NOVEMBER 2006.

GENERAL FUND

TERM DEPOSITS	17,117,125.00	
FUND MANAGERS	39,437,778.68	
COLLATERISED DEBT OBLIGATION	4,051,360.00	
FLOATING RATE NOTE	2,000,000.00	
CALL	0.00	62,606,263.68

WATER FUND

TERM DEPOSITS	0.00	
FUND MANAGERS	25,916,598.65	25,916,598.65

SEWERAGE FUND

TERM DEPOSITS	2,000,000.00	
FUND MANAGERS	33,099,549.04	
CALL	0.00	
FLOATING RATE NOTE	0.00	35,099,549.04

TOTAL INVESTMENTS		123,622,411.37
--------------------------	--	-----------------------

It should be noted that the General Funds investments of \$62 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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



**Chief Financial Officer
(Responsible Accounting Officer)**

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

O6 [TCS-OC] A New Direction for Local Government - Department of Local Government Position Paper

ORIGIN:

Corporate Compliance

SUMMARY OF REPORT:

The Department of Local Government has recently released a position paper - 'A new Direction for Local Government' which sets out a framework for ongoing reforms for the Local Government sector. A number of the proposals are direct outcomes of the Promoting Better Practice Reviews that have been conducted on individual Councils by the Department since 2004.

Council has been requested to provide a submission by 9 March 2007 on the proposals contained in the position paper. Furthermore, the Minister for Local Government has specifically requested Councils to make a submission by 28 February 2007 on proposal 6.2, concerning Council Business Clusters.

RECOMMENDATION:

That:

- 1. This report be received and noted; and**
- 2. A draft submission be prepared for consideration by Council, prior to 6 March 2007.**

REPORT:

The Department of Local Government's position paper suggests a new direction and options for further reform across the sector. Such direction and options are being driven by the need for Local government to plan and deliver services so that local communities are sustainable and that Council can deliver a system that should be constantly evolving to meet the changing community needs.

The suggested new direction for Local Government is based on the view that :

“ if local government is to reach its potential as a vibrant tier of government, there needs to be a change in thinking about how the sector operates. The culture of isolated units needs to be replaced with a new paradigm of connectedness and innovation.

Neither the community in general nor other tiers of government are satisfied that local councils are as efficient and effective as they could be in providing their services.”

The new direction contains seven (7) elements, with each element having a number of reform proposals as follows:

- Element 1** Good Governance - State and Local Government “have an open and productive relationship”
- Proposal 1.1 Peer reviews of Councils - *promoting better practice reviews could be conducted by councils, broadening opportunities for learning and to encourage the principle of mentoring.*
 - Proposal 1.2 Strategic planning assistance for Councils – without having strategic planning, good governance is severely hampered because there is no strong framework for a council to work within.
 - Proposal 1.3 Red tape review – the Department of Local Government will conduct a review of the Act and Regulation and remove anything that does not add to the quality of life for sustainable communities.
 - Proposal 1.4 Clarification of roles - *it is important that the roles of mayors, councillors and general managers be made as clear as possible in order to limit internal conflicts and disputes.*

Element 2 Representative democracy and community support - Stronger Councils assisting weaker ones

- Proposal 2.1 Develop principles for determining local representation – *to guide councils and their communities when considering councillor numbers.*
- Proposal 2.2 Develop a kit to promote “candidacy in local government” – *it is essential that the best possible candidates are attracted, Department of Local Government and LGSA will work together to develop an appropriate councillor “candidacy” kit.*
- Proposal 2.3 Promote flexible meeting times - *consideration needs to be given to a greater flexibility on how and meetings are conducted.*
- Proposal 2.4 Guidelines on community consultation and involvement - *develop tools to assist councils in engaging with the communities.*
- Proposal 2.5 Workforce planning assistance – *develop guidelines to assist councils in preparation of such plans including strategies to encourage a diversity of employees commensurate with the demographics of the council area.*

Element 3 Sound policy - Minimal duplication while maintaining competition principles to drive efficiency improvements

- Proposal 3.1 Develop a policy directory-issue the Departments circulars and guidelines with policy advice and consolidate them into a directory of *best practice on the website.*

Element 4 Sufficient resources - Ideas and resources being shared

- Proposal 4.1 Asset management plans- *introduce an asset management system, which is consistent with the national framework, to be linked to long term financial plan, determine condition assessment service levels in consultation with the community, standardised reporting and peer review.*
- Proposal 4.2 Efficiency statement – *overall strategy of the new direction is to improve and demonstrate the efficiency of local government, proposal is for*

councils to prepare an annual efficiency/productivity savings statement as part of its annual report.

Element 5 Meaningful planning - Focussing on continuous improvement

Proposal 5.1 Integrated planning and reporting- *is subject to a separate options paper, including development of a 10 year strategic plan, 4 year delivery plan, annual operational plan, simple reporting system and annual report which measures performance against key indicators.*

Element 6 Connectedness - Boundaries not being impediments

Proposal 6.1 Benchmarks - *develop a small number of key indicators, core competencies of any council no matter what size, in addition to the Department's Comparative Data.*

Proposal 6.2 Regional/cluster indicators - *councils should decide themselves who they form alliances and business arrangements with. Councils can put forward proposals for Council Business Clusters, be on a geographic or functional basis, requirement to identify actual and potential savings and benefits.*

Proposal 6.3 General Manager contracts to enable working with neighbouring councils – *2006 standard contract does not deal with the issue of working across council boundaries.*

Proposal 6.4 Resource sharing guidelines – *prepare guidelines outlining the various models available with practical advice.*

Proposal 6.5 Regional context for special variation applications to exceed the rate cap – *councils who wish to exceed the rate cap, must demonstrate any efficiencies that have been achieved through resource sharing.*

Element 7 Leadership - Councils mentoring each other

Proposal 7.1 Accreditation for councillor learning and development – *to develop a process that sets out clearly the outcomes and commitments expected by councillors and councils with respect to learning and development over the term of the council.*

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Dependant upon outcome of position paper.

POLICY IMPLICATIONS:

Dependant upon outcome of position paper.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. 'A New Direction for Local Government' - Department of Local Government Position Paper - October 2006 (DW1510062).
-

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

07 [TCS-OC] Planning a Sustainable Future - Department of Local Government Options Paper

ORIGIN:

Corporate Compliance

SUMMARY OF REPORT:

The Department of Local Government has recently released a Planning a Sustainable Future options paper on "Integrated Planning and Reporting for NSW Local Councils".

The paper is part of the Local Government Reform Program which was delivered by the State Government in September 2003, with the aim of ensuring healthy and sustainable local Councils that are accountable and responsive to their communities. In December 2005 the Department issued a discussion paper "Fitting the Pieces Together", which focused on integrated planning and reporting issues. The various models presented in this Options Paper have been developed from the discussion paper outcomes.

The Department anticipates that any reforms from this paper would be implemented from 2008.

Council has been requested to provide a submission by 9 March 2007 on the proposals contained in the position paper. To assist Council in developing a submission the Department will be hosting regional workshops during February 2007 whilst the LGSA and LGMA have planned additional discussion forums on the issues during the consultation period.

RECOMMENDATION:

That:

- 1. This report be received and noted; and**
- 2. A draft submission be prepared for consideration by Council, prior to 6 March 2007.**

REPORT:

The main findings of the discussion paper focussed on issues pertaining to Councils ability to develop and deliver long term strategic plans and to integrate their existing plans to achieve strategic outcomes. The issues include:

- The nature of the existing framework - *the Local Government legislation does not encourage long-term planning nor assist councils to pursue innovative directions in integrating their plans*
- General lack of resources – *councils find it difficult to devote to strategic planning, concerned with more urgent operational needs.*
- Confusion over roles and responsibilities in developing strategic plans- *specifically relationships between senior staff and councillors.*
- Uncertainty about how to develop and deliver the plans – *there is evidence that some councils lack technical capacity in this regard.*
- Lack of long term financial planning- *many councils only budgeted one year ahead.*
- Lack of sufficient supporting information to develop a long term plan- *mainly relates to lack of asset management systems and limited levels of community consultation.*
- Uncertainty about integrating council plans with state and regional priorities- *difficulty to consult with state government agencies or not included in regional planning consultations.*
- Uncertainty about council's role in various state government reforms- *particularly in natural resource management.*

The paper contains three options for the planning and reporting framework:

Option 1 Maintain the status quo



This option involves reshaping the existing framework, to strengthen the strategic focus, streamline the planning and reporting processes and encourage integration between the various plans. This model is designed to operate continuously, not statically and to encourage councillors to play a role in developing long term plans. Changes to the Local Government Act 1993, will be required to define the roles of councillors and the general manager in developing, implementing and maintaining the Council's Community Strategic Plan.

It will require substantial changes to existing legislation, involve a significant implementation period and in the initial stages additional commitment of resources by Councils. The implementation period would be envisaged to be staged over the 2008-2012 council term.

Community Strategic Plan

This option will mandate the requirement for a long term strategic plan (Community Strategic Plan 10 years+), overcome some of the issues identified in the discussion paper and integrates the Social Plan and State of the Environment Report into the sustainability frameworks.

The development of the plan will involve significant engagement and consultation with the community as the purpose of the plan is to identify the community's main priorities and expectations for the future and to plan strategies for achieving these goals. The consultation process will also require consideration of existing state and regional plans.

The Community Strategic Plan will not eliminate the requirement for councils to prepare their principal Local Environmental Plan (LEP). The underpinning Strategic Land Use Plan and subsequent LEP should reflect the same community directions and priorities identified in the Community Strategic Plan.

It is proposed that Community Strategic Plans would be evaluated by a panel to ensure compliance with legislation, relevancy of the content of the plan and adequacy of community consultation.

Delivery Program

It is proposed that the Delivery Program will outline how each new council delivers the Community Strategic Plan outcomes. It will contain programs and priorities for the Council term including four years of detailed budgets. However, Councils will still have the flexibility to review these budgets annually when determining their rates, fees and charges for the year.

Operational Plan

The Operational Plan will focus on the detail of implementing each year of the Delivery Program and it should not depart substantially from the direction and budgets set in the program. Councils will still be required to place the document on public exhibition, as it will contain the proposed rates, fees and charges for the coming year.

The reporting requirements of Option 3 includes a modified version of the existing annual report which focuses mainly on the Councils performance in delivering the outcomes

identified in the Community Strategic Plan and supporting framework. There would be no legislative requirement to produce a Management Plan and its current quarterly reporting would also be reviewed.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Dependant upon outcome of position paper.

POLICY IMPLICATIONS:

Dependant upon outcome of position paper.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. 'Planning a Sustainable Future' - Department of Local Government Options Paper - November 2006 (DW1510836).
-

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

08 [EO-OC] EC2005-129 Terranora Creek and Cobaki Creek Bridge Crossings

ORIGIN:

Contracts

FILE NO: GC12/3-2005129

SUMMARY OF REPORT:

At its meeting of 28 February 2006 Council awarded a contract to Hopedale Services Pty Ltd for Contract EC2005-129 Terranora Creek and Cobaki Creek Bridge Crossings. The pipe crossings were part of the Kennedy Drive pipe infrastructure upgrade. The lump sum tender price accepted was \$670,501.82, excluding GST.

Council's decision included a provision that the Director Engineering and Operations be given delegated authority to approve variations up to 20% above the initial contract price.

The Cobaki Creek Crossing has proceeded without need for variations, however a major problem has been encountered with the Terranora Creek Crossing that will require variations exceeding the 20% limit. This report details the extent of the variations.

RECOMMENDATION:

That:-

- 1. Variation No 4 for Contract EC2005-129, Terranora Creek and Cobaki Creek Bridge Crossings, be approved at the cost of \$126,700.00 excluding GST.**
- 2. The Director Engineering and Operations be given delegated authority to approve further variations up to a value of \$50,000.00 excluding GST.**

REPORT:

Following consideration of tenders for Contract EC2005-129, Council awarded the contract to Hopedale Services Pty Ltd for the amount of \$670,501.82 excluding GST. This tender was the lowest offered and the construction methodology was acceptable.

Work proceeded successfully on the Cobaki Creek Crossing.

The Terranora Creek Crossing currently consists of an existing 450mm water main supported by brackets attached to the freeway bridge. It was proposed to support the new 600mm sewerage rising main on these existing brackets. However when work commenced on the Terranora Creek Bridge Crossing it was discovered that substantial damage had been caused to the supporting beams by an earlier water hammer incident with the 450mm water main. In conjunction with the design consultants, additional investigations (including comprehensive measurements of all beams) and remedial work was carried out as a variation to the contract.

Following this work, and further consultation with the consultant and RTA, a price was obtained from the contractor for the strengthening of the existing support system by adding additional beams and for installing a separate support system for the new sewer trunk main. In view of the need to both protect the integrity of the infrastructure and ensure the safety of the structure, it is considered essential that the additional work be carried out.

Variations approved to date are –

Variation No	Description	Cost (Inc GST)
1	Erect access, measure deflections, provide new access cages, modify construction trolleys,	\$19,300.00
2	Weld strengthening packer plates to cross beams, straighten cross beams	\$58,338.00
3	Fabricate and install six new cross beams to give additional to existing trunk water main.	\$26,400.00

The above variations (totalling \$104,038.00) represents 15.52% of the original contract price. (The approved 20% variation totals \$134,100.00)

Approval is now sought to issue Variation No 4 for the installation of a new support system to ensure that an acceptable factor of safety is maintained for the long life of the pipe support system.

The cost submitted by Hopedale Services Pty Ltd for Variation No 4 is \$126,700.00 (excluding GST), which exceeds the initial total variation contingency by \$96,638.00, therefore Council needs to vote the additional expenditure.

It is also recommended that the Director Engineering and Operations be delegated authority to approve further variations up to \$50,000.00 in excess of the four (4) variations now approved to a current value of \$230,738.00.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Full costing for the Kennedy Drive Pipe Infrastructure Project (of which this is a component) is provided in the current budget.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

Nil.

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

09 [EO-OC] EC2006-159 Supply of Manual Traffic Control Teams for Council Works

ORIGIN:

Contracts

FILE NO: GC12/4-2004, 117 Pt 1

SUMMARY OF REPORT:

Tenders for the supply of Manual Traffic Control Teams for Council works have closed. The contract will be for a twelve (12) month period with a possible two (2) by twelve (12) month extension options.

The Traffic Control tender is one of Council's major service contracts with an estimated contract value in excess of one million dollars per annum. The successful tenderer would be expected to supply on average between 35 – 40 Traffic Control personnel per day.

Following the close of tenders seven (7) submission to the tender had been received.

RECOMMENDATION:

That the contract for the Supply of Manual Traffic Control Teams for Council Works be awarded to Workforce International. The contract period will be for a twelve (12) month period commencing 2 January 2007 with a possible two (2) by twelve (12) month extension option.

REPORT:

Tenders closing 8 November 2006 have been called for the Supply of Manual Traffic Control Teams for Council Works. The contract will be for a twelve (12) month period with a possible two (2) by twelve (12) month extension options.

The Traffic Control tender is one of Council's major service contracts with an estimated contract value in excess of one million dollars per annum. The successful tenderer would be expected to supply on average between 35 – 40 Traffic Control personnel per day.

Following the close of tenders seven (7) submission to the tender had been received and are as follows:-

- PTS Traffic Control Services
- Workforce International
- Able Secure Traffic Services
- Trafco Pty Ltd
- Traffic Control Services Pty Ltd
- Statewide Traffic Control Pty Ltd
- Traffic Technologies (TSA)

In evaluating the tender submissions consideration was given to a number of factors including operational and administrative management, financial resources, current commitments, previous experience and performance, industrial relations and occupational health and safety record and Principal's administration costs.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. **Confidential Attachment** - Supplementary Information for EC2006-159 Supply of Manual Traffic Control Teams for Council Works (DW 1508112).
-

O10 [EO-OC] Airborne Laser Scanning and Provision of Elevation Data Products

ORIGIN:

Planning & Infrastructure

FILE NO: EC2006-115

SUMMARY OF REPORT:

Tenders were called, in accordance with the Local Government (General) Regulations 2005, for Airborne Laser Scanning of the Tweed Local Government Area, and the provision of associated elevation data products. Tenders closed on 29 November 2006.

Three (3) tenders were received by the advertised closing time and date.

This report considers the tenders received and recommends the tender most beneficial to Council.

RECOMMENDATION:

That:-

- 1. Council awards Contract EC2006-115 for Airborne Laser Scanning and Provision of Elevation Data Products to Fugro Spatial Solutions Pty Ltd for the amount of \$300,000 (GST inclusive).**
- 2. The Director Engineering and Operations be given delegated authority to approve variations up to 20% of the initial contract sum which will include extra works for laser scanning in Byron Shire.**

REPORT:

In order to provide more widespread, accurate and updated ground level detail of the Tweed Shire, tenders have been called for Airborne Laser Scanning (ALS) of the LGA. ALS employs the latest LiDAR (Light Detection and Ranging) technology to sense millions of ground points from an aircraft. Such point density is not achievable by conventional ground survey, and the accuracy of this technique improves with each advance in the sensing technology.

Raw data recorded by the LiDAR is processed to produce a range of products, including a Digital Elevation Model (DEM), which is used for rectifying aerial imagery, a Digital Terrain Model (DTM), which is used for flood modelling, and ground contour data sets, for use in Council's GIS to depict landform and calculate land slope.

Tenders were called and closed on 29 November 2006. Three (3) tenders were received as follows (listed alphabetically):

- AAMHatch Pty Ltd
- Fugro Spatial Solutions Pty Ltd
- NZ Aerial Mapping Ltd

All tenders generally complied with the job specifications.

Purpose of ALS Contract

At present only existing urban areas have detailed topographic/level/contour information. In rural and undeveloped areas Council staff rely on 1:25,000 topographic maps with 10m contours as a base plan to do investigations for strategic infrastructure and land use planning. This presents a severe limitation on the effectiveness of such investigations as 10m contours do not provide sufficient detail in most circumstances.

It has been proposed to use aerial laser scanning to provide 0.5m contours for the entire shire area. This topographical information will be of immense benefit for any future planning for infrastructure or land use in Tweed Shire. The information will be used in the following areas:-

- Water Supply and Sewerage Investigations
 - Trunk main route planning
 - Inundation areas for Clarrie Hall and Byrrell Creek Dams
 - Reservoir site planning
 - Future sewerage reticulation catchments
- Drainage Works
 - Catchment Analysis
 - Trunk Drainage Route Planning
- Arterial Road Network Investigation
 - Route identification and investigation
 - Scoping studies

- Strategic Land Use Planning
 - Topographical analysis
 - Slope identification
 - Land forming requirements
- Floodplain Management
 - Production of DTMs for 2 dimensional flood modelling of catchments

It is also anticipated that the contour information will be useful for private developers and there will be an opportunity for commercial sales to private land owners to recoup some of the costs of the project.

Budget

The recommended tender is for an amount of \$300,000. This is \$100,000 short of the \$200,000 allocated in the 7 Year Plan however additional funds are available to make up the shortfall from the following areas:-

- Tweed Road Contribution Plan
- Water Supply and Sewerage Funds
- GIS Budget
- Strategic Planning Budget

These are areas that will gain significant benefits from the provision of the 0.5m contour information.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Budget

Funding for the project is proposed from the following sources:-

Source of Funds	Council Funds	Grant Funds	Developer Contributions	Amount
7 Year Plan	\$100,000	\$100,000		\$200,000
Strategic Planning Budget	\$5,000			\$5,000
GIS Budget	\$30,000			\$30,000
Water Supply Fund, Bulk Water Supply Investigation			\$17,000	\$17,000
Tweed Road Contribution Plan			\$48,000	\$48,000

Survey Resources

In accordance with the tender documents, Council's Design Unit will be responsible for the provision of ground control and field survey for ground truthing of deliverables, in consultation with the contractor.

It is estimated that Council's ground control and survey verification will cost approximately \$20,000, including \$10,000-\$12,000 for the hire of GPS equipment. The Design Unit intends to absorb these costs in their operational budget.

Byron Shire Council

In order to resolve cross-boundary flooding issues, Byron Shire Council is proposing to undertake a joint flood modelling exercise between Mooball Creek and the Brunswick River, utilising the DEM produced under this contract. While the current project area drawing includes a number of grid cells within Byron LGA to take in the Yelgun Creek catchment and the Kallaroo Circuit Bund, Byron Shire have requested an extension to the project area to include the Marshalls Creek catchment and floodplain further south, and have indicated their willingness to fund this additional work. It is therefore proposed to award the contract based on the current project area, and to then request a variation from the contractor to undertake the additional ALS and data processing. The price for this work will then be forwarded to Byron Shire for their funding commitment.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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

1. **Confidential Information** - Supplementary Information - EC2006-115 Airborne Laser Scanning and Provision of Elevation Data Products (DW 1510933).
-