



AGENDA

OPERATIONS COMMITTEE MEETING

Tuesday 4 December 2007

Chairman: Mr Garry Payne AM

**Administrators: Mr Garry Payne AM
Mr Max Boyd AM**



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ITEMS FOR CONSIDERATION OF THE COMMITTEE:

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REPORTS THROUGH THE GENERAL MANAGER

- 01 [GM-OC] Tweed Economic Development Corporation (TEDC) Audited Financial Report - Financial Year 2006/2007 and Quarterly Financial Report July to September 2007**

ORIGIN:

Business & Economic Development

SUMMARY OF REPORT:

As required by the current Tweed Economic Development Corporation (TEDC) Agreement a yearly financial statement is to be provided to Council at the end of each financial year. This report presents TEDC's audited financial statements for 2006/2007.

Additionally, this report provides the quarterly financial report for the quarter 1 July to 30 September 2007.

RECOMMENDATION:

That Council receives and notes the:

- 1. Audited financial statements from Tweed Economic Development Corporation for the financial year 2006/2007,**
- 2. Quarterly financial report from Tweed Economic Development Corporation for the quarter 1 July to 30 September 2007.**

REPORT:

As required by the current Tweed Economic Development Corporation (TEDC) Agreement a yearly financial statement is to be provided to Council at the end of each financial year. This report presents TEDC's audited financial statements for 2006/2007.

Due to the sensitivity of the financial statement, they have been provided under confidential attachment.

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** - Tweed Economic Development Corporation 2006/2007 Audited Financial Statement (DW 1708627).
 2. **Confidential Attachment** - Tweed Economic Development Corporation Quarterly Financial Report July to September 2007 (DW 1708666).
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O2 [EO-OC] Proposed Cycleway between Shearwater Parade and Blue Waters Crescent, Tweed Heads West

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

Council has received many requests over many years for a footway to be constructed between Shearwater Parade and Blue Waters Crescent, Tweed Heads West.

A cycleway will provide a safe crossing under the Pacific Highway and also provide an existing above ground sewer rising main solar and vandal protection.

Funding for the works can be obtained from the Kennedy Drive Sewer rising main project and from the loan funded capital works program.

RECOMMENDATION:

That Council:-

- 1. Approves the construction of a boardwalk and cycleway from Blue Waters Crescent to Shearwater Parade, Tweed Heads West; and**
- 2. Votes \$55,000 from the Kennedy Drive Sewer rising main project and \$55,000 from the loan funded capital works program to construct the proposed boardwalk and cycleway.**

REPORT:

Council has received many requests over many years for a footway to be constructed between Shearwater Parade and Blue Waters Crescent, Tweed Heads West.

The route for this cycleway follows an existing poorly formed track from the end of Blue Waters Crescent on the western side of the Pacific Highway to Shearwater Parade on the eastern side of the highway. The track generally follows the Terranora Broadwater foreshore and is already being used by cyclists and pedestrians. The track passes under the Pacific Highway Terranora Creek Bridge at the northern abutment, being a convenient, safe route for pedestrians and cyclists.

Currently pedestrians from both sides of the Pacific Highway (Wyuna Road / Blue Waters Crescent on the west) and Shearwater Parade (on the east) use the unformed track. Residents and others have placed timber boards and other structures across a small tidal creek along the route to facilitate easy access along the route. These structures do not provide safe and easy access.

The land over which the cycleway is proposed to be constructed is recreation reserve under the control of Council, and the Road and Traffic Authority's Pacific Highway road reserve. Council officers have already obtained consent from the Roads and Traffic Authority of NSW for the construction of the boardwalk and cycleway subject to conditions. A design has also been completed for the proposed cycleway.

The scope of the works involves the construction of:-

- a 2.0m wide raised timber boardwalk generally over the top of the existing above ground sewer main (75m long) adjacent to the Terranora Broadwater foreshore. The boardwalk is typically elevated about 1.1 metres above ground level; and
- a 2.0m wide concrete cycleway for the remainder of the route between Shearwater Parade and Bluewater Crescent (approximately 105m long).

An above ground sewer rising main has recently been constructed along this route as part of the Kennedy Drive water main and sewer rising main project. The sewer main is already showing signs of vandalism and there is evidence of persons walking on top of the main, which is undesirable from a safety perspective. A raised boardwalk constructed over this effluent main will provide both solar and vandal protection for the main as well as preventing persons from walking along its length.

The cycleway will also be conveniently linked to the footway already constructed underneath the Pacific Highway Terranora Creek Bridge. This footway provides a safe cycleway link across Terranora Creek. Cyclists travelling along Kennedy Drive from the west could divert down Barrett Street and Blue Waters Crescent to cross Terranora Creek rather than negotiate the highly trafficked Kennedy Drive / Pacific Highway interchange.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The project has an estimated cost of approximately \$110,000.

Funding can be obtained partly from the Kennedy Drive Sewer Main project (50%) and partly from the loan funded capital works program (50%).

Should Council approve of the project, construction could commence early 2008.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Tweed Shire Council Design Unit – Blue Waters Crescent, West Tweed Heads – Construction of Footway – Drawing Number WK07019/02 Revision B. (DW 1712738).
 2. Locality Sketch (DW 1712982).
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03 [EO-OC] Natural Disaster Mitigation Program Grant Funding 2007/2008

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

Council has received advice from the NSW State Emergency Management Committee that its applications for grant funding under the Natural Disaster Mitigation Program (NDMP) for 2007/2008, have been successful.

RECOMMENDATION:

That Council formally accepts the following grant funding in accordance with the standard Natural Disaster Mitigation Program funding agreement and provides the necessary amount to match the Government grants from its 2007/08 allocation for each project:-

Grant Program	Project	Funding Ratio	Total Grant Funding	Required Council Funding
Natural Disaster Mitigation Program (Commonwealth and State funding)	South Murwillumbah Levee Repairs	1:1:1	\$80,000	\$40,000
Natural Disaster Mitigation Program (Commonwealth and State funding)	Tweed Shire Coastal Creeks Flood Study	1:1:1	\$100,000	\$50,000
Natural Disaster Mitigation Program (Commonwealth and State funding)	Tweed Valley Risk Management Study and Plan	1:1:1	\$80,000	\$40,000

REPORT:

Council is in receipt of 3 letters advising that its applications for funding under the Natural Disaster Mitigation Program have been successful.

The projects are summarised as follows:

Grant Program	Project	Funding Ratio	Total Grant Funding	Required Council Funding
Natural Disaster Mitigation Program (Commonwealth and State funding)	South Murwillumbah Levee Repairs	1:1:1	\$80,000	\$40,000
Natural Disaster Mitigation Program (Commonwealth and State funding)	Tweed Shire Coastal Creeks Flood Study	1:1:1	\$100,000	\$50,000
Natural Disaster Mitigation Program (Commonwealth and State funding)	Tweed Valley Risk Management Study and Plan	1:1:1	\$80,000	\$40,000

Project Details

South Murwillumbah Levee Repairs

Two sections of riverbank at South Murwillumbah near Colin Street have scoured out and the stability of Council’s flood levee is therefore threatened.

An engineering design has been prepared to stabilise the riverbank with rock armouring of these sites and the NDMP funding will enable the work to proceed in 2008.

It is recommended that Council formally accepts the grant funding for the South Murwillumbah Levee Repairs, and provides the necessary amount to match the grant funding from its 2007/2008 budget allocation for this project.

Tweed Shire Coastal Creeks Flood Study

Council has completed aerial laser survey of the whole shire and can now utilise this data to undertake a flood study for Cudgen Creek, Cudgera Creek and Mooball Creek. Council has previously agreed to also include Yelgun Creek and Marshalls Creek, which are located in Byron Shire, on the basis of cost recovery from Byron Shire Council.

The flood study will provide the basis for a floodplain risk management study and plan for each of the coastal creeks.

Quotations have been obtained from suitably qualified consultants and Council, at its meeting of the 13th November 2007, resolved to engage BMT-WBM Pty Ltd as the consultant for the overall project.

It is recommended that Council formally accepts the grant funding for the Tweed Shire Coastal Creeks Flood Study, and provides the necessary amount to match the grant funding from its 2007/2008 budget allocation for this project.

Tweed Valley Risk Management Study and Plan

Council has completed the first 3 parts of the Tweed Valley Risk Management Study and Plan and has prepared a Flood Risk Management Policy which has been publicly exhibited during October and November 2007. Several submission have been received and a further report will be submitted to the next meeting of Council to consider adoption of the policy and part 3 of the Floodplain Risk Management Study.

The remainder of the Tweed Valley Risk Management Study and Plan is to be completed by consultants and a technical brief has been prepared for invitation of proposals from suitably qualified consultants.

Arrangements are in hand to advertise and call for proposals during December 2007 with a view to reporting back to Council in early 2008 with a recommended consultant for the project.

It is recommended that Council formally accepts the NDMP grant funding for the Tweed Valley Risk Management Study and Plan, and provides the necessary amount to match the grant funding from its 2007/2008 budget allocation for this project.

Funding Agreement

If council resolves to accept the NDMP grant funding, the process then requires the NSW State Emergency Management Committee to prepare a formal ministerial offer and funding agreement for each project.

Each funding agreement is then to be signed by Council's General Manager for each separate project.

It is not necessary to attach Council's seal to the documents and hence no Council resolution to that effect is necessary.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funds are available in the current 2007/2008 budget for each of the projects to provide Council's matching 1/3rd component.

POLICY IMPLICATIONS:

Nil.



UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

O4 [EO-OC] Application to Close and Purchase Part of Road Reserve - Kyogle Road, Byangum**ORIGIN:****Design****FILE NO: GR 3/12/11****SUMMARY OF REPORT:**

Council has received an application to close and purchase part of a road reserve, which runs between Lot 1 in DP 1103150 and Lot 108 in DP 755702 a copy of the Plan is attached. Currently the owner of Lot 1 utilises the road reserve to access his property and as far as can be ascertained this is the sole usage for this road reserve.

The neighbouring parcel – Lot 108 in DP 755702, is in the ownership of NSW Department of Primary Industries, Cattle Tick Program, and is referred to as the Byangum Dip site. Access to Lot 108 is gained via Kyogle road at the North West boundary and it appears that there is no utilisation of the road reserve in question. The Department of Primary Industries have no objection to the closure and purchase of the full road reserve by the adjoining land owner.

As the road reserve is within such close proximity to the Byangum Dip Site there is potential for some land contamination to have occurred. No soil testing has been conducted by Council in this regard and as such it would be recommended that should the approval be given for the closure and purchase of the road reserve that the applicant bears any future liability in this regard.

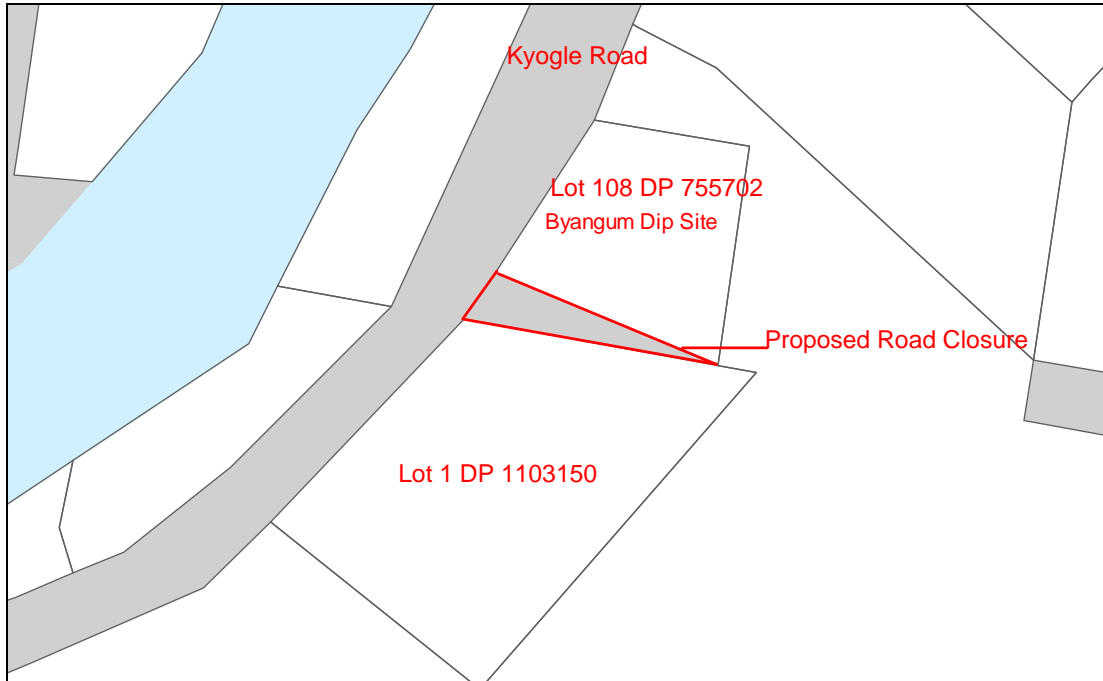
RECOMMENDATION:**That:-**

- 1. Council approves the closure of the road reserve, which runs between Lot 1 in DP 1103150 and Lot 108 in DP 755702;**
- 2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by a local registered valuer;**
- 3. The title of the closed road be consolidated with the adjacent land at the applicants cost;**
- 4. Easements be created over public authority reticulation services, if any;**

- 5. The applicant bears all future liability in the event of any possible land contamination as a result of the adjacent Dip Site known as Byangum Dip; and**
- 6. All necessary documentation be executed under Common Seal of Council.**

REPORT:

As per Summary of Report. Copy of proposed road closure plan:-



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Letter from Department of Primary Industries (DW 1703995).



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O5 [EO-OC] Contract EC2007-111 - Piling for Giddys Bridge over Bilambil Creek, Urliup Road, Bilambil**ORIGIN:****Works****FILE NO: EC2007-111****SUMMARY OF REPORT:**

This report outlines the tender for Piling for Giddys Bridge on Urliup Road, Bilambil with a eighty (80) day (from close of tender) validity to Council. Recommendations have been formulated based on the Selection Criteria which are contained in the Tender documentation. It is recommended that Council accepts the tender of Davbridge Constructions for Piling for Giddys Bridge on Urliup Road, Bilambil.

Attachment A is **CONFIDENTIAL** in accordance Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderers in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

RECOMMENDATION:**That:**

1. **The tender from Davbridge Constructions be accepted for the value of \$158,180.00 (excluding GST).**
2. **The General Manager be given delegated authority to approve variations up to 10% of the contract value.**
3. **The ATTACHMENT be treated as CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.**

REPORT:

Background

Council Tender EC2007-111 invited responses for the provision of:-

Piling for Giddys Bridge over Bilambil Creek, Urliup Road, Bilambil.

The following selection criteria were determined prior to the issuing of the Tender:

- Price
- Experience
- Reliability
- Availability
- Previous performance

Tenders Received

A total of one (1) response was received for tender EC2007-111.

Davbridge Constructions

Tender Evaluation

A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer 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 Tender.

Based on the experience of the company provided, and confirmation of their capacity to carry out the works from their prior and present contracts, it is recommended that Tenderer Davbridge Constructions be nominated for Piling for Giddys Bridge over Bilambil Creek, Urliup Road, Bilambil.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funding is provided within the 2007/2008 Budget for Piling for Giddys Bridge over Bilambil Creek, Urliup Road, Bilambil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

1. **Confidential Attachment A** - EC2007-111 – Piling for Giddys Bridge over Bilambil Creek, Urliup Road, Bilambil (DW 1713006).
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O6 [EO-OC] Licence of Road Reserve – Murwillumbah Pistol Club – Wardrop Valley**ORIGIN:****Design****SUMMARY OF REPORT:**

At its meeting held on 17 October 2006, Council received a report in relation to the renewal of a lease to the Murwillumbah Pistol Club. In the report it was recommended that the target area for the 50m pistol range be included in the lease, as it is constructed within the road reserve. The road reserve, at the time of writing that report, was a Crown road reserve. To enable the inclusion of the target area into any form of tenure, Council sought the transfer of the road reserve to Council, which occurred on 9 November 2007.

It was anticipated that the transfer of the road reserve would then allow Council to include the target area in the lease to the Club. As the lease is for two periods of five years, there will be the necessity for a lease plan to be registered. To enable the inclusion of the target area in the lease plan, it was realised that the road needs to be closed, for which an application has been lodged, but will take at least two years to complete. Further, following the closure of the road, the *Roads Act 1993* provides that any leasing of a road reserve requires advertising with a four week submission period.

The Club are keen to secure their tenure over their clubhouse and target area and it is recommended that Council amend its resolution of 17 October so that the target area be licensed to the Club.

A licence of a road reserve will not require the four week submission period, and will not require inclusion in the lease plan.

It is recommended that Council resolve to enter into a collateral Licence Agreement for that part of the road reserve forming the southern boundary of Lot 10 containing the target area, for the same term, to run with the lease of part Lot 10.

RECOMMENDATION:**That**

- 1. Council resolves to enter into a collateral licence agreement with the Murwillumbah Pistol Club Inc for a term of five years and with an option for a further five years that runs with the lease to the Pistol Club;**
- 2. All necessary documentation be executed under the Common Seal of Council.**

REPORT:

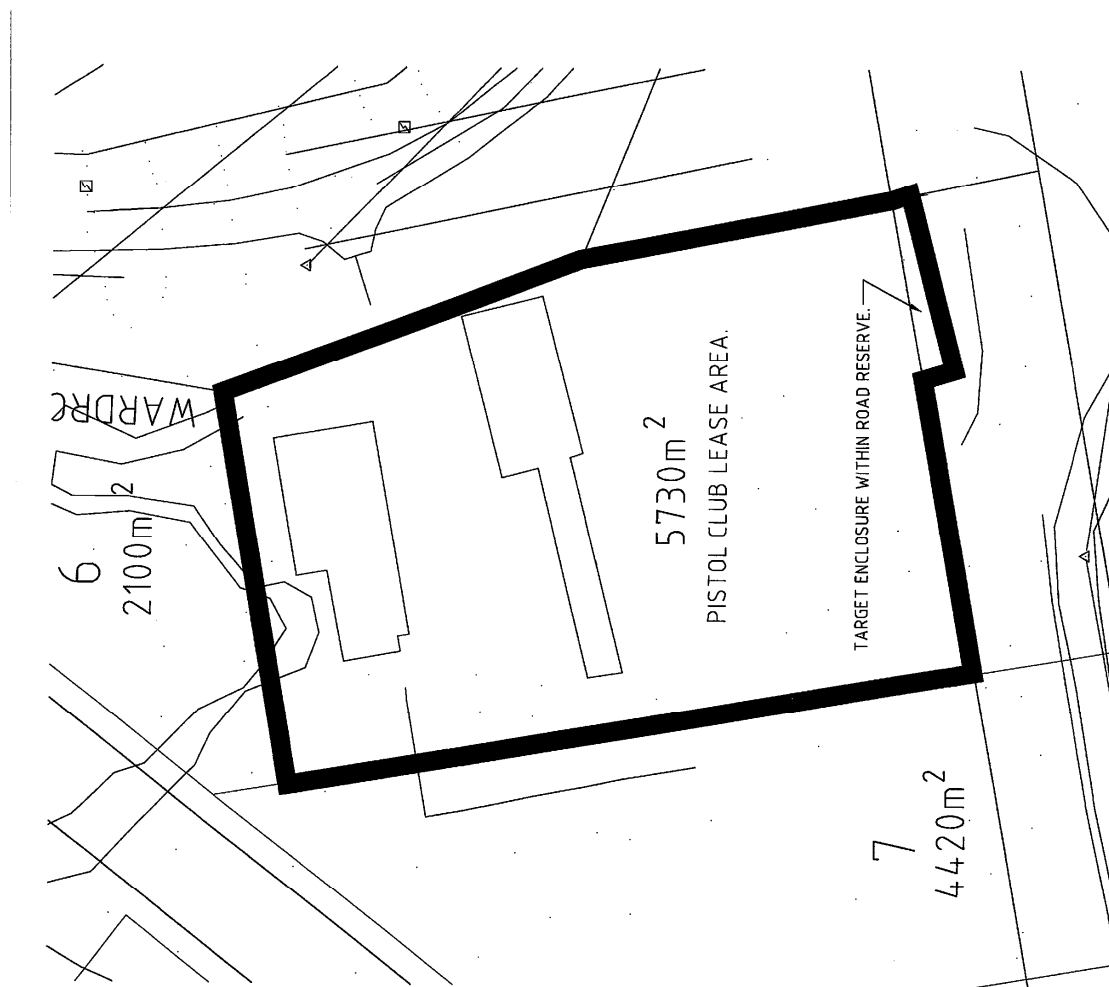
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It was anticipated that the transfer of the road reserve would then allow Council to include the target area in the lease to the Club. As the lease is for two periods of five years, there will be the necessity for a lease plan to be registered. To enable the inclusion of the target area in the lease plan, it was realised that the road needs to be closed, for which an application has been lodged, but will take at least two years to complete. Further, following the closure of the road, the *Roads Act 1993* provides that any leasing of a road reserve requires advertising with a four week submission period.

The Club are keen to secure their tenure over their clubhouse and target area and it is recommended that Council amend its resolution of 17 October so that the target area be licensed to the Club.

A licence of a road reserve will not require the four week submission period, and will not require inclusion in the lease plan.

It is recommended that Council resolve to enter into a collateral Licence Agreement for that part of the road reserve forming the southern boundary of Lot 10 containing the target area, for the same term, to run with the lease of part Lot 10. The area proposed to be leased and licensed is shown below:



LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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07 [CNR-OC] Tweed Shire Community Safety Action Plan

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

The Tweed Shire Community Safety Action Plan is an initiative of the Tweed Shire Council. The aim of the Plan is to provide avenues for funding from the State and Federal Government Attorney General's Departments and to also provide a framework for the development and implementation of projects that are firmly based on community needs and concerns regarding community safety. The consultancy to produce the Tweed Shire Community Safety Action Plan was undertaken by Blaze Consulting. The Plan has been informed through an extensive program of consultation. The organisations and contributors are listed within the document. A number of significant projects including SAILS, Healthy Relationships and the Beach Locker Trial were highly successful and arose out of the Tweed Coolangatta Community Safety Action Plan.

The consultancy was funded from the 2006/2007 budget.

The Plan needs to be placed on public display to allow for community input.

RECOMMENDATION:

That Council places the Tweed Shire Community Safety Action Plan on public exhibition for sixty (60) days.

REPORT:

The Tweed Shire Community Safety Action Plan (TSCSAP) is an initiative of the Tweed Shire Council. The aim of the Plan is to provide avenues for funding from the State and Federal Government Attorney General's Departments and to also provide a framework for the development and implementation of projects that are firmly based on community needs and concerns regarding community safety.

The consultancy to produce the Tweed Shire Community Safety Action Plan was undertaken by Blaze Consulting.

The consultancy was funded from the 2006/2007 budget.

The Plan has been informed through an extensive program of consultation. The consultants met with interested citizens at Uki, Tyalgum, Murwillumbah, Kingscliff, Banora Point and Pottsville. The meetings were relatively poorly attended. This was disappointing but may relate to the times advertised for the meetings. All meetings were held after 6:00pm to allow working interested parties to attend. The organisations and contributors are listed within the document. A number of significant projects including SAILS, Healthy Relationships and the Beach Locker Trial were highly successful and arose out of the Tweed Coolangatta Community Safety Action Plan.

The Tweed Shire Plan has been devised to enmesh with the Tweed Coolangatta Community Safety Action Plan ("TCCSAP"). The TCCSAP was recently placed on public display. The NSW Attorney General's Department has advised that both Plans in total will be eligible for the maximum grant. Council will not be able to "double dip". This will require coordination between the two Committees.

It is proposed that the Plan be placed on exhibition for sixty (60) days to provide a more comprehensive opportunity for residents to have meaningful input into the Plan. The exhibition period encompasses the Christmas/New Year period.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

08 [CNR-OC] Request for "In Kind" Support/Waive Fee

ORIGIN:

Community & Cultural Services

SUMMARY OF REPORT:

Council has received requests from various organisations asking that Council provides in-kind support/waives the fees for room hire. Details of the requests are reproduced in the body of this report.

In accordance with Section 356 of the Local Government Act 1993 - Donations, Council resolved on 6 October 2004 that:-

".... in future, all donations made by Council, whether in cash or in kind, be made by way of a resolution of Council."

RECOMMENDATION:

That Council, with reference to the request from Rotary Club of Tweed Heads South Inc, provides the Tweed Heads Civic Centre for a reduced fee of \$187.50 being 50% of the full fee of \$375 for the Rotary Art Show which was held on 28 to 30 September 2007.

REPORT:

Council has received requests from various organisations asking that Council provides in-kind support/waives the fees for room hire. Details of the requests are reproduced as follows:-

Organisation Name	Request	Est \$ Amount of Waiver	Recommendation	Meet Guidelines?
Rotary Club of Tweed Heads South Inc	Request that fee be reduced for hire of the Tweed Heads Civic Centre on 28 to 30 September 2007 for the third annual Art Show	187.50	That the fee be reduced to \$187.50 being 50% of the scheduled fee of \$375. Applicant transferred the event from Banora Point Community Centre to Tweed Heads Civic Centre. Please note charges are higher which will affect the value of the reduction. The event was held over 3 days.	Yes

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Should requests be approved for the waiving of fees for room hire, the income for the meeting room will be impacted by the amount of the fee reduction.

Should requests for "in kind" support be approved, this will impact on the costing of Council's involvement in the activity.

POLICY IMPLICATIONS:

In considering this request, reference should be made to:-

Festivals Policy.

Donations Policy.

Guidelines for Fee Reduction, Auditoriums, Meeting Rooms and Halls.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Rotary Club of Tweed Heads South Inc (DW1706386)

09 [CNR-OC] Water Supply & Sewerage Performance Report 2005/2006

ORIGIN:

Water

SUMMARY OF REPORT:

Tweed Shire Council reports annually to the Department of Water & Energy on its water supply and sewerage performance. Comparison reports against specific criteria are subsequently issued by the Department.

These reports have again been consolidated into a single Water Supply and Sewerage Performance Monitoring Report 2005/2006 for Tweed Shire Council.

RECOMMENDATION:

That Council:-

- 1. Notes the Water Supply & Sewerage Performance Report for 2005/2006.**
- 2. Places copies of the report at the Murwillumbah and Tweed Heads Civic Centres and advises of such in the Tweed Link.**

REPORT:

Tweed Shire Council reports on a wide range of operating criteria on an annual basis to the Department of Water & Energy. In response to the data provided Council receives performance comparison reports against all NSW operators.

For the benefit of reporting to Council and the community these reports have again been consolidated in the Water Supply & Sewerage Performance Monitoring Report 2005/2006. A copy of the report has been provided separately to Administrators. This report recommends that copies of the report be made available at both Civic Centres. A full report of the 2005/2006 NSW Water Supply and Sewerage Performance Comparisons report is available from the Director Community & Natural Resources.

The table below details Council’s performance against the average from NSW Non Major Utilities.

TWEED’S PERFORMANCE COMPARISON WITH NSW NON MAJOR UTILITIES

CRITERIA	TWEED	AVERAGE
Average Residential Consumption (kL/property)	208	211
Unaccounted for Water (%)	13	8
Water - Economic Real Rate of Return (%)	1.1	2
Water Quality Complaints (per 1,000 properties)	2	8
Water Customer Interruption Frequency (per 1,000 properties)	59	42
Water Average Customer Outage Time (mins)/Connected Property	7	4
Water – Number of Breaks (per 100km main)	4	11
Water Operating Costs (\$/property)	257	293
Sewer Economic Real Rate of Return (%)	1.3	3
Sewage Overflows (per 100km main)	1	14
Sewer Operating Cost (\$/property)	335	327
Business Performance – Water - Debt to Equity(%)	-14.9	-12.37
Business Performance – Sewer - Debt to Equity (%)	-19.5	-6.5
Average Water Bill for Residential Customers (\$/property)	248	333
Average Sewer Bill for Residential customers (\$/property)	454	426

The Department of Water & Energy provide Triple Bottom Line Reports for Water Supply and Sewerage Performance. Both reports are included under separate cover.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Water Supply & Sewerage Performance Monitoring Report 2005/2006. (DW 1711293)
 2. Department of Water & Energy's Triple Bottom Line Report for Water Supply Performance (DW 1711289)
 3. Department of Water & Energy's Triple Bottom Line Report for Sewerage Performance (DW 1711291)
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O10 [CNR-OC] EC2007-108 Sewer Rehabilitation – Various Locations**ORIGIN:****Community & Natural Resources Division****SUMMARY OF REPORT:**

This report outlines the tender for the provision of services for the relining of sewer pipes in various locations within the Shire. Recommendations have been formulated based on the Selection Criteria which is contained in the Tender Evaluation, Pricing Report included in **CONFIDENTIAL ATTACHMENT A**. It is recommended that Council accepts the tender of Insituform Pacific for Contract EC2007-108 Sewer Rehabilitation – Various Locations.

Attachment A is **CONFIDENTIAL** in accordance Section 10A(2)(d) of the Local Government Act 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderers in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

RECOMMENDATION:**That:**

1. The tender from Insituform Pacific Pty Limited be accepted to the value of \$219,476.88 (excluding GST)
2. The General Manager be given delegated authority to approve variations up to 20% of the Contract value.
3. The **ATTACHMENT** be treated as **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness, by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

REPORT:

Council Tender EC2007-108 invited responses for the provision of:-

Sewer Rehabilitation – Various Locations

The following selection criteria and weightings were determined prior to the issuing of the Tender:

No	Criteria	Weighting
1	Tender Price	50%
2	OHS and Risk Management	15%
3	Environment & Quality Systems	15%
4	Contract Experience	10%
5	Key Site & Company Personnel Experience	10%

Tenders Received

A total of four (4) responses were received for tender EC2007-108.

Veolia Water
Underground Asset Services
Kembla Watertech Pty Ltd
Insituform Pacific Pty Limited

Tender Evaluation

A copy of the Tender Evaluation Report is included in **ATTACHMENT A** which is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderers in relation to the tender price and the evaluation of the products offered by each tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer 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 Tender.

Based on the evaluation criteria contained in the Tender Evaluation Report, the tender submitted by Insituform Pacific Pty Limited scored highest in the evaluation process against the selection criteria.

It is recommended that Tenderer Insituform Pacific Pty Limited be nominated for Contract EC2007-108 Sewer Rehabilitation – Various Locations.

Details of Insituform Pacific Pty Limited relative competitiveness are shown in the Evaluation Report **CONFIDENTIAL ATTACHMENT A** which was endorsed by the Evaluation Committee.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funding is provided within the 2007/2008 Budget for Sewer Capital Works Program.

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** - EC2007-108 Sewer Rehabilitation – Various Locations (DW 1711945)
 2. Schedule of Quantities & Prices (DW 1711949)
 3. Tender Evaluation (DW 1711967)
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