

**Mayor:** Cr K Milne

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

# Agenda

## Ordinary Council Meeting Thursday 21 November 2019

held at  
**Council Chambers, Murwillumbah Civic & Cultural Centre,  
Tumbulgum Road, Murwillumbah**  
commencing at 5.30pm

# Principles for Local Government

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

## Guiding Principles for Tweed Shire Council

### (1) Exercise of functions generally

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

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

### (2) Decision-making

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

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

### (3) Community participation

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

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## CONFIRMATION OF MINUTES

- 1 **[CONMIN-CM] Confirmation of Minutes of Ordinary and Confidential Council Meeting held Thursday 24 October 2019**

**SUBMITTED BY:** Corporate Governance

nhm



**Making decisions with you**

*We're in this together*

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

**ROLE:** **Leader**

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The Minutes of the Ordinary and Confidential Council Meeting held Thursday 24 October 2019 are attached for information and adoption by Council.

### RECOMMENDATION:

**That:**

1. **The Minutes of the Ordinary and Confidential Council Meetings held Thursday 24 October 2019 be adopted as a true and accurate record of proceedings of that meeting.**
2. **ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (f) **matters affecting the security of the council, councillors, council staff or council property.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

Attachment 1

Minutes of the Ordinary Council Meeting held Thursday 24 October 2019 (ECM6115519).

(Confidential) Attachment 2

Minutes of the Confidential Council Meeting held Thursday 24 October 2019 (ECM6115465).

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**2 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meeting held Thursday 7 November 2019**

**SUBMITTED BY: Corporate Governance**

mhm

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**Making decisions with you**

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

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

**ROLE: Leader**

---

The Minutes of the Ordinary and Confidential Council Meeting held Thursday 7 November 2019 are attached for information and adoption by Council.

**RECOMMENDATION:**

**That:**

- 1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 7 November 2019 be adopted as a true and accurate record of proceedings of that meeting.**
- 2. ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (f) matters affecting the security of the council, councillors, council staff or council property.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

Attachment 1                      Minutes of the Ordinary Council Meeting held Thursday 7 November 2019 (ECM6132858).

*(Confidential)* Attachment 2      Minutes of the Confidential Council Meeting held Thursday 7 November 2019 (ECM6132828).

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## SCHEDULE OF OUTSTANDING RESOLUTIONS

### 3 [SOR-CM] Schedule of Outstanding Resolutions at 21 November 2019

SUBMITTED BY: Corporate Governance

nhm



**Making decisions with you**

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

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

ROLE: **Leader**

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#### SUMMARY OF REPORT:

This report attaches the outstanding resolutions from both Council and Planning Committee meetings for the information of Councillors.

#### CODE OF MEETING PRACTICE:

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

#### RECOMMENDATION:

**That the Schedule of Outstanding Resolutions is received and noted.**

**REPORT:**

As per Summary.

**OPTIONS:**

1. That Council receives and notes the Schedule of Outstanding Council Resolutions as at 21 November 2019.

**CONCLUSION:**

The Schedule of Outstanding Council Resolutions are updated following each Council Meeting and are updated by Council officers until each resolution has been satisfactorily actioned. Councillors and staff are able to ascertain the status of outstanding resolutions as each progresses to resolutions.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Report on Outstanding Council Resolutions as included in this report (ECM6129702)

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## MAYORAL MINUTE

### 4 [MM-CM] Mayoral Minute for October 2019

SUBMITTED BY: Cr K Milne, Mayor

mhm



### Making decisions with you

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

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

ROLE: **Leader**

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#### SUMMARY OF REPORT:

The Mayoral Minute report provides information on activities undertaken by the Mayor and Councillors during the month of October 2019.

#### RECOMMENDATION:

**That the Mayoral Minute for the month of October 2019 be received and noted.**

**REPORT:**

**Councillors**

**COMMITTEE MEETINGS**

**Attended by the Mayor**

- 9 October Tweed Coast and Waterways Committee – Murwillumbah Civic Centre, 10 Tumbulgum Road, Murwillumbah.
- 

**INVITATIONS / MAYORAL REPRESENTATION:**

**Attended by the Mayor**

- 5 October Uki Community Gardens Opening Event – Corner Kyogle and Smiths Creek Roads, Uki.
- 19 October Environment and Communities Safe from Radiation – Byron Shire Council, 70-90 Station Street, Mullumbimby.
- 19 October Sheoak Shack Art Gallery and Café 20<sup>th</sup> Anniversary – Sheoak Shack, 64 Fingal Road, Fingal Head.
- 21 October Chinderah Locality Plan Community Conversation – Cudgen Leagues Club, 3 Wommin Bay Road, Kingscliff.
- 26 October Diversity Walk – 1 Bay Street, Tweed Heads.
- 28 October Cattle Sale Yard Upgrade – Murwillumbah Cattle Sale Yard, Opposite 60 Queensland Road, Murwillumbah.
- 29 October Stakeholder Forum Strategic Planning – Murwillumbah Civic Centre, 10 Tumbulgum Road, Murwillumbah.
- 30 October Water Strategies Review Project Reference Group – Murwillumbah Civic Centre, 10 Tumbulgum Road, Murwillumbah. Cr Allsop also attended.

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

- 16 October Succeed in the Tweed Business Workshop – Twin Towns Services Club, Wharf Street, Tweed Heads. Crs Cooper and Polglase attended.
- 27 October Joan Nicholl Tennis Centre Clubhouse Re-opening Ceremony – Joan Nicholl Tennis Centre, Henry Lawson Drive, Terranora. Crs Cherry and Owen attended.

**Inability to Attend by or on behalf of the Mayor**

- 24 October Gold Coast Airport Precinct Update – Ivy Pearce Building, 5 Arthur Butler Parade, Bilinga. Clash with Council Meeting.
- 

**REQUESTS FOR WORKSHOPS:**

Councillors did not request any additional workshops during October 2019.

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**CONFERENCES:**

**Conferences attended by the Mayor and/or Councillors**

- 14-16 October LG NSW Annual Conference – Warwick Farm NSW.

**Information on Conferences to be held**

There was no information received on pending conferences during October 2019.

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**SIGNING OF DOCUMENTS BY THE MAYOR:**

- 1 October Deed relating to the Purchase of Flood Liable Land at South Murwillumbah.
  - 1 October Industry Central Land Swap – Acceptance of Infrastructure Funding Grant.
  - 3 October Lease – Hy-Tec Industries to Tweed Shire Council for 36 Pollards Road Dulguigan for operation of an animal boarding facility and ancillary animal pound
  - 3 October Clarrie Hall Dam Land Acquisition – part 571 Doon Doon Road, Doon Doon.
  - 24 October Road Closure Parcel Transfer – Lakeview Parade, Tweed Heads South.
  - 24 October Road Closure and Purchase – Ophir Glen Road, Upper Burringbar.
  - 24 October Boundary Adjustment – Clarrie Hall Dam – Part 2009 Kyogle Road, Terragon.
  - 29 October Lease – Murwillumbah Visitor Centre.
-

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Appropriate expenditure is allowed for attendance by Councillors at nominated conferences, training sessions and workshops.

**c. Legal:**

Not applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## RECEIPT OF PETITIONS

### 5 [ROP-CM] Receipt of Petitions at 21 November 2019

**SUBMITTED BY:** Corporate Governance

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#### **Making decisions with you**

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

- 2 Making decisions with you
- 2.2 Engagement
- 2.2.4 Councillors and Civic Business - To make informed decisions in the best interest of the community.

**ROLE:** Collaborator

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#### **SUMMARY OF REPORT:**

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

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

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

An assessment of the petition was undertaken against the criteria listed in clause 3.28 of the Code of Meeting Practice.

**3.28** *Petitions submitted to council must include:*

- *a clear and concise statement covering the subject matter of the petition. The statement should state what action petitioners want Council to take; and*
- *the name, address and signature or email address in the case of electronic petitions of any person supporting the petition.*

**3.29** *To qualify as a 'petition' there must be at least twenty (20) signatories or names (in the case of an electronic petition). The signatories or names, as applicable, must be residents or ratepayers of the Tweed Shire.*

**3.30** *The petition must contain the name, address and contact details of the main petition contact. This is the person Council will contact to explain how Council will respond to the petition. If no contact person is identified Council will assume the first signatory or email address to the petition is the main petition contact.*

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This petition purports to have 2615 signatures. The petition contains a list of names produced electronically and separately, a petition containing signatures.

In relation to the electronic names, the Code of Meeting Practice requires that the email address of the person supporting the petition be included. This is not the case. Accordingly, none of the electronic names are valid.

Further, in relation to the handwritten signatures, there is a total of 876 and of that number only 819 are residents or ratepayers of the Tweed Shire.

For the purposes of clause 3.28 the Code of Meeting Practice, Councillors are advised the petition has 819 valid signatures.

**RECOMMENDATION:**

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

- **Petition received from Tweed Rural Sustainability Alliance on 28 October 2019 containing 819 valid signatures and advising as follows:**

*We the undersigned request that Tweed Shire Council:*

1. *Allow Secondary Detached Dwellings on all RU1 and RU2 lots regardless of size to bring the shire into line with the other 5 surrounding shires of Byron, Ballina, Kyogle, Lismore and Tenterfield.*
2. *Enters into meaningful dialogue with Tweed rural land holders to formulate the new Rural Land Strategy.*

**REPORT:**

As per Summary

**OPTIONS:**

That in accordance with Sections 3.27 to 3.35 of the Code of Meeting Practice:

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

**CONCLUSION:**

Any Petition tabled should be considered under Sections 3.27 to 3.35 of the Code of Meeting Practice.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## ORDERS OF THE DAY

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### **Making decisions with you**

*We're in this together*

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

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

**ROLE:** **Leader**

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## **6 [NOM-Cr J Owen] Bush Fires**

### **NOTICE OF MOTION:**

**Councillor J Owen moves that given the recent impact to wildlife, properties, people and business due to the catastrophic bush fires in NSW, Council seeks a report on ecological and hazard reduction burns or other measures that Tweed can routinely undertake to reduce the risk of fire to Council managed land and the corresponding impacts to our internationally significant environment and species.**

### **Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

## Management Comments:

### Delivery Program:

nhm



#### **Leaving a Legacy**

*Looking out for future generations*



#### **People, places and moving around**

*Who we are and how we live*

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- |       |   |
|-------|---|
| 1     | Leaving a Legacy  |
| 1.1   | Natural Resource Management   |
| 1.1.2 | Bushland Management - To manage bushland on land owned and under the care and control of Council  |
| 3     | People, places and moving around  |
| 3.1   | People  |
| 3.1.9 | Local Emergency Management - To support strong and co-ordinated emergency services for the Tweed. |

**ROLE:** **Leader**

Council delivers its responsibilities under the *NSW Rural Fires Act 1997* as a land owner and land manager through the 'Bushland Management' and 'Local Emergency Management' Service Plans.

Council staff and nominated Councillors annually meet with the local Rural Fire Service (RFS) to ensure the ongoing co-operation and support between agencies through the Service Level Agreement Liaison Committee.

Council also chairs the Local Emergency Management Committee under the State Emergency and Rescue Management Act 1989. The Committee consists of senior representatives of each local emergency service organisation and supporting agencies. The Committee is responsible for the planning, preparation, response and recovery arrangements for emergencies. Emergencies being defined as:

#### **"Definition of "emergency"**

(1) *In this Act:*

**emergency** means an emergency due to an actual or imminent occurrence (such as fire, flood, storm, earthquake, explosion, terrorist act, accident, epidemic or warlike action) which:

- (a) endangers, or threatens to endanger, the safety or health of persons or animals in the State, or
- (b) destroys or damages, or threatens to destroy or damage, property in the State, or
- (c) causes a failure of, or a significant disruption to, an essential service or infrastructure, being an emergency which requires a significant and co-ordinated response.

- (2) *For the purposes of the definition of **emergency**, property in the State includes any part of the environment of the State. Accordingly, a reference in this Act to:*
- (a) *threats or danger to property includes a reference to threats or danger to the environment, and*
  - (b) *the protection of property includes a reference to the protection of the environment."*

Further, Council is a member of the Far North Coast Bushfire Management Committee. This committee is responsible for preparing, coordinating, reviewing and monitoring the Far North Coast Bushfire Risk Management Plan (BFRMP).

Whilst the BFRMP covers all land tenures, the plan identifies council as the land manager for 1.89% (4470 ha) of the BFMC area. The plan is prepared in accordance with the Australian/New Zealand Standard (AS/NZS 4360: 2004 *Risk Management*) and identifies assets, likelihood of bush fire, level of risk and treatments. Where an asset is identified as having a very high or extreme risk level through this process, the treatment is prioritised for implementation.

The BFRMP applies a standardised set of treatments including the identification of bush fire management zones (such as asset protection zones), ignition management, hazard reduction, community education, property planning and preparedness.

Council's available financial and staff resources are fully allocated to meeting the basic maintenance requirements of existing fire management treatments.

The need to increase hazard reduction burns on council lands with the corresponding ecological benefits to locally occurring species and ecological communities of significance is supported. This need is also exacerbated by the known and predicted impacts of climate change resulting in increased risk of high intensity fire and reduced windows of opportunity to conduct low intensity prescribed burns.

#### Budget/Long Term Financial Plan:

Council has allocated \$96,000 for Fire Hazard Reduction in the 2019/2020 budget. This budget is used to maintain asset protection zones, slash fire trails, maintain fire management infrastructure including gates and complete some manual hazard reduction works. This budget is consistently fully expended on meeting these basic maintenance requirements.

Council has organised, or contributed to, two hazard reduction burns (Cudgen Nature Reserve / Hastings Pony Club in 2014 and Pottsville Environment Park in 2019). Both burns were funded through the Tweed Coast Koala Plan of Management implementation budget due to the significance of these areas for the Endangered Tweed-Brunswick koala population.

Hazard reduction burns are proposed for the Koala Beach Bushland Reserves in winter 2020 with fuel hazard assessments to commence in November 2019 and commencement of the planning, assessment and approvals process in early 2020.

It is noted that the legislative planning and approvals requirements for conducting hazard reduction burns are considerable, in part due to the prevalence of threatened plants,

animals and ecological communities occurring on council land. Meeting these requirements for the 2019 Pottsville Environment Park hazard reduction burn cost in the order of \$10,000, not including staff time to support the NSW RFS in the preparation and implementation of the burn.

The only current budget allocation for hazard reduction burns in 2019-2020 is \$20,000 identified for fuel hazard assessments, planning and approvals for Koala Beach Bushland Reserves through the Tweed Coast Koala Plan of Management implementation budget.

The planning and approvals work completed to date for Pottsville Environment Park includes 2 additional zones that could be completed in winter 2020, subject to endorsement of the BFMC, completion of burn plans by the NSW RFS, availability of volunteer NSW RFS personnel and favourable weather conditions.

Legal Implications:

Council is obliged as a land owner and manager under Section 63 of the *NSW Rural Fires Act 1997* (RF Act) to meet its duty to prevent the occurrence of bush fires on, and to minimise the danger of the spread of a bush fire on or from any land vested in or under its control or management, or any road, street, land or thoroughfare, the maintenance of which is charged on the authority.

Divisions 3-6 of the RF Act specify provisions in relation to the operation of Bush Fire Management Committees and Bush Fire Risk Management Plans.

Policy Implications:

The Tweed Coast Comprehensive Koala Plan of Management 2015 identifies the issue of appropriate fire management as a priority action. This has been implemented through the development of the Tweed Coast Koala Fire Management Plan and the Hazard Reduction Burn Guidelines for Koala Habitat on the Tweed Coast. These documents identify the areas of highest priority for conducting hazard reduction burns to reduce the risk of high intensity bush fire for the benefit of koalas and their habitat, together with human life and property.

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## 7 [NOM-Cr J Owen] Review of Limpinwood and Zara Roads

### NOTICE OF MOTION:

Councillor J Owen moves that, given the recent motorcycle fatalities on our rural roads and the increase in recreational motorcycle riding, Council officers bring forward a report on where these crashes are occurring, what action has been taken to date and what action is proposed to improve the safety of motorcyclists and all other road users in Tweed.

### Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

### Management Comments:

Delivery Program:

mhm

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### People, places and moving around

*Who we are and how we live*

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

**ROLE:** **Leader**

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Motorcycle road safety has been an identified priority for the Roads and Stormwater Unit's Road Safety Officer for many years, with various targeted programs currently underway.

Council receives crash data from Roads and Maritime Services, and this is used to identify trends in motorcycle crashes, and potential contributing factors. These programs and initiatives can be elaborated on in the foreshadowed report.

Budget/Long Term Financial Plan:

Road Safety initiatives are already included in Council's budget and are implemented by the Road Safety Officer. Roads and Maritime Services co-funds this program. Council has been very successful in attracting Safer Roads funding (e.g. Blackspots) and Fatality Response grants from the State Government. Current grant priorities can be outlined in the foreshadowed report.



Legal Implications:

Nil.

Policy Implications:

Nil.

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## 8 [NOM-Cr K Milne] Fireworks and Animals

### NOTICE OF MOTION:

Councillor K Milne moves that Council,

1. **Notes fireworks have a significant potential to cause short and long term stress, disturbance and even death to both domestic and farm animals and to native wildlife.**
2. **Notes that our high number of threatened species makes it particularly important to protect our wildlife from avoidable harm.**
3. **Brings forward a report on options that Council could look at as alternatives to fireworks such as lantern parades.**
4. **Notifies event organisations in the Shire considering fireworks events of the harm caused by fireworks and invites them to consider less harmful ways to celebrate.**

### Councillor's Background Notes

#### **How fireworks harm nonhuman animals**

Fireworks and other explosive materials, whose reactions can produce sparks, flames, and fumes, cause various harms to nonhuman animals. These often affect animals who are human companions, and whose reactions we can easily see. They also harm the other animals who are around us, both in urban environments and outside them, as well as those who are on farms or confined in other spaces.

#### **Physical damage to the hearing organs of animals**

The hearing of many animals is much more sensitive than it is in humans, so the explosions of fireworks are not only more disturbing to them, but they can damage their hearing more severely. Fireworks can emit sounds of up to 190 decibels (110 to 115 decibels above the range of 75 to 80 decibels where the damage to the human ear begins). Firecrackers generate a higher noise level than firecrackers, gunshots (140 decibels), and some jet planes (100 decibels).

Noises caused by fireworks and firecrackers can lead to loss of hearing and tinnitus. Dogs are known to suffer irreversible hearing loss caused by proximity to the noise of gunfire.

#### **Fear and stress**

In addition to these harms, the noises caused by fireworks harm animals by causing fear. In fact, repeated exposure to unexpected, unpredictable loud noises can cause phobias in many animals, increasing panic reactions to loud noises in the future.

It is estimated that one-fifth of disappearances of animals who are companions to humans are due to very loud sounds, mainly fireworks and storms.

The effects of fireworks on animals can be observed very clearly in zoos. It has been shown that the noise of fireworks makes animals such as rhinos and cheetahs very nervous, also

visibly affecting others such as elephants, while rodents continue running minutes after the noises cease. <https://www.animal-ethics.org/how-fireworks-harm-nonhuman-animals/ - sdendnote4sym>

### **Harmful effects by chemical particles**

In addition, firecrackers are poisonous, and their explosion releases harmful particles such as fine dust (PM10) that is toxic to inhale. It can worsen existing diseases and cause others. Therefore, fireworks represent a danger both to animals who live in areas where they explode, or in relatively distant locations when the wind transports the particles. There is also a risk of ingestion of the residue of fireworks and firecrackers. The proximity of the animals to the areas where the firecrackers are made often causes burns and damage to the eyes.

The chemicals are also dangerous for cats and dogs, just as they are for humans with respiratory diseases such as asthma. Careless use of fireworks can also cause mutilations and fatal accidents in animals near the event, as well as causing fires that harm animals. When accidents of this type occur that affect humans, it is common for us to talk about it, but we must remember such things often affect animals of other species even when humans aren't badly affected.

### **Ways different animals are affected by fireworks**

#### **Dogs**

Dogs are able to hear up to 60,000hz, while humans can't hear anything above 20,000hz, which is only a third of the capacity of dogs. This auditory acuity of dogs is one of the reasons the sound of fireworks can be so harmful to them. They show signs of overwhelming anxiety as they are unable to escape from the sound.

Dogs, like many other animals, also suffer from other phenomena that produce loud sounds, such as storms. However, in the case of storms, the noises are accompanied by previous warning signs, so that animals can perceive them in advance. This can cause them anguish in anticipation, but it does not cause them the unexpected fright caused by fireworks, which are sudden and not identifiable. The fear of noise among older dogs is more common.

Many urban dogs suffer negative symptoms from the explosions of firecrackers. Common reactions are freezing or paralysis, uncontrolled attempts to escape and hide, and tremors. Other more intense signs may also be present, such as salivation, tachycardia, intense vocalizations, urination or defecation, increased activity, hyper alertness and gastrointestinal disorders. All these signs are indicative of great discomfort.

It has been pointed out that the reaction of dogs to the sound of fireworks is similar to post-traumatic stress in human animals. However, this effect could be much more harmful in dogs, because they do not have the ability to rationalize their anxiety, or the possibility of an immediate cognitive response that allows them to respond to their fear. It is likely they experience a deeper and more intense form of terror. This is in addition to the noise phobia which can be greater in some dogs due to personality differences. It is important to keep in mind that in the first years of their lives, dogs are especially vulnerable to the development of phobias, and exposing them to sounds like fireworks contributes to future fear responses that they might not otherwise have had. It has been estimated that one in two dogs has significant fear reactions to fireworks. <https://www.animal-ethics.org/how-fireworks-harm-nonhuman-animals/ - sdendnote10sym>

### **Cats**

The effects of fireworks on cats are less obvious, but their responses are similar to those of dogs, such as trying to hide or escape.

However, regardless of the fear they have, they have a higher risk of being poisoned. Many cats who are near areas where firecrackers are made ingest them or their parts. In addition, they can go blind or be seriously injured by the explosions of firecrackers.

### **Horses**

Horses can easily feel threatened by fireworks due to their hypervigilance since they are constantly on high alert due to possible predators. Horses also act quite similarly to dogs and cats, showing signs of stress and fear, and trying to flee or escape. It is estimated that 79% of horses experience anxiety because of firecrackers, and 26% suffer injuries from them. Sometimes they react to fireworks by trying to jump fences and flee to dangerous areas where they can be run over by cars.

### **Birds**

The noise of firecrackers can cause birds tachycardia and even death by fright. The high degree of stress birds experience is indicated by the fact that birds may temporarily or permanently abandon the places where they are.

In areas that are aircraft flyover zones, Creole ducks grow more slowly and have a lower body weight than Creole ducks who live in areas with little noise. Snow geese affected by these noises spend less time eating during the day and try to compensate during the night, which entails shortening their period of rest and sleep, gradually reducing their survival rate.

Disorientation and panic from fireworks can cause birds to crash into buildings or fly towards the sea. The colonial species of birds who nest in high densities, such as silver gulls, are at greater risk of this during explosions of firecrackers. Many birds who flee from their nests due to the sounds do not know how to return to their nests once the noise ends, which leaves many of their young helpless.

### **Invertebrates and small vertebrates**

The harms caused to invertebrates and small vertebrates have been evaluated much less than those caused to the animals discussed above. Presumably, these animals can do little to avoid harm if the explosions occur in areas near where they live. Keep in mind that for these animals fireworks are very large explosions, so the harms to them can be much greater than in other animals

### **Alternatives to the use of fireworks**

There is a growing acceptance of alternatives to fireworks, such as laser light shows. One notable case is in the city of Collechio (Italy), one of the first to program silent fireworks, with the message that it is possible to enjoy fireworks without causing panic among the nonhuman inhabitants of the municipality. However, there is the possibility that this type of show may affect birds negatively.

Some might think that administering a soothing drug to animals could be the solution, but this proposal isn't satisfactory for two reasons. First, the use of drugs to calm animals could cause harmful side effects. Second, we wouldn't be able to reach almost all of the animals affected by fireworks. The animals who live with human beings are not the only ones harmed. Even if we only consider domesticated animals in urban areas, there are animals who live in the street

or are alone. In addition, domesticated animals are the minority of animals affected. We must take into account all animals who live outside the reach of humans, whether in the wild or in urban environments, as well as those on farms and other places where they are exploited. For this reason, the only really satisfactory solution is to reject the use of fireworks.

Source: <https://www.animal-ethics.org/how-fireworks-harm-nonhuman-animals/>

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

mhm



**Making decisions with you**

*We're in this together*



**People, places and moving around**

*Who we are and how we live*

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

2	Making decisions with you
2.2	Engagement
2.2.1	Animal Management - To provide effective and responsible care, management and public education for companion animals such as pet dogs and cats.
3	People, places and moving around
3.1	People
3.1.7	Events - To develop, attract and support events that showcase the Tweed's unique characteristics and identity.

**ROLE:** **Leader**

Budget/Long Term Financial Plan:

The follow is advised to Councillors:

2018/2019 budget expenditure for fireworks	\$7,437
2019/2020 budget allocation for fireworks	\$8,359
2019/2020 proposed expenditure:	
• Jack Evans Boat Harbour	\$7,200 + GST
• SALT Central Park	\$2,000

Legal Implications:

Nil. There are no direct implications for Council that can be identified at this time.

Policy Implications:

Regulation and approval of fireworks displays are principally regulated by the NSW Workcover Authority. While notice must be given to councils of an intention to use any firework, councils have no power to approve the use of a firework. However, councils may object to or impose conditions on an applicant's use of fireworks.

Notification of a *Fireworks Event – Guidelines for Council* have been developed by WorkCover and the Office of Local Government to provide councils with a standard framework. The guidelines are issued under s23A of the Local Government Act [1993](#).

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 9 [GM-CM] Annual Code of Conduct Report - 1 September 2018 to 31 August 2019

**SUBMITTED BY:** Corporate Governance

mhm



#### **Behind the scenes**

*Providing support to make it happen*

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

- 4 Behind the scenes
- 4.1 Assurance
- 4.1.1 Governance - To provide assistance to Councillors and support for Council to operate within its legal framework.

**ROLE:** **Leader**

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#### **SUMMARY OF REPORT:**

The Office of Local Government and the Administration of the Model Code of Conduct Procedure requires annual reporting of Code of Conduct Complaints made about councillors and the general manager.

The annual report covers the period from 1 September 2018 to 31 August 2019 and as well as being submitted to the Office of Local Government by 31 December 2019, it is also to be reported to council.

The report highlights the Code of Conduct Complaints made about the councillors and the general manager for the required period.

#### **RECOMMENDATION:**

**That Council receives and notes this report on the Code of Conduct Complaints for the period 1 September 2018 to 31 August 2019 and the return be submitted to the Office of Local Government.**

**REPORT:**

The following information has been requested by the Office of Local Government and must be submitted as part of the collection form.

Model Code of Conduct Complaints Statistics Tweed Shire Council		
<b>Number of Complaints</b>		
1 a	The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	28
b	The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	28
<b>Overview of Complaints and Cost</b>		
2 a	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	26
b	The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement	2
c	The number of code of conduct complaints <b>referred to a conduct reviewer</b>	0
d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	0
e	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	0
f	The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	0
g	The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>	0
h	The number of finalised complaints investigated where there was found to be <b>no breach</b>	0
i	The number of finalised complaints investigated where there was found to be <b>a breach</b>	0
j	The number of complaints referred by the GM or Mayor to <b>another agency</b> or body such as the ICAC, the NSW Ombudsman, the Office or the Police	3
k	The number of complaints being investigated that are <b>not yet finalised</b>	0
l	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	15,451



### Preliminary Assessment Statistics

3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:

- |   |                                |
|---|--------------------------------|
| a To take no action   | <input type="text" value="0"/> |
| b To resolve the complaint by alternative and appropriate strategies  | <input type="text" value="0"/> |
| c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies   | <input type="text" value="0"/> |
| d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police | <input type="text" value="0"/> |
| e To investigate the matter   | <input type="text" value="0"/> |
| f To recommend that the complaints coordinator convene a conduct review committee to investigate the matter   | <input type="text" value="0"/> |

### Investigation Statistics

4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

- |  |                                |
|--|--------------------------------|
| a That the council revise its policies or procedures             | <input type="text" value="0"/> |
| b That a person or persons undertake training or other education | <input type="text" value="0"/> |

5 The number of investigated complaints resulting in a determination that there was **a breach** in which the following recommendations were made:

- |  |                                |
|--|--------------------------------|
| a That the council revise any of its policies or procedures  | <input type="text" value="0"/> |
| b That the subject person undertake any training or other education relevant to the conduct giving rise to the breach                                  | <input type="text" value="0"/> |
| c That the subject person be counselled for their conduct  | <input type="text" value="0"/> |
| d That the subject person apologise to any person or organisation affected by the breach   | <input type="text" value="0"/> |
| e That findings of inappropriate conduct be made public  | <input type="text" value="0"/> |
| f In the case of a breach by the GM, that action be taken under the GM's contract for the breach   | <input type="text" value="0"/> |
| g In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 | <input type="text" value="0"/> |
| h In the case of a breach by a councillor, that the matter be referred to the Office for further action  | <input type="text" value="0"/> |

6 Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures and clause 7.20 of the new Procedures	<input type="text" value="0"/>
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Categories of misconduct	
7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a General conduct (Part 3)	<input type="text" value="0"/>
b Conflict of interest (FMCC Part 4) and Non-pecuniary conflict of interest (NMCC Part 5)	<input type="text" value="0"/>
c Personal benefit (FMCC Part 5 / NMCC Part 6)	<input type="text" value="0"/>
d Relationship between council officials (FMCC Part 6 / NMCC Part 7)	<input type="text" value="0"/>
e Access to information and resources (FMCC Part 7 / NMCC Part 8)	<input type="text" value="0"/>
Outcome of determinations	
8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	<input type="text" value="0"/>
9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	<input type="text" value="0"/>

**OPTIONS:**

This reporting and the submission of the collection form is a mandatory requirement and there are no other options available.

**CONCLUSION:**

As per recommendation.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Conduct for Councillors v1.0  
Code of Conduct Administration (Procedure)

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

Due allowance is made within the budget for expenditure incurred on Code of Conduct Complaint investigations.

**c. Legal:**

The Code of Conduct and the Administration of the Model Code of Conduct Procedure contains confidentiality conditions that do not allow the details of the Code of Conduct Complaints to be released.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**10 [GM-CM] Industry Central Land Swap - Endorsement of Preferred Applicants as Successful Applicants**

**SUBMITTED BY: General Manager**

mhm



**Leaving a Legacy**

*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.2 Asset Protection
- 1.2.1 Floodplain Management - To manage the risk of flooding and its impacts for property owners and the community.

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

In March/April 2017 ex-tropical cyclone Debbie caused major flooding throughout the Tweed Shire with many homes and businesses severely affected.

To mitigate against another future major flood event having a devastating impact on a large portion of the Murwillumbah business community, the Council in consultation with State and Federal Government developed a plan to relocate eligible businesses out of the flood affected zone to flood free industrial land at Industry Central, Murwillumbah. This plan is known as the Industry Central Land Swap Project.

The Industry Central Land Swap project has now advanced to Phase 6 of the project which is the *Selection of the Successful Applicants* by a resolution of Council. Phase 5 of the project being the *Expression of Interest for the Land Swap* required the undertaking of an expression of interest to identify eligible applicants. From the pool of applicants identified during the expression of interest, a Selection Panel was able to select Preferred Applicants who addressed all parameters associated with the selection criteria. These Preferred Applicants were then subjected to a rigorous financial and probity assessment by Equifax Australasia Credit Rating Pty Ltd who concluded that eight Preferred Applicants passed the Advanced Financial Viability risk assessment. The eight Preferred Applicants are recommended to Council by the Project Team for endorsement as Successful Applicants. The report to Council is in compliance with *Reporting Milestone 4* of the Industry Central Land Swap Protocol which requires a Council resolution to:

1. Endorse the Preferred Applicants nominated by the Project Team as Successful Applicants;

2. Delegate authority to the General Manager to enter into negotiations with the Successful Applicants regarding Land Exchange Agreements and contracts for the sale of land; and
3. When individual contracts are ready for Exchange a further report will be presented to Council seeking a resolution to execute the contract under the Common Seal of Council.

The Land Swap project is now fully funded by the NSW Government. The Preferred Applicants have been rigorously assessed to determine their compliance with the objectives of the project and a resolution of Council is required to endorse the Preferred Applicants as Successful Applicants to facilitate the progression of the Land Swap project to the next phase.

**RECOMMENDATION:**

**That:**

1. **Council endorses the Preferred Applicants nominated by the Project Team as Successful Applicants as recommended under Option 1;**
2. **Council delegates authority to the General Manager to enter into negotiations with the Successful Applicants regarding Land Exchange Agreements and contracts for the sale of land;**
3. **When individual contracts are ready for exchange a further report will be presented to Council seeking a resolution to execute the contract under the Common Seal of Council.**
4. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (d) **commercial information of a confidential nature that would, if disclosed:**
    - (i) **prejudice the commercial position of the person who supplied it, or**
    - (ii) **confer a commercial advantage on a competitor of the council, or**
    - (iii) **reveal a trade secret.**

**REPORT:**

In March/April 2017 ex-tropical cyclone Debbie caused major flooding throughout the Tweed Shire with many homes and businesses severely affected.

To mitigate against another future major flood event having a devastating impact on a large portion of the Murwillumbah business community, the Council in consultation with State and Federal Government developed a plan to relocate eligible businesses out of the flood affected zone to flood free industrial land at Industry Central, Murwillumbah. This plan is known as the Industry Central Land Swap Project.

The Industry Central Land Swap project has now advanced to *Phase 6* which is the *Selection of the Successful Applicants* by a resolution of Council. Since the project commenced in April 2018 the following phases identified in Table 1 below have been completed:

**Table 1 – Project Phases**

Phase Number	Phase detail	Project Timeline	Status
1	Land Acquisition	August 2018	<b>Completed.</b>
2	Prepare a Probity Plan	August 2018	<b>Completed.</b>
3	Prepare a Risk Management Plan	August 2018	<b>Completed.</b>
4	Prepare a Protocol	August 2018	<b>Completed.</b>
5	Expression of Interest for the Land Swap	November 2018	<b>Completed.</b>
6	Selection of Successful Applicants	December 2019	<ul style="list-style-type: none"> <li>• <b>Financial Risk Assessment of Preferred Applicants completed.</b></li> <li>• <b>Report to 21 November 2019 Council meeting seeking a resolution to endorse the Preferred Applicants as Successful Applicants.</b></li> </ul>
7	Obtain funding for the subdivision Infrastructure from the NSW State Government	December 2019	<p><b>Completed.</b></p> <p>Funding Deed executed by the Deputy Secretary, Regional NSW 14 October 2019.</p>
8	Completion of land valuations	May 2020	<b>Commencement will be subject to Council endorsement of Successful Applicants.</b>
9	Modification of development consent and construction certificate	June 2020	<b>Commencement will be subject to Council endorsement of Successful Applicants.</b>
10	Construction of the subdivision public infrastructure for stages 7 to 11	July 2020	<b>Not yet commenced.</b>

Phase Number	Phase detail	Project Timeline	Status
11	Creation of title for the new industrial allotments at Industry Central	February 2021	<b>Not yet commenced.</b>
12	Transfer of titles between TSC and successful applicants/businesses	March 2021	<b>Not yet commenced.</b>

Phase 5 of the project was the *Expression of Interest for the Land Swap* which invited eligible applicants to submit an expression of interest to participate in the project. An assessment of the eligible applications was undertaken by an independent Selection Panel comprising of members from Tweed Shire Council, Office of Environment and Heritage and Department of Premier and Cabinet against the selection criteria and from this assessment the Selection Panel was able to identify the Preferred Applicants. A further rigorous financial and probity assessment was conducted on these Preferred Applicants before the Project team was in a position to submit this report to Council recommending the Preferred Applicants as Successful Applicants. The entire process has been overseen by an independent Probity Advisor (Prevention Partners).

#### **REPORTING MILESTONE 4**

Before the General Manager can commence negotiations with the Successful Applicants in relation to the allocation of the flood free allotments, the Land Exchange Agreements and the execution of individual contracts for sale, compliance with *Reporting Milestone 4* from the Industry Central Land Swap Protocol must be achieved. The Industry Central Land Swap Protocol was adopted by Executive Leadership Team on the 15 August 2018. Reporting Milestone 4 requires;

1. A Council resolution to endorse the Preferred Applicants as Successful Applicants;
2. Delegated authority for the General Manager to enter into negotiations with the Successful Applicants regarding Land Exchange Agreements and contracts for the sale of land;
3. Authority to execute all necessary documentation under the Common Seal of Council.

An extract of Reporting Milestone 4 from the Industry Central Land Swap Protocol is provided below:

#### *Reporting Milestone 4*

*Obtain Council resolutions as follows*

*Stage 1:*

- a) To endorse Preferred Applicants as Successful Applicants; and*
- b) Delegate to the GM authority to enter into negotiations with the Successful Applicants.;*

*Stage 2, following finalisation of mutually agreeable negotiations:*

- a) *Approve entering into individual contracts of sale with the Successful Applicants; and*
- b) *Execute all necessary documentation under the Common Seal of Council.*

This report seeks a council resolution generally in accordance with Reporting Milestone 4.

### **FINANCIAL VIABILITY RISK ASSESSMENT OF PREFERRED APPLICANTS**

Special conditions contained within the Funding Deed require Council to undertake financial viability risk assessments of all Preferred Applicants who intend to relocate their existing businesses to Industry Central. To undertake this task, Council engaged Equifax Australasia Credit Rating Pty Ltd who are a financial credit rating and probity investigation company.

Equifax Australasia Credit Rating Pty Ltd undertook an Advanced Financial Assessment of the Preferred Applicants addressing financial and probity parameters such as:

- Operating profit and available working capital
- Sales revenue
- The level of debt carried by the applicant
- Review of the applicants financial performance
- Review of the applicants financial position
- Company credit rating
- Directors related interests
- Evidence of judgements recorded against the company directors
- Probability of default
- A review of the extended corporate structure
- Recommendations of a modelled financial pass or fail for the applicant

The above list is not exhaustive as numerous other parameters were investigated.

Equifax Australasia Credit Rating Pty Ltd prepared financial viability risk assessment reports for seven (7) of the nine (9) Preferred Applicants. No financial risk assessment was required for one Preferred Applicant as this particular company owned strategically significant but vacant land and was therefore selected on a 'like for like' land swap basis. This Preferred Applicant under the terms of the land swap agreement is not obliged to relocate a business to Industry Central.

The other Preferred Applicant who did not have a financial viability risk assessment undertaken was Tweed Shire Council. To satisfy the Project team that Tweed Shire Council has the financial capacity and motivation to undertake a possible relocation of its Murwillumbah Depot to the Industry Central site, the Manager Financial Services was requested to provide a letter of undertaking to the Project team incorporating the following:

1. An indication that a strategic review of Council's flood effected assets such as the Murwillumbah depot and back pad had been undertaken and that it would be prudent to relocate these facilities to flood free land if the opportunity arose,
2. The relocation of the Murwillumbah depot would be integral to Council's long term strategic planning to enhance Council's resilience to future natural disasters,



3. That Council Management is investigating options and costing associated with relocating the Murwillumbah depot and back pad,
4. That Council has the financial capacity to expend the necessary funds to facilitate any proposed relocation.

This letter has been provided and is considered acceptable by the Project Team.

In addition, the Project Team resolved to offer land to Tweed Shire Council on a 'like for like' basis only to ensure that all other private businesses endorsed as Successful Applicants receive the full 20% increase in land allocation for the future expansion of their business.

#### **OPTIONS:**

1. To endorse the Preferred Applicants nominated by the Project Team as Successful Applicants and delegates authority to the General Manager to enter into negotiations with the Successful Applicants regarding Land Exchange Agreements and contracts for the sale of land;
2. To not endorse the Preferred Applicants nominated by the Project Team as Successful Applicants and does not delegates authority to the General Manager to enter into negotiations with the Successful Applicants regarding Land Exchange Agreements and contracts for the sale of land.

#### **CONCLUSION:**

The Industry Central Land Swap project has now advanced to *Phase 6* of the project which is the *Selection of the Successful Applicants* by a resolution of Council. Eight Preferred Applicants are recommended to Council by the Project Team for endorsement as Successful Applicants in accordance with *Reporting Milestone 4* of the Industry Central Land Swap Protocol.

The Land Swap project is now fully funded by the NSW Government and the Preferred Applicants have been rigorously assessed to determine their compliance with the objectives of the project. A resolution of Council to endorse the Preferred Applicants as Successful Applicants is necessary to facilitate the progression of the Land Swap project to the next phase of the project.

#### **COUNCIL IMPLICATIONS:**

##### **a. Policy:**

Corporate Policy Not Applicable.

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

The purchase of lot 604 DP 1244954 has been funded by a grant of \$3,000,000 from the NSW Climate Change Fund as a mitigation and adaptation measure. Funding of the public infrastructure associated with the Land Swap is via a \$3.6 million grant from Regional NSW. The Land Swap Project will have no financial impact on Council's long term budget, other than for incidental officer time not accounted for in the project budget.

**c. Legal:**

Yes, legal advice has been received.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Financial Viability Assessment Recommendations (ECM 6132425)

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## REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT

### 11 [SCE-CM] Crown Reserves Improvement Fund Grant

SUBMITTED BY: Parks and Active Communities

nhm



#### People, places and moving around

*Who we are and how we live*

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

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

ROLE: **Provider**

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#### SUMMARY OF REPORT:

Council has received advice that it has been successful in a grant application through the NSW Government Crown Reserves Improvement Fund (CRIF) for \$54,284 towards the repair of the eastern end revetment wall at Jack Evans Boat Harbour.

#### RECOMMENDATION:

**That Council accepts the grant from the NSW Government's 2019-2020 Crown Reserves Improvement Fund of \$54,384 towards the repair of the eastern end revetment wall at Jack Evans Boat Harbour and votes the income and expenditure.**

**REPORT:**

Council has received advice that it has been successful in a grant application through the NSW Government Crown Reserves Improvement Fund (CRIF) for \$54,284 towards the repair of the eastern end revetment wall at Jack Evans Boat Harbour.

The application was submitted in March 2019 with the proposed works to address erosion issues at a site east of the Seascope building, between Seascope and the Tweed River (figure 1). In May to June 2019, erosion at the site worsened to a point where the trees on the harbours edge at this location were severely undermined and presented an imminent risk that the trees would fall into the harbour (figure 2).

It was determined that the works could not be deferred until the funding application was determined and funding was re-directed from funds allocated to other asset maintenance works in Jack Evans Boat Harbour to undertake the revetment works.

Member for Tweed Geoff Provest has been contacted to advise that the works under the grant have been completed and the circumstances necessitating the works. Mr Provest appreciated the circumstances and advised that as the works are consistent with the grant application and the requirement to undertake the works early prior to the grant announcement was not anticipated, he is supportive of the grant being approved and the works funded retrospectively.



Figure 1: Site of revetment repair works



*Figure 2: Erosion at the site illustrating the risk presented by the undermining of the trees*

**OPTIONS:**

1. That Council accepts the grant from the NSW Government's 2019-20 Crown Reserves Improvement Fund of \$54,384 towards the repair of the eastern end revetment wall at Jack Evans Boat Harbour and votes the income and expenditure.
2. That Council does not accept the grant from the NSW Government's 2019-20 Crown Reserves Improvement Fund of \$54,384 towards the repair of the eastern end revetment wall at Jack Evans Boat Harbour.

**CONCLUSION:**

The works to repair the revetment wall east of the Seascape building were critical to prevent continued erosion at the site, address safety concerns plus potential loss of significant trees, park and amenity. The grant will enable Council to redirect the funds utilise to undertake the works to other asset maintenance requirements.

**COUNCIL IMPLICATIONS:**

- a. **Policy:**  
Corporate Policy Not Applicable.

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

The grant amount is \$54,384 for the revetment works.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Crown Reserves Improvement Fund (CRIF) Letter from Geoff Provest MP (ECM 6107688)

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## 12 [SCE-CM] Exhibition of Draft Community Development Strategy

**SUBMITTED BY:** Community and Cultural Services

mhm



### People, places and moving around

*Who we are and how we live*

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

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

**ROLE:** **Leader**

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#### SUMMARY OF REPORT:

Research on the draft Community Development Strategy commenced in 2018 with an analysis of Australian, State and Local Government plans and strategies, and a review of existing services provided by Tweed Shire Council's Community Development team. An internal and external consultation process followed, revealing a number of key community challenges and strengths. From this work four focus areas were identified to guide and strengthen how Council and the Community Development team work with the community. These findings have become the basis of the draft Community Development Strategy which is ready to be placed on exhibition for public comment (Attachment 1).

It is requested that the draft Community Development Strategy 2020 - 2024 is placed on public exhibition for a minimum period of 42 days. During this time an invitation to comment will be sent to individuals and service providers that completed surveys, and to participants of the focus groups and community forum. In addition, the draft will be presented at relevant network and community meetings during the exhibition period and through each of Council's engagement channels.

Staff will present a further report to Council in the New Year following public exhibition of the draft Community Development Strategy outlining the outcomes of public exhibition.

#### RECOMMENDATION:

**That the draft Community Development Strategy 2020/2024 be placed on public exhibition for a minimum period of 42 days.**

## **REPORT:**

Since the last Social Plan was developed in 2009 the Community Development team has delivered on a number of initiatives which have had positive impacts on the community, including developing and implementation of the following strategies, plans and policies; Youth Strategy and Action Plan 2013/2017, Community Infrastructure Framework 2014, Cultural Plan 2017/2021, Access & Inclusion Plan 2018/2021, Reconciliation Action Plan 2018/2020 and the Draft Community Facilities Plan 2019/2036. Understanding that our community has evolved over the past decade, it is important to have an updated snapshot of the community, to better understand current challenges and strengths, and to determine how best to harness available resources and prioritise community development support. The draft Community Development Strategy 2020/2024 has been developed to guide the Community Development team's work over the next four years and is ready to be placed on exhibition for public comment (Attachment 1).

The draft Strategy details:

### **Methodology for the development of the strategy**

Research for the draft Community Development Strategy commenced in 2018 with an analysis of Australian, State and Local Government plans and strategies, and a review of existing services provided by Tweed Shire Council's Community Development team. An internal and external consultation process followed, revealing a number of key community challenges and strengths. Community engagement activities reached 250 individuals and 31 service providers who completed surveys, staff from 14 service organisations were interviewed, 202 people interacted at pop up stalls, markets and network meetings, 56 people attended four focus groups and 28 people attended a community forum. From this work four focus areas were identified to guide and strengthen how we work with the community.

### **Tweed Shire Community**

A review of the 2016 census data indicates that Tweed Shire has approximately 91,000 residents with 4% of the population identifying as Aboriginal or Torres Strait Islander. Tweed Shire has a lower proportion of pre-schoolers, and a higher proportion of persons of post retirement age than the State average. Between 2011 and 2016 Tweed Shire experienced an increase in the number of people in primary school, tertiary education and the young workforce, and of persons 50 years and over, but a reduction in the population of babies and pre-schoolers, secondary school students, and parents. With regard to diversity 4.2% of the population speaks another language other than English at home and 14.6% were born overseas.

### **Key factors affecting the Tweed**

From research and the engagement feedback a number of key factors affecting the Tweed were identified. These include the importance of improving for access and inclusion, the need to address homelessness, community safety, and the health and wellbeing of all residents whilst providing additional support to more vulnerable residents. Education and lifelong learning opportunities are important to our community, as are the environment, climate change and preparation for, and recovery from natural disasters. In addition, employment and economic disadvantage, social isolation, and family and domestic violence are key concerns.



### **Community attributes**

Identified key strengths and resources of the Tweed are: its enviable location and lifestyle, its strong community spirit, its caring community with over 400 registered not for profit organisations and approximately 13,500 volunteers, Council's Community Development team and other Council units, its non-Council and Council owned community facilities and public open spaces, access to a range of funding and grant opportunities.

### **Definition of the foundations of Community Development**

The Community Development team has adopted a number of approaches which form the foundation of the work it undertakes. These include:

- raising awareness of issues and promotion
- planning and research
- advocating, leading, collaborating, capacity building, and innovating
- action learning, evaluating and monitoring
- providing services
- conducting risk assessments

### **Creation of Four Pillars (focus areas)**

Following the review of population data, factors affecting the Tweed, and community attributes, the following four 'Pillars' or focus areas have been identified.

The Tweed Shire community:

- has vibrant, accessible places and spaces
- has opportunities
- is healthy and safe
- is inclusive and supportive

These 'Pillars' align with Council's strategic direction and foster greater collaboration within the team, Council and the community.

### **Implementation and reporting**

If this strategy is adopted an implementation plan will be developed and outcomes will be reported regularly to Council and the community.

### **Next Steps**

It is requested that the draft Strategy is placed on public exhibition for a minimum period of 42 days.

During this time an invitation to comment will be sent directly to the 250 individuals and 31 service providers who completed surveys, and to the people who attended focus groups and the community forum. In addition, the draft will be presented at relevant network and community meetings during the exhibition period. The community will also be provided with an opportunity to comment on Council's 'Your Say Tweed' page and the draft Strategy will be promoted to subscribers of this page and copies made available at Council libraries, civic centres and other community facilities.

Following the exhibition period, comments will be recorded and incorporated as appropriate. A future report to Council will be prepared requesting adoption of the Strategy in the New Year.

**OPTIONS:**

That Council:

1. Places the draft Community Development Strategy 2020/2024 on public exhibition for a minimum period of 42 days.
2. Does not place the draft Community Development Strategy 2020/2024 on public exhibition and requests additional information.

**CONCLUSION:**

A comprehensive process has been used including consultation with the community to develop a draft Community Development Strategy. It is recommended the draft Strategy be placed on public exhibition for a minimum of 42 days. Any feedback provided during this period will be considered and any necessary adjustments made to the Strategy prior to request for final adoption.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

The draft Strategy references the following policy documents:

- Aboriginal Statement of Commitment Policy, Version 1.4, adopted 15 November 2018
- Community Halls Policy, Version 1.1, adopted 17 September 2015
- Developer Contribution and Developer Charges for Community Organisations Policy, Version 2.0, adopted 15 February 2018
- Graffiti Vandalism Management Policy, Version 1.0, adopted 20 August 2015
- Community Sponsorship Policy, Version 1.1, adopted 16 November 2017
- Draft Placemaking and Public Art Policy, Version 1.4, currently on exhibition

The draft Community Development Strategy suggests that the Age Friendly Community Policy, Version 1.1 (adopted 21 May 2015) and the Youth Policy, Version 1.0 (adopted 12 August 2008) be retired and replaced by a new Stronger Communities Policy which will include older people, young people and refer to the diverse specific population groups in the community.

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

The Community Development Team manages budgets for the 2019/20 financial years for programming and building and public art assets of:

	Recurring	Rollovers	Total
Programing	\$179,290	\$189,290	<b>\$368,580</b>
Building and Public Art Assets	\$241,283	\$134,549	<b>\$375,832</b>

Budget is also allocated for seven full time staff and one part time role.

In addition \$49,286 is held for Community Sponsorship funds on an annual basis for provision to the community and currently \$208,763 is held in grants received to deliver specified projects.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

An invitation will be sent to the 250 individuals and 31 service providers who completed surveys, and to the people who attended focus groups and the community forum. In addition the draft will be presented at relevant network and community meetings during the exhibition period. The community will also be provided with the opportunity to comment on Council's 'Your Say Tweed' page and the draft Strategy will be promoted to subscribers of this page.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Draft Community Development Strategy (ECM 6126922)

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## 13 [SCE-CM] Community Facilities Plan 2019 - 2036

**SUBMITTED BY:** Community and Cultural Services

mhm



### People, places and moving around

*Who we are and how we live*

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

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

**ROLE:** Collaborator

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#### SUMMARY OF REPORT:

The *Community Facilities Plan 2019-2036* (CFP) provides direction on *where* and *when* Council plans to deliver community facilities over the next 20 years. This Plan is an outcome of the network planning approach adopted by Council in October 2014.

Given the importance of community and cultural facilities to the Tweed community and the significant pressures anticipated by residential growth and visitor use, it is a priority that a strategic and integrated approach to community facilities planning is undertaken.

The network planning approach outlines when Council is considering building a new facility or making substantial additions to an existing facility to meet the needs of the community, it will consider where and how that facility is located, designed and managed to contribute to the full complement of community facilities and spaces required across Tweed Shire, including consideration of those community facilities owned and/or managed by other providers. A network approach enables providers to cooperate on and coordinate delivery of complementary facilities, make the best use of resources and aims to attract investment in new and expanded community and cultural facilities that are a pivotal asset to any community.

The draft CFP was reported to Council on 15 August 2019. At this meeting Council endorsed the draft CFP for public exhibition. Council received a total of six submissions with one being excluded due to the inapplicability of the content and was redirected to the Strategic Planning and Urban Design Unit.

If adopted the CFP will provide the basis for a review of Section 7.11 (formerly s.94) Contributions Plans for community facilities and libraries, which provide one of many funding streams for future facilities' provision. The review will also include consideration of a range of funding opportunities and estimated total life cycle costing for new and expanded community facilities to 2036.

**RECOMMENDATION:**

**That Council:**

- 1. Notes the submissions received and changes made to the Community Facilities Plan.**
- 2. Adopts the Community Facilities Plan 2019/2036.**
- 3. Notes that a report on the findings of a review of Section 7.11 Contribution Plans pertaining to community facilities and libraries will follow this work.**

## REPORT:

In October 2014 Council adopted a network planning approach to community and cultural facilities. This means, when Council is considering building a new facility or making substantial additions to an existing facility, it will consider where and how that facility is located, designed, and managed to contribute to the full complement of community facilities and spaces required across Tweed Shire, including consideration of those owned and/or managed by other providers.

The *Community Facilities Plan 2019-2036* (CFP) provides direction as to *where* and *when* we plan and deliver additional community infrastructure over the next 20 years. The draft CFP was adopted by Council on 15 August 2019 for public exhibition for a period of 28 days, allowing 42 days for submissions.

### Main aims of the CFP

- Consolidate Council's community and cultural facilities strategic planning
- Plan for an equitable distribution of high-quality and sustainable community and cultural facilities that respond to the needs of future community, based on projected population growth and change, social trends in the use of community facilities, demand and audit analysis and community aspirations
- Amend standards for the provision of service to ensure all communities have access to community facilities
- Present the evidence-base for community facility decision-making and allocation of resources, including informing a review of community infrastructure contribution requirements in Section 7.11 (formerly s94) Contribution Plans
- Inform Council's Planning Scheme, subsequent land use plans, and provide detail to master plans and concept plans in relation to community facilities provision
- Enable community participation in community facilities planning and decision-making
- Recognise the constraints and key challenges likely to impact community facility planning and management
- Protect and enhance the Shire's built and cultural heritage
- Encourage sustainable and responsible planning for community facilities
- Align its vision and reporting on asset management with Council's Integrated Planning and Reporting Framework.

This Plan enables Council and other community and social infrastructure providers to cooperate on, and coordinate delivery of complementary facilities, plan for new facilities, attract investment, optimise the use of limited Council resources and strengthen Tweed Shire's ability to manage and maintain its facilities at a good standard. This Plan outlines direction for the provision of service to meet demand to 2036.

### Community Engagement

A significant community engagement plan was outlined in the *Community Infrastructure Framework 2014*. The needs assessment and analysis findings were validated with stakeholders and the general community and the findings reported in the draft CFP reported to Council on 15 August 2019. Council endorsed the draft CFP to be exhibited for a period of 28 days allowing 42 days for submissions. A total of six submissions were received between the exhibition period of 3 September to 15 October 2019. One submission was excluded and redirected to Strategic Planning and Urban Design Unit following further consultation with the submission author, as the appropriate avenue to raise their issues.

Submissions were generally supportive of the draft CFP. Reference to sustainability and climate change was identified in the draft CFP, an additional paragraph was added to page 51: 'The role of Council' to strengthen this reference. See Attachment 2 - Submissions received for draft CFP. Some editorial changes were made to the draft CFP.

Monitoring and reviewing the actions outlined in this draft CFP, and the appropriate allocation of resources to deliver on these actions, will be reported through the draft Community Development Strategy reporting cycle, subject to Council approval to adopt.

**OPTIONS:**

That Council:

1. Notes the submissions received and changes made to the CFP.

and

2. Adopts the Community Facilities Plan 2019 - 2036.

and

3. Notes that a report on the findings of a review of Section 7.11 Contribution Plans for community facilities and libraries will follow this work.

or

4. Requests additional information.

Options 1, 2 and 3 are the recommended options.

**CONCLUSION:**

The *Community Facilities Plan 2019 - 2036* (CFP) identifies where and when additional community facilities should be delivered to meet community needs. The CFP provides recommended network changes over the next 20 years for additional community facilities.

If adopted, the CFP will inform the review of Section 7.11 Contribution Plans pertaining to new community and cultural facilities. This review will include detailed estimated life cycle costing, the component to be funded by s7.11 Contribution Plans and include possible opportunities for funding to deliver on network actions plans. Monitoring and reviewing the actions outlined in this draft CFP, and the appropriate allocation of resources to deliver on these actions, will be reported through the draft Community Development Strategy reporting cycle, subject to Council approval to adopt.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Council policies and plans of relevance comprise:

- Community Infrastructure Framework (2014)
- Draft Community Development Strategy (November 2019)

- Integrated Planning and Reporting Framework, under the Local Government Act 1993
- Access and Inclusion Plan 2018-2021
- Access and Inclusion v1.1
- Asset Management Policy v1.4 (21 June 2011)
- Community Halls Policy v1.1 (17 September 2015)
- Relevant section 7.11 Contribution Plans pertaining to community facilities
- Open Space Strategy 2018-2028 (2019)
- Tweed Local Environmental Plans 2000 and 2014
- Tweed City Centre Local Environmental Plan 2012
- Tweed Development Control Plan 2008
- Aboriginal Cultural Heritage Management Plan (2018)
- Rural Villages Strategy (4 February 2016)
- Cultural Plan 2018-2021 (16 November 2017)
- Events Strategy 2016-2020 (18 February 2016)
- Plans of management prepared under the Crown Lands Management Act 2016 and Local Government Act 1993.

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

The progress of infrastructure network planning informs Council's long term financial planning spend in new facilities and the proposed review of Section 7.11 Contribution Plans pertaining to community facilities and libraries.

The whole of lifecycle approach to costing new facilities will consider future impacts on maintenance and renewal budgets.

A previous resolution has allocated \$40,000 for an external expert to revise Section 7.11 (formerly section 94) *Contribution Plan 15 - Community Facilities* and *Contribution Plan 11 - Library facilities*. This plan provides the final information required to engage the external expert who will be engaged in the near future.

As per the Community Strategic Plan and Delivery Plan, the Community and Cultural Services Unit will partner with our community to maintain suitable buildings and facilities. The allocation of roles and responsibilities and sufficient resources to support this delivery will be managed via the draft Community Development Strategy.

**c. Legal:**

Legal implications and responsibilities relate to leases / licences, service level agreements, shared use agreements, the rezoning of land, and the acquisition or divestment of facilities and any decision making will be presented to Council in a separate process.

**d. Communication/Engagement:**

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

The design of future engagement regarding feasibility studies will be informed by the adopted Community Infrastructure Framework Engagement Plan and guided by Tweed Shire Council Community Engagement Strategy.



**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Community Facilities Plan 2019 - 2036 (ECM 6126999)

Attachment 2. Submissions received for draft CFP (ECM 6125989)

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**14 [SCE-CM] Requests to Sell Long Term Casual Caravans On-site at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North Holiday Parks**

**SUBMITTED BY:** Tweed Holiday Parks

mhm



**People, places and moving around**

*Who we are and how we live*

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

- 3 People, places and moving around
- 3.2 Places
- 3.2.4 Holiday Parks - To provide safe, attractive and accessible holiday accommodation on public land.

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

This report recommends that Tweed Holiday Parks contacts the 70 Long term Casual (holiday van) owners at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North holiday parks, to advise that any requests to sell their long term casual caravans on-site would no longer be approved, effective immediately.

**RECOMMENDATION:**

**That Council approves the issuing of correspondence to 70 Long term Casual (Holiday Van) owners at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North Holiday Parks advising that, effective immediately, requests to sell their long term casual caravans on-site would no longer be approved.**

## REPORT:

Long term Casuals (Holiday Vans) are privately owned caravans and annexes that occupy a powered site for extended periods of time. Their occupation of the site is governed by the *Holiday Parks (Long term Casual Occupation) Act 2002*, which mandates the execution of a Long term Casual Occupation Agreement between the park and the site occupier. The Occupation Agreement allows the use of the caravan for up to 150 nights per year. The site can only be occupied for leisure and does not permit permanent residence - a permanent van for casual use. The site occupier agrees to pay an occupation fee on a weekly basis regardless of whether the caravan is occupied or not. This occupation fee varies between holiday parks but currently averages \$115 per week.

Tweed Holiday Parks currently has 118 Long term Casual (Holiday Vans) located across four holiday parks:

- Fingal Head Holiday Park has 48 Long term Casuals;
- Tweed Heads (Boyds Bay) Holiday Park 16;
- Hastings Point Holiday Park 16; and
- Pottsville North Holiday Park 38.

Councillors will recall that in March 2019, the 48 Long term Casuals at Fingal Holiday Park were advised that requests to sell their Long term Casual caravans on-site at Fingal Holiday Park would not be approved until a cultural heritage consultant has undertaken an assessment of the Aboriginal Cultural Heritage values associated with Fingal Holiday Park and the surrounding public land.

It is recommended that the 70 Long term Casuals at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North Holiday Parks also be contacted and advised that requests to sell their Long term Casual caravans on-site would no longer be approved.

To clarify, at this stage it is not recommended Council terminate existing Long term Casual Occupation Agreements however, the recommendation is to not approve the sale of caravans on-site. Existing Long term Casuals have the option of staying on site or, at a time that suits them, terminate their Long term Casual Occupation Agreement, giving 30 days' notice, and providing vacant possession of the site. Over time there will be a slow, natural attrition of Long term Casuals from the holiday parks and conversion of these site to tourist sites therefore not placing unnecessary financial stress on the parks due to the sudden removal of all Long term Casuals and reducing conflict with Long term Casuals that can occur with forced termination.

In the future, Tweed Holiday Parks will retain the option of terminating any Long term Casual Occupation Agreement, giving 90 days' notice, should operational reasons warrant vacant possession. This may include the future development of the parks in accordance with the approved strategic plan.

Analysis of recent operating data and occupancy levels has revealed that demand for tourist sites at all the Tweed Holiday Parks is increasingly not being satisfied. The reasons for this predominantly relate to size of sites, accessibility of sites, increasing demand and the number of available sites.

The general appearance of some Long term Casual caravan and annexe set ups are visually unappealing and often results in an accumulation of equipment that reflects the long stay

nature of these occupants. Further, 64 of the 70 Long term Casuals reside in SE Queensland. Typically, when the caravan is occupied, it results in multiple vehicles being brought to the immediate area. Any extra vehicles are parked outside of the holiday park occupying local and visitor car parks.

All 70 Long term Casual sites are within close access to existing park amenities including toilets, showers, laundry and barbecue. The slow departure of these Long term Casuals will increase the number of tourist sites capable of accommodating the larger vans which are becoming increasingly popular.

Removal of Long term Casuals is also consistent with a NSW Crown Lands directive whereby Long term Casuals are to be reduced in favour of tourist site uses.

In financial terms, it is expected that even with a greater supply of tourist sites the conversion of these Long term Casuals to tourist sites will generate more revenue than they would under their current classification.

It is recommended that the 70 Long term Casuals be notified in writing by 31 December 2019 advising that requests to sell their Long term Casual caravans on-site at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North Holiday Parks would not be approved. This arrangement satisfies the legal requirements prescribed by legislation, provides unambiguous notice to the remaining Long term Casuals and, will not dramatically disrupt park operations as a natural attrition of Long term Casuals takes place.

**OPTIONS:**

That Council:

1. Approves the issuing of correspondence to 70 Long term Casual (Holiday Van) owners at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North Holiday Parks advising that, effective immediately, requests to sell their Long term Casual caravans on-site would no longer be approved.
2. Does not approve the issuing of correspondence to 70 Long term Casual (Holiday Van) owners at Tweed Heads (Boyds Bay), Hastings Point and Pottsville North Holiday Parks advising that requests to sell their Long term Casual caravans on-site would no longer be approved.

**CONCLUSION:**

As per recommendation.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

Gradual change to revenue mix.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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15 [SCE-CM] Kingscliff Triathlon Partnership Agreement

SUBMITTED BY: Tweed Holiday Parks

mhm



**People, places and moving around**

*Who we are and how we live*

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

- 3 People, places and moving around
- 3.2 Places
- 3.2.4 Holiday Parks - To provide safe, attractive and accessible holiday accommodation on public land.

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

This report discusses the Kingscliff Triathlon Multi-Fun Weekend Partnership Agreement between Tweed Holiday Parks and NX Sports (previously QSM Sports).

**RECOMMENDATION:**

**That Council approves the termination of the Kingscliff Triathlon Multi-Fun Weekend Partnership Agreement with NX Sports at the expiration of Period 2 of the Agreement.**

## **REPORT:**

In July 2011, the Tweed Coast Holiday Parks Reserve Trust endorsed an allocation of \$5,000 towards the September 2011 Kingscliff Triathlon event. The Trust further authorised the Executive Manager to negotiate an agreement with NX Sports (previously QSM Sports) to appoint Tweed Holiday Parks (THP) as Official Partner of the Kingscliff Triathlon Multi-Fun Weekend. NX Sports and THP entered into a Partnership Agreement in November 2011 for two years covering four Triathlons. This agreement was renewed in October 2014 covering a further four Triathlons. The agreement was renewed again in September 2016 covering a further four Triathlons and further extended until June 2020.

As Official Partner THP has provided NX Sports with cash sponsorship of \$5,000 for each Kingscliff Triathlon. The Trust agreed in April 2018 to approve a reduction in the event sponsorship amount to \$3,900 for each Kingscliff Triathlon. This cash sponsorship THP has invested in NX Sports and the Kingscliff Triathlon since the arrangement commenced in 2011 totals \$81,700. The current Partnership Agreement includes a commitment to one further extension from 1 July 2020 to 30 June 2022 (Period 3).

If THP wishes to terminate this Partnership Agreement they must advise NX Sports in writing 180 days prior to the expiration of each period.

This is a significant investment without sufficient evidence that it leads to improved occupancy in THP. Each Kingscliff Triathlon attracts between 1200 and 1700 participants with over 80% from outside the Tweed LGA. The total audience including competitors, supports and spectators to each event is estimated at 4300.

Research documentation indicates the majority of this audience do not stay overnight - they come to the event and return same day. If they do stay, the majority stay with family or friends.

The research shows that 24% of the audience recalled THP as being a sponsor. This equates to between 1300 and 1440 people.

This does not represent sufficient value for THP.

THP has sponsorship arrangements with The Cudgen Headland SLSC to provide \$5,000 per annum for the purchase of surf rescue equipment; Juraki Surf Culture to provide \$2,000 per annum to support the annual Juraki Indigenous Surfing Invitational held at Fingal Head; Cabarita Youth Services to provide \$2,000 per annum to assist in providing activities, assistance and support to young people on the Tweed Coast. Additionally, THP provides assistance to a variety of community organisations, sporting clubs, local schools and volunteer groups by providing free or discounted site fees for raffles or event prizes.

## **OPTIONS:**

1. That Council approves the termination of the Kingscliff Triathlon Multi-Fun Weekend Partnership Agreement with NX Sports at the expiration of Period 2 of the Agreement.
2. Does not approve the termination of the Kingscliff Triathlon Multi-Fun Weekend Partnership Agreement with NX Sports and continues with Period 3 of the Agreement until 30 June 2022.

**CONCLUSION:**

As per the recommendation.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS FROM THE DIRECTOR ENGINEERING

### 16 [E-CM] Adoption of Development Control Plan Section A3 - Development of Flood Liable Land - Version 1.5

**SUBMITTED BY:** Roads and Stormwater

mhm



#### **Leaving a Legacy**

*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.2 Asset Protection
- 1.2.1 Floodplain Management - To manage the risk of flooding and its impacts for property owners and the community.

**ROLE:** **Leader**

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#### **SUMMARY OF REPORT:**

Development Control Plan Section A3 – Development of Flood Liable Land (DCP-A3) sets out the controls that new development must comply with in flood liable areas.

Version 1.5 of DCP-A3 incorporates new controls to apply the High Flood Hazard Areas Policy (HFHA Policy), which was adopted by Council at the August 2019 meeting.

DCP-A3 - Version 1.5 has now been publically exhibited, in a manner that complies with the relevant planning legislation, and is ready for adoption by Council.

#### **RECOMMENDATION:**

**That Council:**

1. **Adopts the Tweed DCP 2008 Section A3 - Development of Flood Liable Land (Version 1.5) as amended and provided in Attachment 1 of this report.**
2. **Gives public notice of its decision and the date of commencement of the Development Control Plan amendment in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000.**
3. **Provides a copy of the Development Control Plan amendment to the Department of Planning and Environment within 28 days in accordance with Clause 25AB of the Environmental Planning and Assessment Regulation 2000.**

## REPORT:

Development Control Plan Section A3 – Development of Flood Liable Land (DCP-A3) sets out Council's controls for the development of flood liable land. It aims to apply the various policy options developed through the Floodplain Risk Management Studies and Plans completed under the guidance of the Tweed Floodplain Management Committee.

Version 1.5 of DCP-A3 incorporates new controls to apply the High Flood Hazard Areas Policy (HFHA Policy), which was adopted by Council at the August 2019 meeting. The HFHA Policy was introduced in response to the March 2017 floods, and in parallel with Council's Voluntary House Purchase Schemes, seeks to locate new dwellings in areas that are compatible with the flood hazard, avoiding high flood hazard areas in and around the designated Voluntary Purchase areas. DCP-A3 - Version 1.5 formalises the High Flood Hazard Area and applies development controls to it.

A draft of DCP-A3 - Version 1.5 was presented to Council at the April 2019 meeting where it was resolved to place the DCP on public exhibition for a period of 42 days:

*"The South Murwillumbah and Bray Park Voluntary House Purchase Scheme Scoping Study and Implementation Plan, Burringbar and Mooball Voluntary House Purchase Scheme Scoping Study and Implementation Plan, High Flood Hazard Areas Policy and **DCP-A3 Development of Flood Liable Land v1.5** be placed on public exhibition for a period of 42 days."*

DCP-A3 - Version 1.5 was exhibited with Council's Voluntary Purchase Schemes and High Flood Hazard Areas Policy from 29 April to 10 June 2019. However, this exhibition did not comply with the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

The draft DCP-A3 - Version 1.5 was placed on exhibition for a second time from 2 October to 1 November 2019, ensuring that the exhibition complied with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

A total of 2 submissions were received during the exhibition. One of these was incomplete and of no substance. The other, from Council's Strategic Planning and Urban Design Unit, contained a series of minor wording change suggestions to bring the new parts of the document into line with Development Control Plan best practice. These suggestions have been incorporated. They make no change to the intent or application of the DCP. They are language changes only.

The changes made from the draft exhibition copy of the document are highlighted in red in Attachment 1, for Councillors' convenience. The red text highlights will be removed in the final, published version.

DCP-A3 - Version 1.5 has now been publically exhibited, in a manner that complies with the relevant planning legislation, and is ready for adoption by Council.

## OPTIONS:

1. Adopt Development Control Plan Section A3 – Development of Flood Liable Land - Version 1.5.

2. Do not adopt Development Control Plan Section A3 – Development of Flood Liable Land - Version 1.5.

Option 2 would delay the application of the High Flood Hazard Areas Policy to residential development potentially permitting further residential development in inappropriate flood hazard areas. Option 2 would also imply some deficiency in the current DCP-A3 - Version 1.5 and therefore would need to be accompanied by feedback from Council on what those deficiencies are.

**CONCLUSION:**

DCP-A3 - Version 1.5 has now been publically exhibited, in a manner that complies with the relevant planning legislation, and is ready for adoption by Council.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

High Flood Hazard Areas v1.0.

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

The budget effect of the High Flood Hazard Areas Policy was reported and resolved when the policy was adopted by Council at the August 2019 meeting.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

The draft document was placed on public exhibition from 2 October 2019 to 1 November 2019. The following activities were undertaken during the exhibition period:

- Placement of the draft DCP-A3 and supporting documents in Council buildings' reception areas.
- Placement of the draft DCP-A3 and supporting documents on Council's "ON Exhibition" webpage.
- Establishment of a dedicated "YourSayTweed" webpage.
- Advertisement of the public exhibition in the TweedLink.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Development Control Plan Section A3 - Development of Flood Liable Land - Version 1.5 (ECM 6125567).

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17 [E-CM] Adoption of the South Murwillumbah Floodplain Risk Management Study and Plan

SUBMITTED BY: Roads and Stormwater

mhm



**Leaving a Legacy**

*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.2 Asset Protection
- 1.2.1 Floodplain Management - To manage the risk of flooding and its impacts for property owners and the community.

**ROLE:** Leader

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**SUMMARY OF REPORT:**

The South Murwillumbah Floodplain Risk Management Study and Plan (FRMS&P) evaluates various measures to better manage flood risk in the South Murwillumbah area and adopts those options that are viable into a plan.

A draft version of the South Murwillumbah FRMS&P was reported to the August 2019 Council meeting where it was resolved that the FRMS&P be placed on public exhibition.

Public exhibition is now complete. The submissions received have been considered and some minor amendments to the FRMS&P have been made in response.

The FRMS&P is now finalised for Council's consideration and, if acceptable, adoption which is the recommendation of this report.

**RECOMMENDATION:**

**That Council adopts the South Murwillumbah Floodplain Risk Management Study and Plan.**

## REPORT:

### Background

The South Murwillumbah Floodplain Risk Management Study and Plan (FRMS&P) evaluates various measures to better manage flood risk in the South Murwillumbah area and adopts those options that are viable into a plan.

The South Murwillumbah FRMS&P has been prepared under the guidance of the Tweed Floodplain Management Committee. It has been prepared in accordance with the NSW Floodplain Development Manual 2005.

### Public Exhibition

A draft version of South Murwillumbah FRMS&P was reported to the 19 August 2019 Council meeting where it was resolved that the FRMS&P be placed on public exhibition:

*"RESOLVED that the Draft South Murwillumbah Floodplain Risk Management Study and Plan report and attachments be placed on public exhibition for a period of 28 days, allowing a period of 42 days for the receipt of written submissions."*

The FRMS&P was placed on public exhibition from 21 August to 2 October 2019. The period for accepting submissions was voluntarily extended to allow attendees of the South Murwillumbah Business Breakfast on 3 October an opportunity for feedback.

During the public exhibition period the following engagement activities were undertaken:

1. Placement of the report documents on Council's "On Exhibition" website.
2. Establishment of a "YourSayTweed" page.
3. Advertisement of the exhibition in the TweedLink.
4. Copies of the relevant documents made available at Council offices.
5. Direct mail to all residents in the study area.
6. A community drop-in session where residents could discuss the Study with Council officers and consultants.
7. A presentation to the South Murwillumbah Business Breakfast (hosted by New South Wales State Emergency Service) on 3 October.

A total of five submissions were received during the public exhibition period. These are summarised, and responded to, in Appendix K of the attached FRMS&P report.

### Adoption of South Murwillumbah FRMS&P

The South Murwillumbah Floodplain Risk Management Study and Plan is now complete and ready for adoption by Council. The Plan (summarised in Figure 55 of Attachment 2) outlines a suite of measures that Council will endeavour to implement in the future to reduce flood risk in South Murwillumbah.

Adoption of the FRMS&P completes a phase of the Floodplain Management Process as required by the NSW Floodplain Development Manual 2005. Adopting the FRMS&P will mean that the actions in the plan will be eligible for grant funding under the NSW Government's Floodplain Risk Management Program.

## OPTIONS:

1. Adopt the South Murwillumbah Floodplain Risk Management Study and Plan.

2. Do not adopt the South Murwillumbah Floodplain Risk Management Study and Plan.

Option 2 would miss or delay opportunities for grant funding for flood risk management measures that reduce flood risk in the South Murwillumbah area. Option 2 would also imply some deficiency in the current FRMS&P and therefore would need to be accompanied by feedback from Council on what those deficiencies are in order for them to be addressed by the consultant.

**CONCLUSION:**

The South Murwillumbah Floodplain Risk Management Study and Plan has undergone public exhibition and is now ready for adoption by Council.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Flood Risk Management v1.1.

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

Adopting the South Murwillumbah FRMS&P will make the actions recommended by the plan eligible for grant funding under the NSW Government's Floodplain Risk Management Program.

The NSW Government Floodplain Risk Management Program generally funds projects on a 2:1 basis (NSW 2:1 Council).

Council's component of this funding is allocated under the Floodplain Management budget item.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

Community engagement activities undertaken during the public exhibition period are detailed within the body of this report.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. South Murwillumbah Floodplain Risk Management Study & Plan – Volume 1 – Report Text & Appendices (ECM6115516).

Attachment 2. South Murwillumbah Floodplain Risk Management Study & Plan – Volume 2 – Figures (ECM6115530).

18 [E-CM] Road Closure Application - Corner Everests Road and Tyalgum Road, Eungella

SUBMITTED BY: Design

mhm



**Behind the scenes**

*Providing support to make it happen*

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

- 4 Behind the scenes
- 4.1 Assurance
- 4.1.3 Legal Services - To support and advise staff on organisational legal issues and property management of Council controlled assets

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

An application has been received for the closure and purchase of sections of road reserve adjacent to Lot 1 DP 416737 at the corner of Everests Road and Tyalgum Road, Eungella, to rectify an encroachment of their house into the road reserve.

Council's Policy on Private Structures on Public Roads notes that Council will not enter into arrangements for leases within the road reserve to encompass existing or proposed structures. Council will however consider an application to close and purchase part of the public road having regard to the merits of each proposal, existing and future public utilities, roadworks, public amenity and safety.

The road closure will not impact in any way to surrounding properties nor will it interfere with public access currently available along the boundary of the property.

An inspection of the site has been conducted and it appears that the verandah annex and carport of the residence has been encroaching on the road for some time. The owners therefore want to rectify this historical encroachment. It was determined that no Council or other service infrastructure was apparent within or near that part of the road reserve that would have any detrimental impact.

It is recommended that approval be granted for the closure and purchase of sections of road reserve adjacent to Lot 1 DP 416737 at the corner of Everests Road and Tyalgum Road, Eungella.

**RECOMMENDATION:**

**That:**

- 1. Council approves the closure and purchase of sections of road reserve adjacent to Lot 1 DP 416737 at the corner of Everests Road and Tyalgum Road, Eungella.**
- 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 is consolidated with the adjacent land.**
- 4. Easements be created over public authority reticulation services, if any.**
- 5. Council authorises the Mayor and the General Manager have the Council seal affixed to the necessary transfer documentation.**



**REPORT:**

An application has been received for the closure and purchase of sections of Everests Road and Tyalgum Road, Eungella, adjacent to Lot 1 in DP 416737, to rectify an encroachment into the road reserve, being an area of approximately 107m<sup>2</sup>. Refer to Diagrams 1, 2 and 3 below.

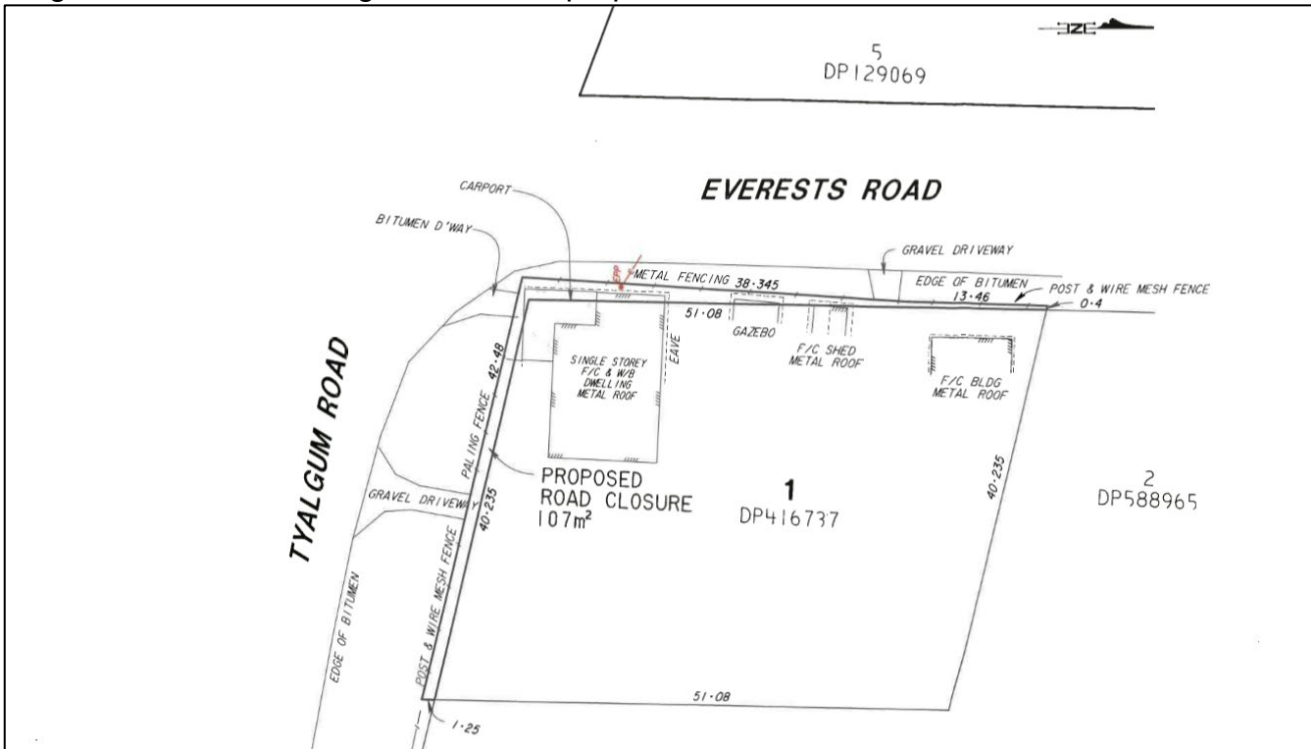
Diagram 1 – Aerial photo showing encroachments within the road reserve.



Diagram 2 – Close-up aerial photo showing encroachments within the road reserve.



Diagram 3 – Plan showing area of road proposed to be closed.



Council's Policy on Private Structures on Public Roads notes that Council will not enter into arrangements for leases within the road reserve to encompass existing or proposed structures. Council will however consider an application to close and purchase part of the public road having regard to the merits of each proposal, existing and future public utilities, roadworks, public amenity and safety.

The road closure will not impact in any way to surrounding properties and it will not interfere with public access currently available along the boundary of the property.

An inspection of the site has been conducted and it appears that the verandah annex and carport of the residence has been constructed over the road reserve for some time. The owners intend to rectify this historical encroachment. It was determined that no Council, or other service infrastructure, was apparent within or near that part of the road reserve that would have any detrimental impact.

Everests Road is a minor road and there are no foreseeable plans for widening that would be impacted from this proposal. Tyalgum Road is a more major road, however the existing structural encroachment over that road is only minor.

**OPTIONS:**

1. Council approves the closure and purchase of sections of road reserve adjacent to Lot 1 in DP 416737 at full cost to the applicant.
2. Council does not approve the closure and purchase of a section of the road reserve adjacent to Lot 1 in DP 416737.

**CONCLUSION:**

It is recommended that approval be provided for the closure and purchase of sections of road reserve adjacent to Lot 1 DP 416737 at the corner of Everests and Tyalgum Roads, Eungella.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Road Closures and Private Purchase v1.2.

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

Not applicable.

**c. Legal:**

Not applicable.

**d. Communication/Engagement:**

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

Advertising of the proposed road closure will be published in the Tweed Link providing the public with 28 days to submit a comment or objection to the proposal.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**19 [E-CM] RFO2019036 Provision of Ground Maintenance Services at Water & Wastewater Facilities**

**SUBMITTED BY: Water and Wastewater**

Valid



**Leaving a Legacy**

*Looking out for future generations*

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

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

**ROLE: Provider**

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**SUMMARY OF REPORT:**

Request for Offer RFO2019136 Provision of Ground Maintenance Services at Water & Wastewater Facilities was called to engage the services of a contractor for the provision of mowing and ground maintenance services to sewage pumping stations and water reservoir sites. Frequency of work may increase from the 1 cut every 3 weeks as indicated in the schedules during high growth seasons.

At the time of closing ten (10) Offers were received.

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

**RECOMMENDATION:**

**That in respect to Contract RFO2019036 Provision of Ground Maintenance Services at Water and Wastewater Facilities:**

- 1. Council awards the Contract to Jamie Russell Godfrey ABN 66 434 822 at the rates listed in the Confidential Attachment 1 RFO2019136 Offer Evaluation Report for a period of 24 months and the General Manager be given delegated authority to extend the contract for a further possible 2 x 12 month periods. The estimated value of the Contract over the initial 2 year Contract period is \$176,227 (incl GST).**
- 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.**

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

## REPORT:

### Offer Background

Request for Offer RFO2019136 Provision of Ground Maintenance Services at Water & Wastewater Facilities was called to engage the services of a contractor for the provision of mowing and ground maintenance services to sewage pumping stations and water reservoir sites. Frequency of work may increase from the 1 cut every 3 weeks as indicated in the schedules during high growth seasons.

### Request for Offer Advertising

The Offer was invited in accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005 and the Tendering Guidelines for NSW Local Government. The Offer was officially advertised in Gold Coast Bulletin on 7/09/2019 and also in the TweedLink on 9/09/2019 and Council's website.

Offer submissions closed at 4.00pm (local time) on 2/10/2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### Offer Addendums

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

### Offer Submissions

At the closing time for Offer Submissions, the Tender Box was opened and ten (10) Offers were recorded as below:

<b>Bidder</b>	<b>ABN</b>
Gadd Landscape Solutions Pty Ltd	63 587 789 714
Total Building Maintenance Queensland	42 057 669 173
Aruma Services	31 001 813 403
Jamie Russell Godfrey	66 434 822 156
4WD Slashing & Large Area Mowing	88 126 659 650
Performance Property Maintenance*	58 619 558 593
Nearsea Pty Ltd*	27 146 164 716
Skyline Landscape Services	15 114 488 041
Slash me silly	52 702 460 916
Vegetation Maintenance Services	67 610 540 353

\*non-conforming Offer

There was also one late submission from Kids In The Garden (ABN: 54 527 515 192) that was received by mail on 4/10/2019 and therefore was not considered in the evaluation process.

### Offer Evaluation

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

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

<b>Position</b>
Senior Engineer - Mechanical & Electrical
Project Manager- Contracts

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

<b>Evaluation Criteria</b>	<b>Document Reference</b>	<b>Weighting (%)</b>
Assessed Offer Price (as adjusted)	Schedule 5.8	60
Relevant Experience and Capability	Schedule 5.4	20
WH&S Management System	Schedule 5.5	10
Local Preference	Schedule 5.7	10
	<b>Total</b>	<b>100</b>

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

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

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

**OPTIONS:**

That Council:

1. Awards the Contract to Jamie Russell Godfrey ABN 66 434 822 at the rates mentioned in the Confidential Attachment 1 RFO2019136 Offer Evaluation Report for a period of 24 months and the General Manager be given delegated authority to extend the contract for a further possible 2 x 12 month periods.
2. Declines to accept any of the Offers, including reasons for this course of action in accordance with Regulation 178 of the Local government (General) Regulation 2005).

**CONCLUSION:**

Jamie Russell Godfrey scored the highest overall in the evaluation process and is therefore deemed the best value option Council for the contract RFO2019136. The estimated value of the Contract over the initial 2 year Contract period is \$160,205.93 (excl GST).

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.7.

In accordance with Local Government (General) Regulations 2005.

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

Provision for the RFO2019136 Provision of Ground Maintenance Services at Water & Wastewater Facilities is included in the 2019/2020 and 2020/2021 Budgets.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. RFO2019136 - Offer Evaluation Report (ECM 6123987).

*(Confidential)* Attachment 2. RFO2019136 - Offer Evaluation Scoring Sheet (ECM 6123986).

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

SUBMITTED BY: Water and Wastewater

Valid

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**Leaving a Legacy**

*Looking out for future generations*

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

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

**ROLE:** Provider

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**SUMMARY OF REPORT:**

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

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

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

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

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

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

**RECOMMENDATION:**

**That in respect to Contract RFO2019140 Review and Recommendations for Tweed Shire Council's Water Management Strategies:**

- 1. Council awards the contract to two (2) organisations as follows:**
  - a) Hydrosphere Consulting Pty Ltd ABN 74 162 782 428 be awarded Separable Portion A for the amount of \$28,520.00 excluding GST.**
  - b) Hydrology and Risk Consulting Pty Ltd ABN 87 553 755 959 be awarded Separable Portion B for the amount of \$63,001.82 excluding GST.**
- 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.**
- 3. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A (2) of the Local Government Act 1993, because it contains:-**
  - (d) commercial information of a confidential nature that would, if disclosed:**
    - (i) prejudice the commercial position of the person who supplied it, or**
    - (ii) confer a commercial advantage on a competitor of the council, or**
    - (iii) reveal a trade secret.**

## **REPORT:**

### **Offer Background**

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

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

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

### **Request for Offer Advertising**

The Offer was invited in accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005 and the Tendering Guidelines for NSW Local Government. The Offer was officially advertised in The Sydney Morning Herald on Tuesday 17/09/2019 and also in the Brisbane Courier Mail on 14/09/2019 and on Council's website.

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

### **Offer Addendums**

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

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

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

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

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

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

### **Offer Submissions**

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

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

Separable Portion A:

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

Separable Portion B:

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

Combined Separable Portion A and Separable Portion B:

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

**Offer Evaluation**

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

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

<b>Position</b>
Engineer – Water Efficiency and Connections
Coordinator – Strategy and Business Management
Engineer – Asset Management

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

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

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

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

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

#### **OPTIONS:**

That Council:

1. Awards the contract to two (2) organisations as follows:
  - a) Hydrosphere Consulting Pty Ltd ABN 74 162 782 428 be awarded Separable Portion A for the amount of \$28,520.00 excluding GST.
  - b) Hydrology and Risk Consulting Pty Ltd ABN 87 553 755 959 be awarded Separable Portion B for the amount of \$63,001.82 excluding GST.
2. Declines to accept any of the Offers, including reasons for this course of action in accordance with Regulation 178 of the Local government (General) Regulation 2005).

**CONCLUSION:**

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

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.7.

In accordance with Local Government (General) Regulations 2005.

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

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

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

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

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

### 21 [FRIT-CM] 2018/2019 Annual Report

SUBMITTED BY: Financial Services

mhm



#### Making decisions with you

*We're in this together*



#### Behind the scenes

*Providing support to make it happen*

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

2	Making decisions with you
2.2	Engagement
2.2.2	Communications - To inform, educate and engage the public about Council and community activities.
4	Behind the scenes
4.1	Assurance
4.1.1	Governance - To provide assistance to Councillors and support for Council to operate within its legal framework.

ROLE: **Collaborator** **Provider** **Advocate** **Leader**

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#### SUMMARY OF REPORT:

The 2018/2019 Annual Report has been prepared as required under Sections 428 and 428A of the Local Government Act 1993 and Clause 217 of the Local Government (General) Regulation 2005 and is attached to this report for information of the Council and community.

The Annual Report documentation comprises the following:

- Annual Report 2018/2019 which highlights Council's achievements and progress towards the Community Strategic Plan and other statutory information as prescribed within the Local Government Act and Regulations; and
- Audited Financial Statements 2018/2019.

Council has been granted an extension of time to 30 November, 2019 for Council to complete the preparation and audit of its annual financial statements. The Audited Financial Statements 2018/2019 will be annexed to the Annual Report once they are complete.

Copies of these documents will be uploaded to the Council website and as prescribed, will be made available to the Minister for Local Government.

**RECOMMENDATION:**

**That Council:**

- 1. Adopts the Annual Report 2018/2019 and makes it available to the public on Council's website and notifies the Minister for Local Government of its availability; and**
- 2. Attaches the Audited Financial Statements 2018/2019 to the Annual Report following their completion.**



## REPORT:

The 2018/2019 Annual Report has been prepared as required under Sections 428 and 428A of the Local Government Act 1993 and Clause 217 of the Local Government (General) Regulation 2005 and is attached to this report for information of the Council and community.

The Annual Report highlights Council's achievements and progress, including award recognition, against each of the following four 2017/2027 Community Strategic Plan principal streams:



### **Leaving a legacy: *Looking out for future generations***

The Tweed features an environment of world-significant biodiversity and natural beauty, and distinct cultural and built heritage – Council and the community values its protection.

The Tweed community respects and actively participates in the sustainable management of the natural and built environment so we can not only thrive and enjoy it today, but we look after this place we are proud to call home, so future generations can live and love it as well.

Council's role is to work with the community and others to plan strategically for sustainable growth and change, and to support initiatives that help the Tweed retain and enhance its diverse natural and built environments, and to deliver sustainable essential services such as water, sewer and sanitation to meet community needs now and into the future.



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

Council and the community working together will shape a better Tweed for the future.

The Tweed is a very proud and diverse community, and understands the importance of open information to enable community participation in steering the direction, decision-making and long-term goals of the Shire.

Council values these conversations that help to deliver sustainable development outcomes, balancing future population and economic growth with the protection and enhancement of natural, cultural and built environments.



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

Some residents were lucky to be born in the Tweed, others have made the fortunate choice to make this region their home – all of us have a role to play in shaping a safe, liveable community and to respect and value the unique characteristics that make the Tweed so special.

Together we can work to create a Tweed where people are welcomed, healthy and connected, with opportunities to prosper in their individual pursuits.

Council's role is to work to meet the present and future infrastructure demands of the Tweed whilst providing community and cultural services and employment opportunities to retain and improve the quality of community life.



**Behind the scenes: *Providing support to make it happen***

To look after the Tweed, now and into the future, a great deal of work happens behind the scenes to ensure there are planned, resourced, efficient and transparent systems in place to enable our community to function and prosper.

The community expects responsible and transparent decision making with a focus on public conversations and ownership.

Council's role as visionary regional leader, service provider, partner and promoter draws together the skills and resources of other government agencies, businesses and community organisations to contribute to making the Tweed of tomorrow even better than it is today.

The Annual Report documentation is to comprise the following:

- Annual Report 2018/2019 which highlights Council's achievements and progress towards the Community Strategic Plan and other statutory information as prescribed within the Local Government Act and Regulations; and
- Audited Financial Statements 2018/2019.

On 25 October 2019, following a request from Council, the Office of Local Government formally advised that due to ongoing issues and complexities associated with the valuation of land and the determination of restrictions on these assets, an extension of time (to 30 November, 2019) has been granted for Council to complete the preparation and audit of its annual financial statements.

Accordingly, the Audited Financial Statements 2018/2019 will be annexed to the Annual Report once they are complete.

Copies of all these documents will be uploaded to the Council website and as prescribed, will be made available to the Minister for Local Government.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

That Council:

1. Adopts the Tweed Shire Council Annual Report 2018/2019 and makes it available to the public on Council's website and notifies the Minister for Local Government of its availability.
2. Attaches the Audited Financial Statements 2018/2019 to the Annual Report following their completion.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Being reported in accordance with requirements associated with Integrated Planning and Reporting Framework.

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

Not applicable

**c. Legal:**

In accordance with the requirements of Sections 428 and 428A of the Local Government Act 1993 and Clause 217 of the Local Government (General) Regulation 2005.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

2018/2019 Annual Report (ECM6129931).

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## 22 [FRIT-CM] Draft 2018/2019 Financial Statements

**SUBMITTED BY:** Financial Services

mhm



### Making decisions with you

*We're in this together*

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

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

**ROLE:** **Provider**

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#### SUMMARY OF REPORT:

Council's Statutory General Purpose Financial Reports in accordance with Section 413 of the Local Government Act, 1993 and the Special Purpose Financial Reports in accordance with the Local Government Code of Accounting Practice and Financial Reporting for the financial year ended 30 June 2019 have been completed.

Section 413 (2) – A council's financial reports must include:

- (a) a general purpose financial report;
- (b) any other matter prescribed by the regulations; and
- (c) a statement in the approved form by the council as to its opinion on the general purpose financial report.

This report recommends that the statement as to Council's opinion on the General Purpose Financial Reports as required by Section 413 (2) (c) of the Local Government Act and the Special Purpose Financial Reports as required by the Local Government Code of Accounting Practice and Financial Reporting be executed.

**RECOMMENDATION:**

**That:**

- 1. In accordance with Section 413(1) of the Local Government Act 1993, Council refers the General Purpose Financial and Special Purpose Financial Reports for audit.**
- 2. The statement as to Council's opinion on the General Purpose Financial Reports as required by Section 413(2) (c) of the Local Government Act 1993 and the Special Purpose Financial Reports as required by the Local Government Code of Accounting Practice and Financial Reporting for the financial period 2018/2019, be executed.**

## REPORT:

Council's Statutory General Purpose Financial Reports in accordance with Section 413 of the Local Government Act 1993 for the financial year ended 30 June 2019 have been completed.

### Legislation Requirements

The Local Government Act 1993 ("the Act") relating to the preparation of Council's annual financial reports requires that:

1. Section 413 (1) – A council must prepare financial reports for each year, and must refer them for audit as soon as practicable after the end of that year.
2. Section 413 (2) – A council's financial reports must include:
  - (a) a general purpose financial report;
  - (b) any other matter prescribed by the regulations; and
  - (c) a statement in the approved form by the council as to its opinion on the general purpose financial report.
3. Section 413 (3) – The general purpose financial report must be prepared in accordance with the Act and the regulations and the requirements of:
  - (a) the publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to regulations; and
  - (b) such other standards as may be prescribed by the regulations.
4. Section 416 (1) – A council's financial reports for a year must be prepared and audited within the period of 4 months after the end of that year.
5. Section 418 – Upon receiving the Auditor's Report, the Act requires the Council to give at least 7 days public notice of the meeting at which it proposes to present its audited financial reports, together with the Auditor's Report, to the public.
6. Section 420 – Any person may make a submission to the Council with respect to the Council's audited financial reports or with respect to the Auditor's Report. A submission must be in writing and must be lodged with the council within 7 days after the date on which those reports are presented to the public.
7. Clause 215 of the Local Government (General) Regulation, 2005 requires that the Statement under Section 413 (2) (c) on the annual financial report must be made by resolution of the Council and signed by the Mayor, at least one (1) other member of Council, the General Manager and the Responsible Accounting Officer.
8. The *Local Government Code of Accounting Practice and Financial Reporting* requires Council to lodge a complete set of financial statements with the Office of Local Government by no later than the close of business on 31 October following the financial year end.

**Note:** On 25 October 2019, following a request from Council, the Office of Local Government formally advised that due to ongoing issues and complexities associated with the valuation of land and the determination of restrictions on these assets, an

extension of time (to 30 November, 2019) has been granted for Council to complete the preparation and audit of its annual financial statements.

The *Local Government Code of Accounting Practice and Financial Reporting* require that:

- Council's Special Purpose Financial Statements for a year must be prepared and audited within the period of four months after the end of that financial year.
- As soon as practicable after receiving the Auditor's Report on the Special Purpose Financial Statements, the council must send a copy of the Auditor's Report on the Council's Special Purpose Financial Statements, together with a copy of the council's audited Special Financial Report, to the Chief Executive, Local Government.

Council's Statutory General Purpose Financial Reports and Special Purpose Financial Reports for the financial year ended 30 June 2019 have been completed. It is proposed to present the audited financial reports to the public at the November 2019 Council meeting.

The General Purpose Financial Reports, Special Purpose Financial Reports and Special Schedules for the financial year ended 30 June 2019 are being tabled after endorsement from the Audit, Risk and Improvement Committee at its meeting of 18 November 2019.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

That the statement as to Council's opinion on the General Purpose Financial Reports as required by Section 413 (2) (c) of the Local Government Act and the Special Purpose Financial Reports as required by the Local Government Code of Accounting Practice and Financial Reporting be executed.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable

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

Not Applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.	Statements by Councillors and Management
Attachment 2	Draft General Purpose Financial Statements
Attachment 3	Special Purpose Financial Statements
Attachment 4	Special Schedules

The above attachments will be tabled prior to the meeting

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## 23 [FRIT-CM] Quarterly Budget Review - September 2019

**SUBMITTED BY:** Financial Services

mhm



### Making decisions with you

*We're in this together*

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

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

**ROLE:** **Leader**

#### SUMMARY OF REPORT:

This is the first quarter statutory budget review for this financial year and summarises the estimated expenditure and income changes to the 2019/2020 Budget.

This statutory report is prepared in accordance with the Local Government (General) Regulations 2005, sections 202 and 203. Council will have a balanced budget as at 30 June 2020 in all Funds.

#### RECOMMENDATION:

That the:

- Quarterly Budget Review Statement as at 30 September 2019 be adopted.
- Expenditure and income, as summarised below and detailed within the report, be voted and adjusted in accordance with the revised total expenditure and income for the year ending 30 June 2020.

Description	Change to Vote	
	Deficit	Surplus
General Fund		
<u>Expenses</u>		
Employee costs	122,900	0
Materials & Contracts	3,566,217	0
Interest	0	0
Other Operating costs	0	0
Capital	2,772,792	0
Loan Repayments	0	0

Description	Change to Vote	
	Deficit	Surplus
Transfers to Reserves	0	753,960
	6,461,909	753,960
<b>Income</b>		
Rates and Annual Charges	0	2,088,087
Interest revenue	0	0
Operating Grants & Conts	0	506,886
Capital Grants & Conts	0	1,361,774
User Charges & Fees	0	209,956
Other Operating Revenue	0	10,000
Loan Funds	0	450,069
Recoupments	0	500,000
Transfers from Reserves	0	581,177
Asset Sales	0	0
	0	5,707,949
<b>Net Surplus/(Deficit)</b>		<b>0</b>
<b>Sewer Fund</b>		
<b>Expenses</b>		
Employee costs	0	0
Materials & Contracts	701,176	0
Interest	0	0
Other Operating costs	0	0
Capital	4,031,994	0
Loan Repayments	0	0
Transfers to Reserves	0	4,586,251
	4,733,170	4,586,251
<b>Income</b>		
Rates and Annual Charges	0	0
Interest revenue	5,605	0
Operating Grants & Conts	0	0
Capital Grants & Conts	3,492,147	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	0	1,536,233
Transfers from Reserves	0	2,108,438
Asset Sales	0	0
	3,497,752	3,644,671
<b>Net Surplus/(Deficit)</b>		<b>0</b>
<b>Water Fund</b>		
<b>Expenses</b>		
Employee costs	0	0
Materials & Contracts	0	870,237
Interest	0	0
Other Operating costs	0	0
Capital	5,438,251	0
Loan Repayments	0	0
Transfers to Reserves	0	6,367,979
	5,438,251	7,238,216

Description	Change to Vote	
	Deficit	Surplus
<b><u>Income</u></b>		
Rates and Annual Charges	0	0
Interest revenue	0	72,654
Operating Grants & Conts	0	0
Capital Grants & Conts	4,718,861	0
User Charges & Fees	0	0
Other Operating Revenue	0	0
Loan Funds	0	0
Recoupments	733,500	0
Transfers from Reserves	0	3,579,742
Asset Sales	0	0
	<u>5,452,361</u>	<u>3,652,396</u>
<b>Net Surplus/(Deficit)</b>		<u>0</u>

## **REPORT:**

### **Budget Review 30 September 2019 (Quarterly Budget Review)**

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

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

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

### **Report by Responsible Accounting Officer – Quarterly Budget Review Statements**

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

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

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

This information is presented in the following reports:

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

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

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

Description	\$	\$
	<b>Net Effect on 2018/2019 Budget</b>	<b>Net Effect on LTFP</b>
<b>General Fund</b>		
Community buildings net rental income	-6,452	-6,452
Home Expo	4,631	
Financial Assistance Grant - General	-23,179	-23,179
Energy procurement options review	25,000	
	<b>0</b>	<b>(29,631)</b>

## Detailed list of changes

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
<b>1. Proposed Variations</b>						
<b>General Fund</b>						
In	1	In-Fees	Children's Service building Tweed Heads		-22,152	Rental income
In	1	Ex-Op	Children's Service building Tweed Heads	3,496	15,700	Rental expenses
Ex	2	Ex-OpEmp	Tweed Library/Museum trial		22,900	Trial project
Ex	2	Ex-Op	Regional library contributions Rural & Regional Youth Participation	2,481,717	-22,900	Funding for above
Ex	3	Ex-Op	Cultural Development Fund	26,623	4,000	Youth Forum
Ex	3	Ex-Op	Family & Community Services Reducing the Risks of Arbovirus Threats		-2,500	Funding for above
In	3	In-OG&C	NSW Office of Local Government		-1,500	Funding for above
Ex	4	Ex-Op	Cemeteries administration	157,280	104,700	"Increasing resilience to climate change" grant
In	4	In-OG&C	Cemeteries income	-768,155	-104,700	Funding for above
Ex	5	Ex-OpEmp	Cemeteries perpetual maintenance reserve		100,000	Business manager
In	5	In-Fees	Murwillumbah Auditorium Project NSW Dept of Planning & Environment	267,128	-40,000	Predicted income improvement
In	5	In-TFR	Community facilities reserve		-60,000	Funding of shortfall
Ex	6	Ex-Capital	Kingscliff Library	267,128	1,025,296	Refurbishment
In	6	In-CG&C	Waste operating expenses	-194,268	-914,000	Funding for above
In	6	In-TFR	Waste capital expenses		-111,296	Funding for above
Ex	7	Ex-Op	Waste annual charges	26,838	5,515	Cleaning budget from Tweed Library
Ex	7	Ex-Op	Waste user charges	34,414	-5,515	Cleaning budget to Kingscliff Library
Ex	8	Ex-Op	Waste grants	13,516,205	2,599,889	Revised Waste Management Plan
Ex	8	Ex-Capital	Waste annual charges	300,000	398,205	Revised Waste Management Plan
In	8	In-Rates	Waste user charges	-15,904,118	-2,088,087	Revised Waste Management Plan
In	8	In-Fees	Waste grants	-4,210,936	-152,435	Revised Waste Management Plan
In	8	In-OG&C	Waste grants	-2,532,642	1,388	Revised Waste Management Plan

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
Ex	8	Ex-TTR	Waste reserves	7,354,052	<b>-758,960</b>	Revised Waste Management Plan
Ex	9	Ex-Op	Conserving cockatoos and curlews	109,778	<b>11,436</b>	Grant funded program
Ex	9	Ex-Op	Koala Beach feral animal control Financial Assistance Grant - General		<b>-11,436</b>	Contribution from Koala Beach
In	10	In-OG&C		<b>-7,822,009</b>	<b>-23,179</b>	Advice received
Ex	11	Ex-Op	VMR/Coast Guard buildings	6,879	<b>15,000</b>	Rectification works Kingscliff tower
Ex	11	Ex-Op	Point Danger VMR lighthouse	21,064	<b>-15,000</b>	Funding for above
Ex	12	Ex-Op	Drone - software subscription		<b>2,500</b>	Drone
Ex	12	Ex-TTR	Drone - replacement reserve		<b>5,000</b>	Drone
Ex	12	Ex-Op	IT Resourcing strategy	1,275,702	<b>-7,500</b>	Funding for above
Ex	13	Ex-Op	Everi Pty Ltd Event hub		<b>20,000</b>	What's On Calendar
Ex	13	Ex-Op	Major event attraction	43,733	<b>-20,000</b>	Funding for above
Ex	14	Ex-Op	Aboriginal Cultural Heritage Assessment		<b>40,000</b>	Fingal Holiday Park and surrounds
Ex	14	Ex-Op	Internal contributions - various units		<b>-40,000</b>	Funding for above
Ex	15	Ex-Capital	McAllisters Road		<b>500,000</b>	Upgrade
Ex	15	In-Recoup	Contribution Plan 4 Financial Assistance Grant - Local Roads		<b>-500,000</b>	Funding for above
In	16	In-OG&C		<b>-2,902,689</b>	<b>-55,682</b>	Advice received
Ex	16	Ex-Op	FAG roads expenditure	2,902,689	<b>55,682</b>	Advice received
Ex	17	Ex-Op	Tweed Valley Way Stokers Siding		<b>100,000</b>	Road safety initiative
In	17	In-OG&C	RMS Safer Roads grant program		<b>-100,000</b>	Funding for above
Ex	18	Ex-Op	Speed Zone change Kyogle Road		<b>1,000</b>	Road safety initiative
In	18	In-OG&C	RMS road safety grant		<b>-1,000</b>	Funding for above
Ex	19	Ex-Op	Tweed Valley Way Tumbulgum - vehicle activated signs		<b>60,000</b>	Road safety initiative
In	19	In-OG&C	RMS road safety grant		<b>-60,000</b>	Funding for above
Ex	20	Ex-Capital	Hidden Valley Road Eungella	20,000	<b>40,000</b>	Roads rehabilitation - adjustment
Ex	20	Ex-Capital	Oxley Street Tweed Heads South	40,000	<b>-40,000</b>	Roads rehabilitation - deferral
Ex	21	Ex-Capital	Condong Street Murwillumbah		<b>300,000</b>	Roads upgrading - allocation
Ex	21	Ex-Capital	Wollumbin Street Murwillumbah		<b>680,000</b>	Roads upgrading - allocation
Ex	21	Ex-Capital	Brays Creek Road Tyalgum		<b>346,048</b>	Roads upgrading - allocation
Ex	21	Ex-Capital	Roads upgrading		<b>-1,326,048</b>	Roads upgrading - allocation
Ex	22	Ex-Capital	Dulguigan Road North Tumbulgum		<b>1,064,531</b>	Roads to Recovery - allocation
Ex	22	Ex-Capital	Tweed Valley Way Eviron (Bartletts Rd)		<b>750,000</b>	Roads to Recovery - allocation
Ex	22	Ex-Capital	Roads to Recovery	1,451,624	<b>-1,451,624</b>	Roads to Recovery - allocation
In	22	In-CG&C	Roads to Recovery grant	<b>-1,451,624</b>	<b>-362,907</b>	Roads to Recovery - allocation
Ex	23	Ex-Capital	Kyogle Road Mount Burrell		<b>426,400</b>	REPAIR program - allocation
Ex	23	Ex-Capital	Kyogle Road Murwillumbah		<b>449,634</b>	REPAIR program - allocation
Ex	23	Ex-Capital	REPAIR program	436,650	<b>-436,650</b>	REPAIR program - allocation
Ex	23	Ex-Op	FAG maintenance REPAIR program	436,650	<b>-438,017</b>	REPAIR program - allocation
In	23	In-CG&C	REPAIR program grant	<b>-436,650</b>	<b>-1,367</b>	REPAIR program - allocation
Ex	24	Ex-Capital	Agnes Street Tweed Heads South		<b>200,000</b>	Drainage construction - adjustment
Ex	24	Ex-Capital	Tumbulgum Road Murwillumbah		<b>-200,000</b>	Drainage construction - adjustment
Ex	25	Ex-Op	Kinnears quarry rehabilitation		<b>507,500</b>	Remediation costs
Ex	25	Ex-Op	Quarries operations	779,193	<b>-507,500</b>	Funding for above
In	26	In-OpOther	Flood Management Australia/NRMA Insurance		<b>-10,000</b>	Flood risk management award
Ex	26	Ex-Op	Tumbulgum Flood Warning & Response Service South Murwillumbah flood levee repair		<b>10,000</b>	Expenditure of above
Ex	27	Ex-Op	Asset mgt reserve - infrastructure	3,444,913	<b>200,000</b>	Expected shortfall
In	27	In-TFR	Coastal ck flash flood warning system		<b>-200,000</b>	Funding for above
Ex	28	Ex-Op	Voluntary house purchase Sth M'bah		<b>120,000</b>	Revision of flood mitigation budget
Ex	28	Ex-Op		1,350,000	<b>-530,000</b>	Revision of flood mitigation budget
Ex	28	Ex-Op	Community flood markers		<b>24,000</b>	Revision of flood mitigation budget

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
Ex	28	Ex-Op	Asset management levees & floodgates	55,490	-55,490	Revision of flood mitigation budget
Ex	28	Ex-Op	Voluntary house purchase coastal cks		1,230,773	Revision of flood mitigation budget
In	28	In-OG&C	Office of Environment & Heritage		-159,333	Revision of flood mitigation budget
In	28	In-Loan	Unexpended flood mitigation loans		-250,069	Revision of flood mitigation budget
In	28	In-Loan	Unexpended drainage loans		-200,000	Revision of flood mitigation budget
In	28	In-TFR	Asset mgt reserve - infrastructure		-179,881	Revision of flood mitigation budget
Ex	29	Ex-Op	Limpinwod Road		2,880	Speed zone change
In	29	In-OG&C	RMS grant		-2,880	Funding for above
Ex	30	Ex-Op	Temporary pound Dulguigan		120,000	Funding of temporary pound
Ex	30	Ex-Capital	Pound relocation	1,625,637	-120,000	Funding for above
					<b>-29,631</b>	
			<b>Sewer Fund</b>			
Ex	31	Ex-Op	Operations	18,263,275	701,176	Carry forwards and other revisions
In	31	Ex-Op	Annual charges	-31,914,278		No adjustments this quarter
Ex	31	In-Interest	Interest received	-2,874,003	5,605	Funding adjustments
In	31	In-Fees	Fees & charges	-3,641,313		No adjustments this quarter
In	31	In-CG&C	s64 income	-5,077,380	3,492,147	Revise forecast contributions
Ex	31	Ex-Capital	Capital works	7,560,068	4,031,994	Carry forwards and other revisions
In	31	In-TFR	Transfers from reserves	-5,044,883	-2,108,438	Funding adjustments
In	31	In-Recoup	Recoupment from s64	-3,786,525	-1,536,233	Funding adjustments
In	31	Ex-TTR	s64 reversal	5,077,380	-3,492,147	Funding adjustments
Ex	31	Ex-TTR	Transfers to reserves	14,036,416	-1,094,104	Funding adjustments
					<b>0</b>	
			<b>Water Fund</b>			
Ex	32	Ex-Op	Operations	14,810,162	-870,237	Deferrals and other revisions
In	32	Ex-Op	Annual charges	-6,029,506		No adjustments this quarter
Ex	32	In-Interest	Interest received	-1,659,117	-72,654	Funding adjustments
In	32	In-Fees	Fees & charges	-25,594,460		No adjustments this quarter
In	32	In-CG&C	s64 income	-7,125,608	4,718,861	Revise forecast contributions
Ex	32	Ex-Capital	Capital works	8,673,476	5,438,251	Carry forwards and other revisions
In	32	In-TFR	Transfers from reserves	-3,338,282	-3,579,742	Funding adjustments
In	32	In-Recoup	Recoupment from s64	-9,832,096	733,500	Funding adjustments
In	32	Ex-TTR	s64 reversal	7,125,608	-4,718,861	Funding adjustments
Ex	32	Ex-TTR	Transfers to reserves	13,031,683	-1,649,118	Funding adjustments
					<b>0</b>	
			<b>2. Variations Arising from Council Resolutions</b>			
Ex	33	Ex-Op	Tweed Coastal Management Program		50,000	Resolution 25 October 2018 Item 25
Ex	33	Ex-Op	Tweed Coastal Zone Management	98,799	-50,000	Resolution 25 October 2018 Item 25
Ex	34	Ex-Op	Energy procurement options review		25,000	Resolution 16 May 2019 Item 19
Ex	35	Ex-Op	Sustainability awards		22,000	Resolution 22 March 2018 Item 16
Ex	35	Ex-Op	Internal transfer from Home Expo	0	-6,500	Funding for above
Ex	35	Ex-Op	Home Expo expenses	10,822	-6,000	Funding for above
Ex	35	Ex-Op	River Festival	45,255	-8,000	Funding for above
Ex	35	Ex-Op	Internal transfer from Waste		-1,500	Funding for above
In	35	In-Fees	Home Expo external income	-4,631	4,631	Funding for above
Ex	36	Ex-Op	Climate Emergency Declaration		30,000	Resolution 19 September 2019 Item 7
In	36	In-TFR	Climate change reserve		-30,000	Funding for above
Ex	37	Ex-Capital	Piggabeen Road Shared Path		167,000	Resolution 24 October 2019 Item 23
Ex	37	In-CG&C	RMS Active Transport Program		-83,500	Resolution 24 October 2019 Item 23
Ex	37	Ex-Op	Cycleways program	113,565	-83,500	Resolution 24 October 2019 Item 23

In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
			<b>Summary of Votes by Type</b>		<b>29,631</b>	
			2019/20 Variations		<b>-29,631</b>	
			Council Resolutions		<b>29,631</b>	
					<b>0</b>	
			<b>Key to Category codes</b>			
Ex-OpEmp			Employee costs			
Ex-Op			Materials & contracts			
Ex-Interest			Interest on loans			
Ex-OpOther			Other operating expenses			
Ex-Capital			Capital works			
Ex-Loan Reps			Repayment on principal on loans			
Ex-TTR			Transfers to reserves			
Ex-Dep			Depreciation			
Ex-Deprev			Depreciation reversal			
In-Rates			Rates & annual charges			
In-Interest			Interest income			
In-OG&C			Operating grants & contributions			
In-CG&C			Capital grants & contributions			
In-Fees			User charges & fees			
In-OpOther			Other operating income			
In-Loan			Loan funds			
In-Recoup			Recoupment from s64 & s94 funds			
In-TFR			Transfers from reserves			
In-Sales			Proceeds from sale of assets			
			<u>Expenses</u>			
			Employee costs		<b>122,900</b>	
			Materials & Contracts		<b>3,397,156</b>	
			Interest		<b>0</b>	
			Other Operating costs		<b>0</b>	
			Capital		<b>12,243,037</b>	
			Loan Repayments		<b>0</b>	
			Transfers to Reserves		<b>11,708,190</b>	
					<b>4,054,903</b>	
			<u>Income</u>			
			Rates and Annual Charges		<b>-2,088,087</b>	
			Interest revenue		<b>-67,049</b>	
			Operating Grants & Conts		<b>-506,886</b>	
			Capital Grants & Conts		<b>6,849,234</b>	
			User Charges & Fees		<b>-209,956</b>	
			Other Operating Revenue		<b>-10,000</b>	
			Loan Funds		<b>-450,069</b>	
			Recoupments		<b>-1,302,733</b>	
			Transfers from Reserves		<b>-6,269,357</b>	
			Asset Sales		<b>0</b>	
					<b>-4,054,903</b>	
			Net		<b>0</b>	



In/Ex	Item	Category	Description	Current Vote	Change to Vote	Details / Comments
<b>Summary of Votes - by Division</b>						
			Corporate Services		<b>-23,179</b>	
			Planning & Regulation		<b>120,000</b>	
			Community & Natural Resources		<b>23,179</b>	
			Engineering		<b>0</b>	
			General Manager		<b>-120,000</b>	
					<b>0</b>	

## Results by fund:

### General Fund

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

### Water Fund

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

### Sewer Fund

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

## Quarterly Budget Review Statements

### Income and Expense - Consolidated Budget Review Statement for the quarter ended 30 September 2019

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

#### Income

Rates and Annual Charges	114,826	-	-	114,826	2,088	116,914	29,346
User Charges and Fees	48,363	-	-	48,363	210	48,573	12,721
Interest and Investment Revenue	9,808	-	-	9,808	67	9,875	4,135
Other Revenues	2,506	-	-	2,506	10	2,516	1,392
Grants & Contributions - Operating	21,420	-	-	21,420	507	21,927	3,214
Grants and Contributions - Capital	437	-	-	437	1,362	1,799	738
- Contributions (S94)	14,092	-	-	14,092	(8,211)	5,881	1,703
Net gain from the disposal of assets	-	-	-	-	-	-	-
<b>Total Income</b>	<b>211,452</b>	<b>-</b>	<b>-</b>	<b>211,452</b>	<b>(3,967)</b>	<b>207,485</b>	<b>53,249</b>

#### Expense

Employee costs	59,162	-	-	59,162	123	59,285	14,935
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Original Budget	Previously approved			Recommended changes for Council Resolution	Projected year end result	Actual YTD
	Sep Review (000's) *	Dec Review (000's)	Revised Budget (000's)			
(000's)	(000's)	(000's)	(000's)	(000's)	(000's)	(000's)
Borrowing Costs	11,269	-	-	11,269	-	2,818
Materials & Contracts	49,910	21,816	-	71,726	2,896	9,591
Depreciation	45,028	-	-	45,028	-	11,257
Legal Costs	479	500	-	979	500	175
Consultants	418	-	-	418	-	116
Other Expenses	17,093	-	-	17,093	-	4,336
Net Loss from Disposal of Assets	-	-	-	-	-	-
<b>Total Expenses</b>	<b>183,359</b>	<b>22,316</b>	<b>-</b>	<b>205,675</b>	<b>3,519</b>	<b>43,228</b>

**Net Operating Result**

28,093	(22,316)	-	5,777	(7,486)	(1,709)	10,021
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**Net Operating Result before capital items**

13,564	(22,316)	-	(8,752)	(637)	(9,389)	7,580
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**Funding Statement - Consolidated - Source & Application of Funds**

Operating Result (Income Statement)	28,093	(22,316)	-	5,777	(7,486)	(1,709)
<b>Add Back non-funded items:</b>						
Depreciation	45,028	-	-	45,028	-	45,028
		-	-	-	-	-
<b>Add non-operating funding sources</b>						
Transfers from Externally Restricted Cash	28,298	11,087	-	39,385	1,302	40,687
Transfers from Internally Restricted Cash	1,222	54,248	-	55,470	6,269	61,739
Proceeds from sale of assets	1,812	-	-	1,812	-	1,812
Loan Funds Utilised	2,316	2,417	-	4,733	450	5,183
Repayments from Deferred Debtors	-	-	-	-	-	-
<b>Funds Available</b>	<b>106,769</b>	<b>45,436</b>	<b>-</b>	<b>152,205</b>	<b>535</b>	<b>152,740</b>
<b>Funds were applied to:</b>						
Purchase and construction of assets	42,623	45,436	-	88,059	12,243	100,302
Repayment of principal on loans	9,243	-	-	9,243	-	9,243
Transfers to Externally Restricted Cash	49,242	-	-	49,242	-	49,242
Transfers to Internally Restricted Cash	5,661	-	-	5,661	(11,708)	(6,047)
<b>Funds Used</b>	<b>106,769</b>	<b>45,436</b>	<b>-</b>	<b>152,205</b>	<b>535</b>	<b>152,740</b>

Increase/(Decrease) in Available Working Capital

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

\* Includes Carried Forward Works revotes

**Income & Expense- General Fund Budget Review Statement for the quarter ended 30 September 2019**

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

**Income**

Rates and Annual Charges	77,052			77,052	2,088	79,140	20,239
User Charges and Fees	19,560			19,560	210	19,770	5,739
Interest and Investment Revenue	5,275			5,275	-	5,275	1,455
Other Revenues	2,161			2,161	10	2,171	1,313
Grants & Contributions - Operating	20,481			20,481	507	20,988	3,170
Grants and Contributions - Capital	437			437	1,362	1,799	738
- Contributions (S64/S94)	1,889			1,889		1,889	757
Net gain from the disposal of assets				-		-	-
<b>Total Income</b>	<b>126,855</b>	<b>-</b>	<b>-</b>	<b>126,855</b>	<b>4,177</b>	<b>131,032</b>	<b>33,411</b>

**Expense**

Employee costs	46,625			46,625	123	46,748	11,771
Borrowing Costs	5,186			5,186	-	5,186	1,297
Materials & Contracts	26,829	21,816		48,645	3,066	51,711	7,471
Depreciation	25,508			25,508		25,508	6,377
Legal Costs	479	500		979	500	1,479	175
Consultants	94			94		94	116
Other Expenses	12,724			12,724	-	12,724	3,596
Net Loss from Disposal of Assets				-		-	-
<b>Total Expenses</b>	<b>117,445</b>	<b>22,316</b>	<b>-</b>	<b>139,761</b>	<b>3,689</b>	<b>143,450</b>	<b>30,803</b>

**Net Operating Result**

	9,410	(22,316)	-	(12,906)	488	(12,418)	2,608
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**Net Operating Result before capital items**

	7,084	(22,316)	-	(15,232)	(874)	(16,106)	1,113
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Original Budget  (000's)	Previously approved			Recommended changes for Council  Resolution  (000's)	Projected year end result  (000's)	Actual  YTD  (000's)
	Sep  Review (000's) *	Dec  Review (000's)	Revised  Budget  (000's)			

**Funding Statement - General Fund - Source & Application of****Funds**

Operating Result (Income Statement)

Operating Result (Income Statement)	9,410	(22,316)	-	(12,906)	488	(12,418)
<b>Add Back non-funded items:</b>						
Depreciation	25,508			25,508	-	25,508
<b>Add non-operating funding sources</b>						
Transfers from Externally Restricted Cash	6,297	11,087		17,384	500	17,884
Transfers from Internally Restricted Cash	1,222	54,248		55,470	581	56,051
Proceeds from sale of assets	1,812			1,812	-	1,812
Loan Funds Utilised	2,316	2,417		4,733	450	5,183
Internal charges				-		-
Repayments from Deferred Debtors				-		-
<b>Funds Available</b>	<b>46,565</b>	<b>45,436</b>	<b>-</b>	<b>92,001</b>	<b>2,019</b>	<b>94,020</b>
<b>Funds were applied to:</b>						
Purchase and construction of assets	27,179	45,436		72,615	2,773	75,388
Repayment of principal on loans	4,634			4,634	-	4,634
Transfers to Externally Restricted Cash	9,091			9,091		9,091
Transfers to Internally Restricted Cash	5,661			5,661	(754)	4,907
<b>Funds Used</b>	<b>46,565</b>	<b>45,436</b>	<b>-</b>	<b>92,001</b>	<b>2,019</b>	<b>94,020</b>
<b>Increase/(Decrease) in Available Working Capital</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

\* Includes Carried Forward Works revotes

**Income & Expense- Sewer Fund Budget Review Statement for the quarter ended 30 September 2019**

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

**Income**

Rates and Annual Charges	31,843			31,843	-	31,843	7,583
User Charges and Fees	3,561			3,561	-	3,561	937
Interest and Investment Revenue	2,874			2,874	(6)	2,868	1,722
Other Revenues	17			17	-	17	10
Grants & Contributions - Operating	520			520	-	520	44
Grants and Contributions - Capital				-		-	
- Contributions (S64/S94)	5,077			5,077	(3,492)	1,585	458
Net gain from the disposal of assets				-		-	
<b>Total Income</b>	<b>43,892</b>	<b>-</b>	<b>-</b>	<b>43,892</b>	<b>(3,498)</b>	<b>40,394</b>	<b>10,754</b>

**Expense**

Employee costs	7,283			7,283	-	7,283	1,815
Borrowing Costs	1,928			1,928	-	1,928	482
Materials & Contracts	10,854			10,854	700	11,554	1,091
Depreciation	11,780			11,780	-	11,780	2,945
Legal Costs				-	-	-	
Consultants	162			162	-	162	
Other Expenses	2,853			2,853	-	2,853	472
Net Loss from Disposal of Assets				-		-	
<b>Total Expenses</b>	<b>34,860</b>	<b>-</b>	<b>-</b>	<b>34,860</b>	<b>700</b>	<b>35,560</b>	<b>6,805</b>

**Net Operating Result**

9,032	-	-	9,032	(4,198)	4,834	3,949
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**Net Operating Result before capital items**

3,955	-	-	3,955	(706)	3,249	3,491
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Original Budget  (000's)	Previously approved			Recommended changes for Council  Resolution  (000's)	Projected year end result  (000's)	Actual  YTD  (000's)
	Sep Review  (000's)	Dec Review  (000's)	Revised Budget  (000's)			

**Funding Statement - Sewer Fund - Source & Application of Funds**

Operating Result (Income Statement)	9,032	-	-	9,032	(4,198)	4,834
<b>Add Back non-funded items:</b>						
Depreciation	11,780	-	-	11,780	-	11,780
<b>Add non-operating funding sources</b>						
Transfers from Externally Restricted Cash	8,831			8,831	1,536	10,367
Transfers from Internally Restricted Cash				-	2,108	2,108
Proceeds from sale of assets				-	-	-
Loan Funds Utilised				-	-	-
Repayments from Deferred Debtors				-	-	-
<b>Funds Available</b>	<b>29,643</b>	<b>-</b>	<b>-</b>	<b>29,643</b>	<b>(554)</b>	<b>29,089</b>
<b>Funds were applied to:</b>						
Purchase and construction of assets	6,680			6,680	4,032	10,712
Repayment of principal on loans	2,969			2,969	-	2,969
Transfers to Externally Restricted Cash	19,994			19,994	-	19,994
Transfers to Internally Restricted Cash				-	(4,586)	(4,586)
Internal charges				-	-	-
<b>Funds Used</b>	<b>29,643</b>	<b>-</b>	<b>-</b>	<b>29,643</b>	<b>(554)</b>	<b>29,089</b>
<b>Increase/(Decrease) in Available Working Capital</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

**Income & Expense- Water Fund Budget Review Statement for the quarter ended 30 September 2019**

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

**Income**

Rates and Annual Charges	5,931			5,931	-	5,931	1,524
User Charges and Fees	25,242			25,242	-	25,242	6,045
Interest and Investment Revenue	1,659			1,659	73	1,732	958
Other Revenues	328			328	-	328	69
Grants & Contributions - Operating	419			419	-	419	
Grants and Contributions - Capital				-		-	
- Contributions (S64/S94)	7,126			7,126	(4,719)	2,407	488
Net gain from the disposal of assets				-		-	
<b>Total Income</b>	<b>40,705</b>	<b>-</b>	<b>-</b>	<b>40,705</b>	<b>(4,646)</b>	<b>36,059</b>	<b>9,084</b>

**Expense**

Employee costs	5,254			5,254	-	5,254	1,349
Borrowing Costs	4,155			4,155	-	4,155	1,039
Materials & Contracts	12,227			12,227	(870)	11,357	1,029
Depreciation	7,740			7,740	-	7,740	1,935
Legal Costs				-	-	-	
Consultants	162			162	-	162	
Other Expenses	1,516			1,516	-	1,516	268
Net Loss from Disposal of Assets				-		-	
<b>Total Expenses</b>	<b>31,054</b>	<b>-</b>	<b>-</b>	<b>31,054</b>	<b>(870)</b>	<b>30,184</b>	<b>5,620</b>

**Net Operating Result**

	9,651	-	-	9,651	(3,776)	5,875	3,464
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**Net Operating Result before capital items**

	2,525	-	-	2,525	943	3,468	2,976
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## Funding Statement - Water Fund - Source & Application of Funds

	Original Budget  (000's)	Previously approved			Recommended changes for Council Resolution  (000's)	Projected year end result  (000's)	Actual YTD  (000's)
		Sep Review  (000's)	Dec Review  (000's)	Revised Budget  (000's)			
Operating Result (Income Statement)	9,651	-	-	9,651	(3,776)	5,875	
<b>Add Back non-funded items:</b>							
Depreciation	7,740	-	-	7,740	-	7,740	
<b>Add non-operating funding sources</b>							
Transfers from Externally Restricted Cash	13,170			13,170	(734)	12,436	
Transfers from Internally Restricted Cash				-	3,580	3,580	
Proceeds from sale of assets				-		-	
Loan Funds Utilised				-	-	-	
Repayments from Deferred Debtors				-		-	
<b>Funds Available</b>	30,561	-	-	30,561	(930)	29,631	
<b>Funds were applied to:</b>							
Purchase and construction of assets	8,764			8,764	5,438	14,202	
Repayment of principal on loans	1,640			1,640	-	1,640	
Transfers to Externally Restricted Cash	20,157			20,157	-	20,157	
Transfers to Internally Restricted Cash				-	(6,368)	(6,368)	
Internal charges				-		-	
<b>Funds Used</b>	30,561	-	-	30,561	(930)	29,631	
<b>Increase/(Decrease) in Available Working Capital</b>	-	-	-	-	-	-	

**Capital Budget Review Statement - Consolidated - for the quarter ended 30 September 2019**

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

**Capital Funding \*\***

Rates and other untied funding	31,961		31,961	755	32,716	4,806
Capital Grants & Contributions	928	1,131	2,059	1,361	3,420	502
Internal Restrictions (Reserves)	1,987	30,343	32,330	(9)	32,321	4,747
External Restrictions	12,366	11,489	23,855	8,834	32,689	4,801
- s64 & s94 funds	2,205	150	2,355	1,302	3,657	537
Other Capital Funding Sources						
- loans	3,066	2,323	5,389		5,389	792
Income from sale of assets						
- plant and equipment	2,210		2,210		2,210	325
- Land,Buildings,Furniture,Fittings						
<b>Total Capital Funding</b>	<b>54,723</b>	<b>45,436</b>	<b>100,159</b>	<b>12,243</b>	<b>112,402</b>	<b>16,510</b>

**Capital Expenditure**

New Assets

- Plant and Equipment	230	135	365		365	53
- Land,Buildings,Furniture,Fittings	3,939	12,548	16,487	(120)	16,367	2,178
- Roads, Bridges, Footpaths	20	5,857	5,877		5,877	170
- Drainage		87	87		87	76
- Water & Sewer Infrastructure	7,016		7,016	5,933	12,949	859
- Other	3,200	14,042	17,242	398	17,640	393

Renewals (Replacement)

- Plant and Equipment	7,170		7,170		7,170	274
- Land,Buildings,Furniture,Fittings	101	556	657	1,025	1,682	188
- Roads, Bridges, Footpaths	11,338	5,253	16,591	1,304	17,895	5,312
- Drainage	644	129	773		773	3
- Water & Sewer Infrastructure	6,845		6,845	1,570	8,415	2,116
- Other		252	252		252	750

Upgrades

- Plant and Equipment						9
- Land,Buildings,Furniture,Fittings		1,977	1,977		1,977	80
- Roads, Bridges, Footpaths	630	2,189	2,819	167	2,986	1,892
- Drainage	800	987	1,787		1,787	297
- Water & Sewer Infrastructure	3,952		3,952	1,966	5,918	761
- Other		1,424	1,424		1,424	211
Loan Repayments (principal)	8,838		8,838		8,838	888
<b>Total Capital Expenditure</b>	<b>54,723</b>	<b>45,436</b>	<b>100,159</b>	<b>12,243</b>	<b>112,402</b>	<b>16,510</b>

\* Note: Includes Carry over works

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

## Cash and Investments Budget Review Statement for the quarter ended 30 September 2019

Original Budget (000's)	Previously approved			Recommended changes for Council Resolution (000's)	Projected year end result (000's)	Actual * YTD (000's)
	Sep Review (000's)	Dec Review (000's)	Revised Budget (000's)			
<b>Unrestricted</b>	10,874		10,874		10,874	7,320
<b>Externally restricted</b>						
Developer contributions	40,354		40,354	(1,930)	38,424	45,000
Domestic waste management	26,662		26,662	(9,645)	17,017	25,000
Special Rates	239		239	(11)	228	247
Unexpended grants & contributions	5,943		5,943	(5,943)	0	5,000
Water Supplies	77,665		77,665		77,665	64,887
Sewerage Services	112,115		112,115		112,115	108,472
Other	18,440		18,440		18,440	15,000
<b>Total Externally restricted</b>	281,418	0	281,418	(17,529)	263,889	263,606
<b>Internally restricted</b>						
Employee Leave entitlements	13,569		13,569		13,569	13,569
Unexpended untied grants	0		0		0	1,500
Unexpended loans	3,852		3,852	(2,417)	1,435	3,500
7 Year Plan	3,151		3,151	(3,085)	66	3,000
Works Carried Forward	11,494		11,494	(11,494)	0	11,000
Replacement of Plant and Vehicles	7,986		7,986		7,986	7,986
Tip improvements	22,173		22,173	(10,594)	11,579	22,000
Asset renewals	29,556		29,556	(9,385)	20,171	29,000
Other	11,993		11,993	(1,479)	10,514	8,000
<b>Total Internally restricted</b>	103,774	0	103,774	(38,454)	65,320	99,555
<b>Total Restricted</b>	385,192	0	385,192	(55,983)	329,209	363,161
<b>Total cash and investments</b>	396,066	0	396,066	(55,983)	340,083	370,481
<b>Available cash</b>	10,874	0	10,874	0	10,874	7,320

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

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

### Statement of compliance with investment policy:

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

### Reconciliation of restricted funds with current investment report:

	<b>(000's)</b>
Total restricted funds	363,161
Total invested funds as per September Investment Report	369,710
Note, some restricted funds are held as cash as they will be utilised in the current period.	

### Statement of bank reconciliation:

Cash has been reconciled with the bank statement. Bank reconciliations are up to date.

### Reconciliation of cash and investments:

	<b>(000's)</b>
Cash and investments as per above	370,481
<b>Cash on hand and at bank</b>	771
<b>Investments</b>	<u>369,710</u>
	370,481

### Key Performance Indicators Budget Review Statement for the quarter ended 30 September 2019

Note that KPIs may be distorted by the fact that detailed calculations are only prepared on an annual basis.

These ratios should therefore be viewed with caution.

	<b>Amounts</b>	<b>Indicator</b>
<b>1. Unrestricted Current Ratio</b>		
	<b>(000's)</b>	
<u>Current assets less all external restrictions</u>	<u>117,283</u>	5.0:1
Current liabilities	23,412	
Target:		2:1

### Purpose:

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

	<b>Amounts</b>	<b>Indicator</b>
<b>2. Debt Service Ratio</b>		
	<b>(000's)</b>	
<u>Debt Service Cost</u>	<u>3,706</u>	7.57%
Selected operating income	48,934	
Target:		15%

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**Purpose:**

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

**Budget Review Contracts and Other Expenses for the quarter ended 30 September 2019**

<b>PART A-Contracts Listing</b>					
<b>Awarded Contractor(s)</b>	<b>Contract Name</b>	<b>Contract Value \$</b>	<b>Award Date</b>	<b>Duration of Contract</b>	<b>Budgeted (Y/N)</b>
Desire Contractors Pty Ltd (77 167 694 055)	SPS 2033 Afex Park Pump Station Control Building	\$129,707.00	30-Sep-19	8 Weeks	Y
Suez WTS (84 001 221 941)	Bray Park Water Treatment Plant Membrane Replacement	\$2,526,073.00	30-Sep-19	40 Weeks	Y
ERM Business Energy (87 126 175 460)	Small Site Retail Electricity Supply 1/1/2020 to 31/12/2022	\$2,995,300.00	19-Sep-19	3 Years	Y
AquaManage Environmental Pty Ltd (18 151 268 156)	Design and Construct Uki Water Treatment Plant	\$2,342,693.10	19-Sep-19	45 Weeks	Y
Queensland Pre-stressing Pty Ltd (95 063 541 873)	Wollumbin St Retaining Wall_Design & Construct	\$244,819.00	11-Sep-19	10 Weeks	Y
Roman Contractors Pty Ltd (48 122 536 770)	IWW10-Bimbadeen Avenue Sewer Rising main Renewal	\$184,744.00	29-Aug-19	10 Weeks	Y
East Coast Asphalt and Concrete Edging (51 755 877 285)	2019-2020 FY Capital Works Asphalt Supply and Installation Contract	\$1,100,000.00	16-Aug-19	10 Months	Y
Desire Contractors Pty Ltd (77 167 694 055)	Knox Park Entry Plaza Redevelopment	\$977,268.42	15-Aug-19	20 Weeks	Y
C & L Reeve Pty Ltd (94 243 799 701)	Removal of Biosolids from TSC WWTP for use inside TSC boundary	\$322,142.74	15-Aug-19	3 Years (2 x 12 Month Extensions)	Y
StateCover Mutual Limited (36 090 394 755)	Workers Compensation Insurance	\$1,370,610.52	15-Aug-19	1 Year (5 x 12 Month Extensions)	Y
Various	Panel of Providers for Soil Testing Services	\$500,000.00	15-Aug-19	2 Years	Y
Refer to contract documents link.	Professional Services Panel	\$150,000.00	15-Aug-19	2 Years	Y
BD PLUMBING AND ROOFING PTY LTD (68 605 343 851)	Knox Park Nullum Street Car Park	\$64,000.00	14-Aug-19	6 Weeks	Y
Computer Systems Australia	Supply, Install & Configure of Backup Solution	\$233,376.17	12-Aug-19		Y
East Coast Asphalt and Concrete Edging (51 755 877 285)	Asphalt Deep Lift Patches	\$123,189.80	06-Aug-19	4 Weeks	Y
Piling & Concreting Australia (79 137 273 682)	Palmers Road Bridge - Piling Works	\$148,500.00	02-Aug-19	4 Weeks	Y

**PART A-Contracts Listing**

Awarded Contractor(s)	Contract Name	Contract Value \$	Award Date	Duration of Contract	Budgeted (Y/N)
PSA Consulting Pty Ltd (83 109 836 197)	Wardrop Valley Planning Proposal	\$52,305.00	01-Aug-19		Y
Arkwood Organic Recycling (70 055 370 486)	Removal of Biosolids from WTPs to Locations outside TSC Boundary	\$1,771,128.00	01-Aug-19	3 Years (2 x 12 Month Extensions)	Y
Workways Australia Envite Environment Division (51 288 461 579)	Project Officer - Koala Conservation	\$247,500.00	01-Aug-19	3 Years	Y
SWC Group Pty Ltd t/as Great Managers (78 123 879 523)	Supply of Leadership Training Services	\$250,000.00	31-Jul-19	12 Months (3 x 12 Month Extensions)	Y
Thylacine Design and Project Mangement	TRM Natural History Wall	\$242,186.66	09-Jul-19	4 Months	Y
Desire Contractors Pty Ltd	Pottsville Community Hall Floor Replacement	\$78,806.00	09-Jul-19	3 Weeks	Y
Duncan Solutions Australia	New Automated Parking Compliance Technology	\$360,864.38	05-Jul-19	2 Years	Y
Greg Clark Building Pty Ltd (92 003 846 026)	Upgrade Works to the Tweed Heads Civic Centre- Cultural Plaza, Social Enterprise Cafe and Library Reading Room	\$1,063,830.00	04-Jul-19	18 Weeks	Y

**PART B - Consultancy and Legal expenses**

Expense	Expenditure YTD \$	Budgeted (Y/N)
Consultancies	133,833	Y
Legal expenses	184,613	Y

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

**202 Responsible accounting officer to maintain system for budgetary control**

*The responsible accounting officer of a council must:*

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

**203 Budget review statements and revision of estimates**

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

- (b) *if that position is unsatisfactory, recommendations for remedial action.*
- (3) *A budget review statement must also include any information required by the Code to be included in such a statement.*

**Statutory Statement**

It is my opinion that the Quarterly Budget Review Statement for Tweed Shire Council for the quarter ended 30 September 2019 indicates that Council's projected financial position at 30 June 2020 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



M A Chorlton 4 November 2019

**"Responsible Accounting Officer"**

**Executive Manager Finance, Revenue and Information Technology**

**Tweed Shire Council**

**OPTIONS:**

Not Applicable

**CONCLUSION:**

Refer to Statutory Statement above

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable

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

As detailed within the report.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

**24 [FRIT-CM] Corporate Quarterly Performance Report - 1 July to 30 September 2019**

**SUBMITTED BY: Financial Services**

mhm



**Making decisions with you**

*We're in this together*



**Behind the scenes**

*Providing support to make it happen*

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

- 2 Making decisions with you
- 2.2 Engagement
- 2.2.2 Communications - To inform, educate and engage the public about Council and community activities.
  
- 4 Behind the scenes
- 4.1 Assurance
- 4.1.1 Governance - To provide assistance to Councillors and support for Council to operate within its legal framework.

**ROLE:** **Collaborator** **Provider** **Advocate** **Leader**

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**SUMMARY OF REPORT:**

The Corporate Quarterly Report for the period 1 July to 30 September 2019 is presented to Council for consideration.

This report and accompanying attachments detail the progress of the 2019/2020 Operational Plan activities up to 30 September 2019.

An amended Delivery Program 2017-2021/Operational Plan 2019-2020 reflecting timing adjustments for projects that have either been completed ahead of schedule or will extend into subsequent financial years has been prepared and is also presented for Council adoption.

**RECOMMENDATION:**

**That Council:**

- 1. Receives and notes the Corporate Quarterly Performance Report as at 30 September 2019.**
- 2. Adopts the amended Delivery Program 2017-2021/Operational Plan 2019-2020 .**



## REPORT:

At the Council meeting held 6 April 2017, Council adopted the Community Strategic Plan 2017/2027 “Living and Loving the Tweed”. At the Council meeting held 20 June 2019, the Delivery Program 2017-2021/Operational Plan 2019-2020 was adopted by Council. Both of these documents contained a reporting structure which is based upon the following four principal streams:



### **Leaving a legacy: *Looking out for future generations***

The Tweed features an environment of world-significant biodiversity and natural beauty, and distinct cultural and built heritage – Council and the community values its protection.

The Tweed community respects and actively participates in the sustainable management of the natural and built environment so we can not only thrive and enjoy it today, but we look after this place we are proud to call home, so future generations can live and love it as well.

Council’s role is to work with the community and others to plan strategically for sustainable growth and change, and to support initiatives that help the Tweed retain and enhance its diverse natural and built environments, and to deliver sustainable essential services such as water, sewer and sanitation to meet community needs now and into the future.



### **Making decisions with you: *We’re in this together***

Council and the community working together will shape a better Tweed for the future.

The Tweed is a very proud and diverse community, and understands the importance of open information to enable community participation in steering the direction, decision-making and long-term goals of the Shire.

Council values these conversations that help to deliver sustainable development outcomes, balancing future population and economic growth with the protection and enhancement of natural, cultural and built environments.



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

Some residents were lucky to be born in the Tweed, others have made the fortunate choice to make this region their home – all of us have a role to play in shaping a safe, liveable community and to respect and value the unique characteristics that make the Tweed so special.

Together we can work to create a Tweed where people are welcomed, healthy and connected, with opportunities to prosper in their individual pursuits.

Council’s role is to work to meet the present and future infrastructure demands of the Tweed whilst providing community and cultural services and employment opportunities to retain and improve the quality of community life.



**Behind the scenes: *Providing support to make it happen***

To look after the Tweed, now and into the future, a great deal of work happens behind the scenes to ensure there are planned, resourced, efficient and transparent systems in place to enable our community to function and prosper.

The community expects responsible and transparent decision making with a focus on public conversations and ownership.

Council's role as visionary regional leader, service provider, partner and promoter draws together the skills and resources of other government agencies, businesses and community organisations to contribute to making the Tweed of tomorrow even better than it is today.

Section 404(5) of the Local Government Act 1993 provides that:

*“The general manager must ensure that regular progress reports are provided to the council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months.”*

Consistent with previous practice, the General Manager has elected to report more frequently (on a quarterly basis) to Council on its progress in meeting activities and targets of the Operational Plan.

This is the first quarterly report on the progress of the 2019/2020 plan and following adoption by Council will be made available via the Integrated Planning and Reporting Framework page on Council's website.

The Delivery Program 2017/2021 details projects and services that Council has determined to carry out over the four year period. This quarterly review has identified some of these projects that have either been completed ahead of schedule or will extend into subsequent financial years and it is recommended that the adopted Delivery Program be altered to reflect these adjustments as detailed in the following table.

<b>Service</b>	<b>Project</b>	<b>Alteration</b>
1.1.1 Biodiversity Management	Update mapping of vegetation communities	Extended to 2019/20
1.1.2 Bushland Management	Implementation of the NSW Environmental Trust funded project Investing in the future of Pottsville's koalas	Extended to 2019/20
1.1.3 Coastal Management	Review and update DuneCare Plans of Management	Extended to 2019/20
	Develop Tweed Coastline Management Program	Extended to 2020/21
1.1.4 Environmental Sustainability	Revision of the Tweed community and Council Climate Change Action Plan	Extended to 2019/20
1.2.2 Stormwater Drainage	Bogangar Tamarind Ave	Extended to 2020/21
	Banora Point Pioneer Parade View St	Extended to 2019/20
	Fingal Head Main Rd	Extended to 2020/21
	Fingal Head Elizabeth St	Extended to 2020/21

Service	Project	Alteration
1.3.2 Sewerage Services	Update Strategic Business Plan and actions	Extended to 2019/20
	Field staff mobile system implementation	Extended to 2019/20
1.3.4 Water Supply	Treatment Plant - Uki	Extended to 2020/21
	Update Strategic Business Plan and actions	Extended to 2019/20
1.4.1 Strategic Land-use Planning	Kingscliff Locality Plan	Extended to 2019/20
2.1.1 Building Certification	Develop building services strategy	Extended to 2019/20
2.2.1 Animal Management	Council determination of a new Rehoming Centre/Pound Facility concept	Completed 2018/19
2.2.2 Communications	Implement an improved electronic direct marketing (EDM) subscription service	Extended to 2019/20
	Develop and implement a Destination Brand for The Tweed in partnership with Council's tourism provider	Completed 2018/19
	Review and update Community Engagement Strategy	Completed 2018/19
2.2.3 Customer Service (Contact Centre) & Customer Experience	Implement a Quality Assurance Framework to measure customer satisfaction, service quality and identify improvement opportunities for the Contact Centre	Extended to 2019/20
	Implement online customer payment solution for property related services (e-property project)	Extended to 2019/20
	Review service and complete procurement for After Hours service provider	Extended to 2019/20
3.1.2 Community and Cultural Development	Community Infrastructure Network Plan and review of Developer Contribution Plans for libraries and community centres	Extended to 2019/20
	Develop Community Development Strategies (children, youth, aged, and other social justice groups)	Extended to 2019/20
3.1.3 Community Services	Delivery of My Aged Care contract	Extended to 2019/20
3.1.5 Economic Development	Prepare a prospectus for attracting businesses to the Tweed	Completed 2018/19
	Delivery of the Tweed Economic Development Strategy	Extended to 2019/20
	Review prioritisation of Council budgets and resources for Economic Development and Tourism Promotion	Completed 2018/19
3.1.6 Environmental Health	Building Resilience to Climate Change Grant – Regional Emerging Vectors Response Plan	Extended to 2019/20
3.1.10 Pest Management	Implementation of the NSW Environmental Trust funded project 'Working together to protect native fauna on Fingal Peninsula'	Completed 2018/19
3.2.3 Auditoria	Upgrade of lighting, equipment and universal access to Murwillumbah and Tweed auditoria	Extended to 2019/20
3.2.4 Holiday Parks	Holiday Park enhancement – Pottsville North Holiday Park	Extended to 2021/22
3.2.7 Parks and Gardens	Finalise and adopt shire wide Open space Strategy	Extended to 2019/20
	Development of a shire-wide Youth Facility/Skate Park Action Plan	Extended to 2020/21

Service	Project	Alteration
3.3.4 Roads, traffic, footpaths and cycleways	Murwillumbah Baker St Almac Av to Barnby St	Extended to 2019/20
	Tweed Heads South Fraser Dr Vintage Lakes to end of AC, pump station to rocky cutting	Extended to 2019/20
	South Murwillumbah Tweed Valley Way House #419 to Colin St	Extended to 2020/21
	Mount Warning Mount Warning Rd Kyogle Rd past Tweed River Bridge to first causeway	Completed 2018/19
	Banora Point Greenway Dv West side south of Enterprise Av	Extended to 2019/20
	Tweed Heads Dry Dock Road South side between Cox Street Minjunbal	Extended to 2019/20
4.1.1 Governance	Business Continuity Management	Extended to 2019/20
	Embedding Enterprise Risk Management	Completed 2018/19

An amended Delivery Program 2017-2021/Operational Plan 2019-2020 reflecting these adjustments is attached to this report.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

That Council receives and notes the Corporate Quarterly Performance Report as at 30 September 2019.

That Council adopts the amended Delivery Program 2017-2021/Operational Plan 2019-2020 attached to this report.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Being reported in accordance with requirements associated with Integrated Planning and Reporting Framework.

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

Not Applicable.

**c. Legal:**

In line with the impacts of the adopted Operational Plan.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- Attachment 1. Corporate Quarterly Performance Report for the period 1 July to 30 September 2019 (ECM 6133721)
- Attachment 2. Amended Delivery Program 2017-2021/Operational Plan 2019-2020 (ECM 6133716)
-

**25 [FRIT-CM] Monthly Investment Report for Period ending 31 October 2019**

**SUBMITTED BY: Financial Services**

mhm



**Making decisions with you**

*We're in this together*

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

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

**ROLE:** **Leader**

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**SUMMARY OF REPORT:**

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested. The Executive Manager Finance, Revenue and Information Technology, being the Responsible Accounting Officer, certifies that investments have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies. Council had **\$363,426,914.99** invested as at **31 October 2019** and the net return on these funds was **\$779,355.22** or **2.57%** annualised for the month. (Note: this is actual income received during the month, not accrued interest)

**RECOMMENDATION:**

**That in accordance with Section 625 of the Local Government Act 1993 the Monthly Investment Report as at period ending 31 October 2019 totalling \$363,426,914.99 be received and noted.**

**REPORT:**

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested. The Executive Manager Finance, Revenue and Information Technology, being the Responsible Accounting Officer, certifies that investments have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies. Council had **\$363,426,914.99** invested as at **31 October 2019** and the net return on these funds was **\$779,355.22** or **2.57%** annualised for the month. (Note: this is actual income received during the month, not accrued interest)

**1. Ethical Investments**

<b>Australian Ethical Classification</b>	<b>\$201,100,000</b>	which represents	<b>54.5%</b>	of the total portfolio	<i>Source: Australian Ethical</i>
<b>Market Forces Classification</b>	<b>\$168,350,000</b>	which represents	<b>45.5%</b>	of the total portfolio	<i>Source: Market Forces</i>
Major Differences					
<ul style="list-style-type: none"> <li>• Australian Ethical classify NAB and Westpac as non-fossil fuel lending institutions but not ANZ or CBA</li> <li>• Market Forces classify ANZ as non-fossil fuel lending institution but not CBA NAB or Westpac</li> </ul>					

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

At its 5 November 2019 meeting, the Reserve Bank of Australia (RBA) decided to keep the cash rate at 0.75 per cent.

While the outlook for the global economy remains reasonable, the risks are tilted to the downside. US–China trade and technology disputes continue to affect international trade flows and investment as businesses scale back spending plans because of the uncertainty. At the same time, in most advanced economies, unemployment rates are low and wages growth has picked up, although inflation remains low. In China, the authorities have taken steps to support the economy while continuing to address risks in the financial system.

Interest rates are very low around the world and a number of central banks have eased monetary policy in response to the persistent downside risks and subdued inflation. Expectations of further monetary easing have generally been scaled back over the past month and financial market sentiment has improved a little. Even so, long-term government bond yields are around record lows in many countries, including Australia. Borrowing rates for both businesses and households are also at historically low levels. The Australian dollar is at the lower end of its range over recent times.

The outlook for the Australian economy is little changed from three months ago. After a soft patch in the second half of last year, a gentle turning point appears to have been reached. The central scenario is for the Australian economy to grow by around 2.25 per cent this year and then for growth gradually to pick up to around 3 per cent in 2021.

The low level of interest rates, recent tax cuts, ongoing spending on infrastructure, the upswing in housing prices in some markets and a brighter outlook for the resources sector

should all support growth. The main domestic uncertainty continues to be the outlook for consumption, with the sustained period of only modest increases in household disposable income continuing to weigh on consumer spending. Other sources of uncertainty include the effects of the drought and the evolution of the housing construction cycle.

Employment has continued to grow strongly and has been matched by strong growth in labour supply, with labour force participation at a record high. The unemployment rate has remained steady at around 5.25 per cent over recent months. It is expected to remain around this level for some time, before gradually declining to a little below 5 per cent in 2021. Wages growth remains subdued and is expected to remain at around its current rate for some time yet. A further gradual lift in wages growth would be a welcome development and is needed for inflation to be sustainably within the 2–3 per cent target range. Taken together, recent outcomes suggest that the Australian economy can sustain lower rates of unemployment and underemployment.

The recent inflation data were broadly as expected, with headline inflation at 1.7 per cent over the year to the September quarter. The central scenario remains for inflation to pick up, but to do so only gradually. In both headline and underlying terms, inflation is expected to be close to 2 per cent in 2020 and 2021.

There are further signs of a turnaround in established housing markets, especially in Sydney and Melbourne. In contrast, new dwelling activity is still declining and growth in housing credit remains low. Demand for credit by investors is subdued and credit conditions, especially for small and medium-sized businesses, remain tight. Mortgage rates are at record lows and there is strong competition for borrowers of high credit quality.

The easing of monetary policy since June is supporting employment and income growth in Australia and a return of inflation to the medium-term target range. Given global developments and the evidence of the spare capacity in the Australian economy, it is reasonable to expect that an extended period of low interest rates will be required in Australia to reach full employment and achieve the inflation target. The Board will continue to monitor developments, including in the labour market, and is prepared to ease monetary policy further if needed to support sustainable growth in the economy, full employment and the achievement of the inflation target over time.

*(Source: RBA Monetary Policy Decision)*

### **Council's Investment Portfolio**

Council's investment portfolio is conservatively structured in accordance with NSW Office of Local Government guidelines with approximately 77% of the portfolio held in cash and term deposits. Term deposits and bonds are paying average margins over the 90 day bank bill rate. The benchmark 90 day bank bill rate hit a new low of 0.87% pa during the month.

Bank demand for term deposit funds has waned as overseas wholesale funding alternatives become less expensive in conjunction with a global falling interest rate outlook. At the same time Australian Prudential Regulation Authority (APRA) imposed mortgage lending restrictions have loosened meaning some increased demand for depositor's funds. Banks are also using debt issuance (bonds) as a less expensive source of funds than term deposits.

Many "cash at call" rates are at levels below the RBA cash rate. The historic low cash rate and long-term bond rates are translating to lower total investment yields. This continues to present difficulties obtaining reasonable investment income without risking capital.



All investment categories out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from some longer-dated, higher yielding bonds and recently purchased short-term term deposits. Longer-dated bonds and term deposits are being replaced with short-dated term deposits. Overall, the investment portfolio has returned a weighted average 1.13% pa above the 90 day UBS bank bill index for the last month.

### 3. Term to Maturity

Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	48.32%*	Minimum 40%
More than 365 days and less than 3 years	34.78%	Maximum 60%
3 years and less than 5 years	16.90%	Maximum 35%
Portfolio Total	100.00%	
*Note: Some of Council's Bond Portfolio is included with longer dated maturities i.e. >1 year <5 years however this type of investment can generally be liquidated within two (2) business days		

### 4. Diversification and Credit Risk

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings			Short-Term Credit Ratings		
Credit Ratings	Investment Policy Limit	Portfolio	Credit Ratings	Investment Policy Limit	Portfolio
AAA Category	100%	1.27%	A-1+	100%	13.46%
AA Category	100%	25.78%	A-1	100%	8.81%
A Category	60%	17.04%	A-2	60%	16.51%
BBB Category	20%	12.44%	A-3	20%	0.28%
Unrated	10%	0.83%	Unrated	10%	3.58%

### 5. Investment Summary

#### General Fund

Corporate Fixed Rate Bonds	4,702,789.99	
Floating Rate Notes	77,824,125.00	
Asset Backed Securities	0.00	
Fund Managers	0.00	
Term Deposits	102,000,000.00	
Call Account	.9,900,000.00	<b>194,426,914.99</b>

#### Water Fund

Term Deposits	68,000,000.00	
Fund Managers	0.00	<b>68,000,000.00</b>

#### Sewerage Fund

Term Deposits	101,000,000.00	
Fund Managers	0.00	<b>101,000,000.00</b>

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**Total Investments**

**363,426,914.99**

It should be noted that the General Fund investments of **\$194 million** are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and Council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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

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



**Responsible Accounting Officer**

Executive Manager  
Finance, Revenue & Information Technology  
Tweed Shire Council

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

Not Applicable.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

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

Not Applicable.

**c. Legal:**

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

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

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

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

- (ii) *if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
- (b) *must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*
- (2) *The report must be made up to the last day of the month immediately preceding the meeting."*

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Tweed Shire Council Investment Report – October 2019  
(ECM 6130886).

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

26 [PCG-CM] Audit, Risk and Improvement Committee Report for the year ended 30 June 2019

SUBMITTED BY: Corporate Governance

mhm



### Behind the scenes

*Providing support to make it happen*

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

- 4 Behind the scenes
- 4.1 Assurance
- 4.1.2 Internal Audit - To provide oversight of Council's business activities, identify improvements and support compliance with legislation.

ROLE: Collaborator

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#### SUMMARY OF REPORT:

The Audit, Risk and Improvement Committee is charged with the responsibility of preparing and presenting an annual report to Council on the Committee's activities of the past financial year.

The Audit, Risk and Improvement Committee Annual Report should be considered in conjunction with the 2018/2019 Draft Statutory Financial Reports.

As required under the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee is finalising its Annual Report on the Committee's activities for the financial year ended 30 June 2019, which include review of the 2018/2019 draft Statutory Financial Reports. This report is scheduled for approval by the Committee at its meeting on 18 November 2019.

#### RECOMMENDATION:

**That Council receives and notes the Audit, Risk and Improvement Committee Annual Report highlighting its activities for the financial year ended 30 June 2019.**

**REPORT:**

As required under the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee has prepared an Annual Report on the Committee's activities for the financial year ended 30 June 2019. These activities include review of the 2018/2019 draft Statutory Financial Reports.

The Audit, Risk and Improvement Committee Annual Report for the period ending 30 June 2019 is attached to this report for Council's consideration.

**OPTIONS:**

1. Receive and note the Audit, Risk and Improvement Committee Annual Report highlighting its activities for the financial year ended 30 June 2019.
2. Do not receive and note the Audit, Risk and Improvement Committee Annual Report highlighting its activities for the financial year ended 30 June 2019.

**CONCLUSION:**

The Audit, Risk and Improvement Committee Annual Report is a report on the Committee's activities for the financial year ended 30 June 2019.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Audit, Risk and Improvement Committee Charter v1.8

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

Not applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

The Audit Committee Annual Report informs the community of Council's Audit, Risk and Improvement Committee activities for the financial year ended 30 June 2019.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Signed Annual Report of the Audit, Risk and Improvement Committee for the financial year ended 30 June 2019 to be tabled.

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## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

27 [SUB-TCKM] Minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 17 September 2019

SUBMITTED BY: Sustainability & Environment

mhm

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### Leaving a Legacy

*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.1 Natural Resource Management
- 1.1.1 Biodiversity Management - To protect and manage the environment and natural beauty of the Tweed for current and future generations.

ROLE: **Leader**

---

#### SUMMARY OF REPORT:

The Minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 17 September 2019 are reproduced in the body of this report for the information of Councillors.

#### RECOMMENDATION:

**That the Minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 17 September 2019 be received and noted.**

## **REPORT:**

The Minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 17 September 2019 are reproduced as follows for the information of Councillors.

### **Venue:**

Canvas & Kettle meeting room, Murwillumbah Civic Centre

### **Time:**

1.30 pm

### **Present:**

Rhonda James, Scott Hetherington, Cr Chris Cherry (part, until 3.30pm), Bill Hoskins, Lorraine Vass, David Norris (part, arrived 2.00pm), Jenny Hayes, Mark Kingston.

**Apologies:** Marama Hopkins, Tracey Stinson, Katie Milne.

### **Minutes of Previous Meeting:**

**Moved: Lorraine Vass**

**Seconded: Rhonda James**

**RESOLVED** that the Minutes of the Tweed Coast Koala Management Committee meeting held Tuesday 4 June 2019 be accepted as a true and accurate record of the proceedings of that meeting.

### **Business Arising:**

1. Marama to follow up on Uki plantation site maintenance progress - not commenced, defer to December meeting
2. Scott to invite Director Engineering to next meeting to assist in progressing food tree plantation action - defer to December meeting
3. Marama to recheck tree planting conditions on Men's Shed development approval - complete (addressed in agenda at item 5)
4. Marama to forward link for nominating speed camera locations to committee members - complete
  - Mark noted that there remains a need to perform a viability analysis of the use of average speed cameras at Clothiers Creek Road and other similar locations.
  - Scott noted that there may be some capacity for the project officer to commence investigation, including preliminary consultation with NSW RMS and council's Roads & Stormwater unit once appointed. This action also likely to be incorporated to the KPOM 5 year review, due to be completed in 2020.
5. Marama to request sharing of koala road sightings through Council's social media when opportunity arises - complete
6. Scott to prepare and distribute a media release sharing the successful KPOM outcomes (including the 2018 koala study and habitat restoration progress), together with acknowledgment of the awards received by committee members - not commenced.

7. Scott to request that Tanya undertake an analysis of opportunities and constraints for additional habitat restoration between Pottsville Wetland and Wooyung Nature Reserve, for discussion with committee at next meeting - not commenced (hold over for appointment of new project officer).

**Agenda Items:**

1. *OEH SOS regional koala conservation and recovery project update (Scott)*
  - Project Officer (Envite Environment) appointed after open tender process. Georgina Jones commenced on 28 August 2019.
  - 2-3 days per week for 3 years throughout the project area.
  - Primary role to negotiate voluntary conservation agreements with landowners in the areas of highest regional priority for koala conservation.
  
2. *Lot 919 Pottsville - koala holding facility construction update (Scott)*
  - Food tree plantation (1800 food trees) complete
  - Subdivision plans registered
  - NSW NPWS processing acquisition to finalise land transfer with estimated completion by December.
  - Development application for holding facility construction to be lodged this month
  - Rhonda noted the need to have rubbish removed from this site and to consider removal of any redundant fencing before it becomes difficult to do so due to vegetation regeneration.
  - Rhonda noted that with regard to the recently announced successful grant to Friends of Cudgen Nature Reserve (see general business item 1) that arrangements for the group to work within the relevant volunteer and work, health and safety policies and procedures of council will need to be confirmed and implemented.

**Action:** Scott to request project officer, once appointed, to confirm arrangements for Friends of Cudgen Nature Reserve to operate as volunteers on council land.

3. *NSW Research Plan - 'Maximising outcomes for koalas on private land' project update (Scott)*
  - Project funded through the NSW Koala Strategy Research Plan
  - University of Queensland, RMIT, Sydney University, Biodiversity Conservation Trust, Tweed Shire Council, Lismore City Council and Friends of the Koala.
  - 2 year project, commenced September 2019
  - Project aims:
    1. Quantify how landholder adoption behaviour and climate change interact to drive the benefits of private land conservation initiatives for koalas across northern NSW,
    2. Identify investment strategies in private land conservation that maximise long-term outcomes for koalas per dollar spent and how these vary under different future climate change scenarios, and
    3. Attract Australian Research Council (ARC) Linkage co-funding to expand the approach to the whole of NSW.



4. *Year 4 annual report (Scott)*

- A draft summary report for Year 4 KPOM implementation actions has been prepared for consideration by the committee.
- The committee agreed that a version formatted for online (and hard copy as required) publication be prepared as an important record of the Year 4 outcomes of the plan.
- It was noted that the 300 ha target for additional koala habitat is unable to be met within existing available budget and that it is identified as subject to securing sufficient external funding support in the plan.

**Action:** Scott to finalise the year 4 annual summary report, including the addition of an issues and challenges section as per previous years and arrange design and publication of a version for publication.

**Action:** Rhonda and David to inspect the area west of the Black Rocks Sports Field to identify any areas suitable for planting.

5. *Black Rocks sports field precinct master plan and Men's Shed licence extension - update (Scott)*

- Men's Shed DA (DA15/0160) requirement to plant 15 preferred koala food trees has been confirmed and will be actioned, including confirmation of most suitable location as part of the master plan process.
- The planting of these trees is noted as being additional to any plantings undertaken as part of the proposal to establish buffer areas on the perimeter of the sports field.
- Master plan preparation actions to date include contacting stakeholder groups seeking nominations for the working group and a survey questionnaire distributed to establish potential use and facility requirements. A draft plan for consideration of the working group is anticipated to be available for review before December.
- The Men's Shed licence extension is to be considered at the September council meeting. A report on the submissions received and responses to objections has been prepared. The issues raised by OEH (now DPIE) for consideration have also been addressed in the report.

**General Business:**

1. *Habitat restoration update*

- Friends of Cudgen Nature Reserve have been successful in securing a 3 year restoration and rehabilitation grant for "*Friends improving koala habitat and connectivity on the Tweed Coast*". Site is Lot 919 at Koala Beach and the 3 year project will result in 3000 koala habitat trees planted over 1.2 ha and additional 6.7 ha of koala habitat restored. The first community planting will be on 26 October.
- The Environmental Trust funded "*Investing in the future of Pottsville's Koalas*" project is close to completion. This project has resulted in 2000 koala habitat trees being planted and up to 20 ha of restoration works in koala habitat. Koala habitat planted under this and previous projects are being used by koalas. Koala revegetation works at this site has been well supported by Team Koala and Mount St Patricks College.

- The Improving Your Local Parks and Environment “*Koala Habitat Restoration in Richmond*” grant will finish up in December 2019. Under this project 8000 koala habitat trees have been planted and restoration works have been undertaken across 15 ha of koala habitat. Koala food trees planted only 15 months ago in Cudgen Nature Reserve under this project are now being used by koalas.

2. *Kings Forest update*

- Mark provided an overview of the updated conditions relating to offsets and connectivity measures subsequent to the planning commission determination of the recent Modification 4 to the Kings Forest Koala Plan of Management.
- Mark also noted current work on connectivity measures planned for the Tweed Coast / Depot Road intersection.

3. *Tweed Coast E-zone review*

- Workshop with council was held in August.
- The current implementation status was discussed including: all mapping and clauses complete; consultant engaged to handle pre-gateway public exhibition (November 2019); notification of several thousand landholders required; online mapping tools in development with follow up support to be provided. Key intent to identify and evaluate any issues from landholders prior to gateway exhibition. Exhibition will include round table workshops with key stakeholder group in early stages.

4. *Dunloe Sand Quarry Mod 2 - DPIE consent conditions regarding koala management plan*

- As per consent conditions, the proponent is required to consult with council on the development of the landscape plan and koala management plan.
- The draft plans have been reviewed and comments provided in August 2019.
- A range of issues have been identified for attention including in relation to hours of operation, seasonal koala activity, accountability for actions and the need to suitably recognise the endangered population status.

5. *Recent koala deaths*

- Four koalas brought into care from the Pottsville Wetland area in late July.
- Autopsy results on dead animal and health status update of 2 in rehabilitation not received to date from Currumbin Wildlife Hospital.

6. *Potential koala water stations*

- The committee discussed the need to consider education actions regarding provision of supplementary water for wildlife, including koalas
- Noted the need to ensure that water is provided appropriately, including with regard to hygiene and safe placement to avoid injury or predation from domestic animals.

**Action:** Scott to discuss preparation of a Tweed Link article promoting the value of putting out water for wildlife, including koalas during the current dry conditions.

7. *Team Koala community fun day*

- Team Koala community fun day scheduled for Sunday 22 September 2019
- Schools workshops throughout Tweed have been completed
- Talks, walks, activities and workshops scheduled.

**Next Meeting:** Tuesday 3 December 2019, 2.00pm (Canvas and Kettle meeting room, Murwillumbah Civic Centre)

The meeting closed at 3.55pm

**EXECUTIVE MANAGEMENT TEAM'S COMMENTS:**

Nil.

**EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference – adopted 17 November 2017 (ECM 4316512)

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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28 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held 14 October 2019

SUBMITTED BY: Parks and Active Communities

mhm



**People, places and moving around**

*Who we are and how we live*

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

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

**ROLE:** **Leader**

---

**SUMMARY OF REPORT:**

The Minutes of the Sports Advisory Committee Meeting held Monday 14 October 2019 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That:**

1. The Minutes of the Sports Advisory Committee Meeting held Monday 14 October 2019 be received and noted; and

2. The Executive Leadership Team's Recommendations be adopted as follows:

5. Sports Field Licences Fund Applications

i) *Pottsville Cricket Club - Cricket Pitch and Slab under Shade Structure*

*That Council approves the application for funding from Pottsville Cricket Club for \$7,742.50 for a concrete slab and portable synthetic cricket pitch from the sports field licences fund.*

ii) *Tweed Coast Raiders Senior Rugby League Club/Tweed Coast Raiders Junior Rugby League Club- High Performance Facility*

*That Council approves the application for funding from Tweed Coast Raiders Senior Rugby League Club for \$20,000 to construct a high performance training facility at the Les Burger field from the sports field licences fund.*

***iii) Tweed Border Hockey Association - Field 1 Resurface***

***That Council approves the application for funding from the Tweed Border Hockey Association for \$20,000 for the resurfacing of the synthetic pitch on the main hockey field from the sports field licences fund.***

**REPORT:**

The Minutes of the Sports Advisory Committee Meeting held Monday 14 October 2019 are reproduced as follows for the information of Councillors.

**Venue:**

Banora Point Community Centre

**Time:**

5.15pm

**Present:**

Cr Pryce Allsop, Cr Warren Polglase, Dion Andrews, Bruce Campbell, Linton Alford, Gillian Austin, Tracey Stinson, Stewart Brawley, Tarra Martel, Murray Smith.

**Apologies:**

Rob Nienhuis, Helen Rigney.

**Minutes of Previous Meeting:**

**Moved: Dion Andrews**

**Seconded: Gillian Austin**

**RESOLVED** that the Minutes of the Sports Advisory Committee meeting held Monday 24 June 2019 be accepted as a true and accurate record of the proceedings of that meeting.

**Business Arising:**

Nil.

**Agenda Items:**

**1. Welcome by Stewart Brawley**

Welcome was extended to Tracey Stinson - Director Sustainable Communities and Environment, Tweed Shire Council and Tarra Martel - Education Officer, Resource Recovery Unit, Tweed Shire Council.

---

**2. Zero Waste Presentation - Tracey Stinson and Tarra Martel**

Tarra gave a presentation to the committee on Council's policies and strategies to reduce waste issues in the Tweed Shire Community. Tarra specifically focused on options and strategies around better waste management practice in regards to community and sporting events on Council land, and how Council and the Committee could assist users and event organisers in adopting and developing strategies to better manage waste and recycling practices. A robust discussion was had on several matters including: Council's bin/waste management in parks and sport and recreation facilities; some of the suggested options for community groups and users in changing their waste management strategies.

---

### **3. Program Leader - Parks and Active Communities**

Stewart Brawley introduced Murray Smith, Council's new Program Leader - Recreation, for the Parks and Active Communities Team. Stewart spoke of the role of the position, the recent restructure of the division and some of the key projects moving forward. Murray Smith then introduced himself and gave a brief background of his professional and sporting history.

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### **4. TOMRA Request for Sport Field Locations**

Recent request(s) from TOMRA Group regarding installing 'Return and Earn' recycling stations at Council grounds / car parks were discussed, with a specific request to install a station at the Dave Burns Sports Field car park. The committee unanimously agreed that the requested location was not a suitable location for such a facility.

---

### **5. Sports Field Licences Fund Applications**

#### *i) Pottsville Cricket Club - Cricket Pitch and Slab under Shade Structure*

The club requested \$7,742.50 in funding for a total project cost of \$15,485 - to lay a concrete slab under the new shade structure at Sea breeze Sports Field Club House, and purchase a Flicx portable synthetic cricket pitch for junior cricket matches. The club is funding the other half of the project (\$7,742.50).

**Moved: Cr Allsop**

**Seconded: Gillian Austin**

#### **RECOMMENDATION:**

That Council approves the application for funding from Pottsville Cricket Club for \$7,742.50 for a concrete slab and portable synthetic cricket pitch from the sports field licences fund.

#### *ii) Tweed Coast Raiders Senior Rugby League Club/Tweed Coast Raiders Junior Rugby League Club- High Performance Facility*

The clubs requested \$20,000 in funding for a total project cost of \$210,000 - to construct a high performance training facility/shed at Les Burger Field, Cabarita. Other funding sources include: \$55,000 (Stronger Communities Fund); \$35,000 (Senior and Junior Rugby League Contributions); \$100,000 (Sponsorship and In-kind Contributions).

**Moved: Cr Allsop**

**Seconded: Gillian Austin**

#### **RECOMMENDATION:**

That Council approves the application for funding from Tweed Coast Raiders Senior Rugby League Club for \$20,000 to construct a high performance training facility at the Les Burger field from the sports field licences fund.

#### *iii) Tweed Border Hockey Association - Field 1 Resurface*

The club requested \$20,000 in funding for a total project cost of \$328,230 - to resurface the existing synthetic turf pitch on the Association's main field. The Association is funding the remaining \$308,230 of the project from their own cash reserves. The Association caters to a number of clubs throughout the Shire.

**Moved: Cr Allsop**  
**Seconded: Gillian Austin**  
**RECOMMENDATION:**

That Council approves the application for funding from the Tweed Border Hockey Association for \$20,000 for the resurfacing of the synthetic pitch on the main hockey field from the sports field licences fund.

---

## **6. BBQ Trailer Donation - Terranora Lions Club**

Bruce Campbell advised the Committee of the generous donation of a BBQ Trailer from the Terranora Lions Club to the Tweed Shire Community. Its capability was discussed and it was agreed that it would be a valuable asset for the community in general. Stewart Brawley advised he will investigate internal options/feasibility within Council to house and utilise the trailer. Cr Allsop mentioned that similar trailers are used by the SES to provide services for SES/Firefighting staff - this may be an option for the trailer as well.

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## **7. Sports Club/Community Organisation Storage Requests**

Murray Smith advised the committee on a number of storage (permanent & temporary) requests from a variety of user groups across the Shire, and asked for the Committee's inputs and position, particularly on temporary storage in Council parks. The committee agreed that storage and temporary storage should be assessed on a case-by-case basis for sport clubs on sports fields, however storage requests for temporary containers within Council parks were not preferable. Murray advised Council will look to develop a more specific policy position on the matter.

---

## **8. Capital Works Update**

Stewart Brawley and Murray Smith gave the committee a report on current Capital Works Projects relating to sport, recreation and parks throughout the Tweed Shire.

### **Capital Works**

- Tweed Coast Raiders - Training / High Performance Centre
    - Construction has started - slab down
    - Total Project Cost - \$200K
  
  - Kingscliff Regional Sports Complex - Walter Peate
    - Athletics Components Procurement process finalised > Construction to start late October 2019.
    - Buildings Design/Specs Procurement Process finalised - Contract awarded > Designs Finalised 4 weeks approx.
    - Buildings Construction Procurement Process > late Nov 2019
    - Construction Start - Approx. Late Feb
    - Lighting - similar timeframes to Building Construction
    - Project Likely to be finalised by June 2020.
    - Total Project Cost - \$3.2 million
-



- Arkininstall Park Tennis - Upgrade 2 Futsal Courts through Pro-One
  - finished this week (18 October 2019)
  - Total Project Cost - \$47,000
- Arkininstall Park - Regional Sporting Complex
  - Re-engaged with Department of Education this week to revisit progressing MOU
- Barry Shepherd Field - Amenities/Clubhouse Project + Canteen Upgrade
  - Meeting (within next 2 weeks) with both senior and junior club's to continue design/spec conversations and discuss options from here.
  - Total Project Cost - \$350K+
- Casuarina Rugby Club - Field Lighting - Field #2
  - Initial Lighting design phase
  - Total Project Cost - \$100K
- Knox Park - Multi-use Court
  - Spec recently changed to include both basketball/netball facilities on the court including line-marking
  - Out to market late this week (18.10)
  - Finalised by the end of the year
  - Total Project Cost - Part of Overall TPC - \$1.3million
- Murwillumbah Hockey - Field 2 Lighting
  - Stronger Communities Grant
  - Started Essential Energy Transformer Upgrade + Level 3 Energy Design Process - 2 weeks ago > takes approx. 30-36 weeks
  - Lighting designs being completed currently.
  - Total Project Cost - \$250K
- Stan Sercombe - Grandstands
  - Going to market for a structural engineer's report on structural integrity
    - Will determine if upgrade or rebuild is best way to go.
  - Total Project Cost - \$315K
  - Pending Grant Application
- Uki Sports Club
  - Upgrade Field Lighting
  - Design/Quotation Process
  - Total Project Cost - \$50-\$60K (TBC)
- Les Cave Sportfields
  - Changerooms Rebuild
  - Close to Practical Completion
  - Total Project Cost - \$272K

- Youth Precinct - Recreation Ground
    - Pending Grant Application
    - Total Project Cost - \$463,000
  
  - Pottsville Tennis Clubhouse Extension
    - Pending Grant Application
    - Total Project Cost - \$150k
- 

## 9. Parks and Active Communities Strategic Projects

Murray Smith gave the committee a report on current and future strategic projects his position will be undertaking for Council and the community.

### Parks

- Jack Evans Boat Harbour
  - Revetment Construction East and West
  - Construction Completed
  - Total Project Cost - \$55K
  
- Lions Park - Park Upgrade and Heritage Assessment
  - Completed - August
  - Total Project Cost - \$846,549
  
- Fingal - Construction of Accessible Play Space
  - Concept Plan - With State Gov for approval
  - Waiting on Aboriginal Cultural Heritage Plan > for advice/direction
  - Total Project Cost - \$220K
  
- Terranora - Bushranger Park
  - Replacement of play equipment
  - Currently under construction - likely completion 31<sup>st</sup> October 2019
  - Total Project Cost - \$30K
  
- Jack Chard Park
  - New Playground
  - Pending public consultation
  - Total Project Cost - \$106K
  
- Exercise Equipment Projects
  - Knox Park - Installed and activated mid-November
  - Pottsville - completed prior to Christmas
  - Final three (Arkinstall, Recreation Park, Banora Point) > due for completion April 2020.
  - Total Project Cost - \$320K

## **Strategic/Operational Planning Projects**

- **Leasing and Licensing Policy**
  - Reviewing Council's Communities Unit current DRAFT leasing/licensing policy
  - Desktop review of recent, other LG Policy positions in this area.
  - Pressing need for Council to review existing leases and licensing + current procedures etc.
  - Link with organisational sustainability/governance etc.
  
- **Sports Field Strategy**
  - Key Objective of Open Space Strategy
  - Review/update current provision levels + assess major gaps
  - Significant deficit
  - Review of sports/clubs now
  - Update on population growth
  - Identify key areas + land acquisition options
  
- **Cross Border Sports**
  - Unusual dynamic for sport and rec orgs in the Tweed Shire Council
  - Significant participation/affiliation with Gold Coast/QLD organisations
  - Impact:
    - Member numbers
    - Pathways
    - Affiliation/Insurance costs
    - Organisational sustainability
    - Impact on usage and management of Council facilities
    - Negative impact on Tourism opportunities
      - Capacity of organisations and venues to attract major tournaments/carnivals.
  
- **Sub Division/Developer Contribution Assessment and Negotiation Input/Process of Recreation Services**
  - Review
  - Consultation Process (internal)
  - Formalise
  - Streamline.
  
- **Blackrocks Masterplan**
  - Rec Planning staff currently going through next phase of Master-planning process - 1<sup>st</sup> draft / concept plan soon to be discussed with stakeholder/consultation group.
  - Second workshop planned mid November 2019
  
- **Storage Policy**
  - To provide Council with an organisational approach to storage requests for both users on Council sportsgrounds + those not on designated sportsgrounds (Parks/general open space)

- Sports Field Sustainability - Feasibility Study/Business Case
    - Feasibility Study to investigate potential use of rainwater/storm water harvesting systems for sports field irrigation.
- 

## **General Business:**

### **1. Australia Day Awards - Sports Person Award**

Tracey Stinson spoke about the upcoming 'Australia Day Awards' and asked the committee to consider potential nominees for the 'Sports Person of the Year Award'. The committee agreed to look at options from the Shire. Several potential nominees were discussed.

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### **2. Arkinstall Park - Tennis Facility**

Committee members discussed some of the repair and maintenance issues noticed at the facility - queried whose responsibility these are considering the management agreement associated with the facility. Stewart and Murray advised that these were covered in the 'management agreement' between the Third Party and Council, and that the new Program Leader position, (Murray Smith), is responsible for managing the contract. Murray will work with ProOne Tennis to investigate any maintenance issues and manage within the conditions of the Management Agreement when meeting with the club at the end of October 2019.

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### **3. Future Directions of the Committee in General**

Dion brought up the relevance of the committee and current function in the community. Dion recommended the committee consider a 'Sports Awards Event' for the Tweed Shire Community to be initiated / managed by the committee. Dion mentioned he had spoken to several clubs in the community who were all supportive of the idea. The Committee agreed it would be a good idea worth exploring. Bruce Campbell suggested a website to promote any potential event. Stewart Brawley discussed the potential impacts on Council resources if Council were asked to manage the event. Murray Smith suggested he explore other, similar events in other regions and how they manage such events, with a view to provide a report on the findings to the next committee meeting.

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## **Next Meeting:**

The next meeting of the Sports Advisory Committee will be held 2 December 2019 at 5.30pm.

The meeting closed at 7.40pm.

## **EXECUTIVE LEADERSHIP TEAM COMMENTS:**

### **5. Sports Field Licences Fund Applications**

Nil.

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**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

**5. Sports Field Licences Fund Applications**

**i) Pottsville Cricket Club - Cricket Pitch and Slab under Shade Structure**

*That Council approves the application for funding from Pottsville Cricket Club for \$7,742.50 for a concrete slab and portable synthetic cricket pitch from the sports field licences fund.*

**ii) Tweed Coast Raiders Senior Rugby League Club/Tweed Coast Raiders Junior Rugby League Club- High Performance Facility**

*That Council approves the application for funding from Tweed Coast Raiders Senior Rugby League Club for \$20,000 to construct a high performance training facility at the Les Burger field from the sports field licences fund.*

**iii) Tweed Border Hockey Association - Field 1 Resurface**

*That Council approves the application for funding from the Tweed Border Hockey Association for \$20,000 for the resurfacing of the synthetic pitch on the main hockey field from the sports field licences fund.*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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**29 [SUB-EAC] Minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 October 2019**

**SUBMITTED BY: Community and Cultural Services**

mhm

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**People, places and moving around**

*Who we are and how we live*

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

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

**ROLE:** Advocate

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**SUMMARY OF REPORT:**

The minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 October 2019 are reproduced in the body of this report for the information of Councillors.

**RECOMMENDATION:**

**That the minutes of the Equal Access Advisory Committee Meeting held Wednesday 16 October 2019 be received and noted.**

## REPORT:

The minutes of the Equal Access Advisory Committee meeting held Wednesday 16 October 2019 are reproduced as follows for the information of Councillors.

### Venue:

Banora Point Community Centre

### Time:

10:00am

### Present:

Prospero Aplet (Chair), Una Cowdroy, Suzanne Hudson (Community Representatives), Cr Warren Polglase, Robert Noakes, Jennifer Grainger, Shannon Rees (Council Representatives)

### Guests:

Jodie Hewett, Tweed Shire Council - Recreation Planner  
Lynda Hope, Social Futures - Manager Capacity Building and Engagement  
Shay Churchill, Social Futures - Community Engagement Coordinator

### Apologies:

Milena Morrow, Alana Brooks, Chantelle Howse, Wendy Gilbertt

### Minutes of Previous Meeting:

The Minutes of the Equal Access Advisory Committee meeting held Wednesday 11 September 2019 have not yet been presented to Council for endorsement. The minutes will be presented for approval at the December EAAC meeting.

### Outstanding Matters Report:

#### **OM1. Kerb ramps on Florence Place and Winders Place - carried over until December meeting**

Una advised that she and Alana have not yet revisited the area to identify priority kerb ramps in order that they can be addressed in the Pedestrian Access and Mobility Plan (PAMP).

**Action:** *Revisit the area and identify priority kerb ramps for upgrade. Responsible Officers: Alana Brooks with Una Cowdroy.*

**Action:** *Provide an update of the PAMP at next meeting. Responsible Officer: Alana Brooks.*

#### **OM2. Requests for Accessible Parking Spaces - these matters will continue to be raised and reported on at EAAC meetings.**

While no protocol exists, the Roads and Stormwater Unit respond to issues where possible. There are issues with installing Accessible Parking Bays on roads due to space constraints especially allowing for rear exiting wheelchairs from vans.

**Action:** *Respond to questions and issues as they arise. Responsible Officer: Alana Brooks.*

**OM3. Footpath parking - these matters will continue to be raised and reported on at EAAC meetings.**

Council Rangers will continue to monitor footpath parking throughout Tweed Shire.

**Action:** *Liase with Council Rangers regarding vehicles being parked on footpaths blocking the thoroughfare for pedestrians using the footpath. Responsible Officers: Alana Brooks, Chantelle Howse.*

**OM4. Equal Access Advisory Committee 21<sup>st</sup> Birthday**

Tweed Shire Council's Equal Access Advisory Committee officially turns 21 in December. The committee is keen to acknowledge the occasion in two ways.

In addition to the Murwillumbah Show, members would like a celebration event to formally recognise the group's longstanding role in the community. They would like to invite past and present members including Council staff and Councillors, and would like to acknowledge the many achievements over the years. The group will consider if they'd prefer a committee led event held out of Council hours, or if they'd prefer a Council led celebration. The group is aware that this event may need to be held over for a couple of months whilst the Community Development team recruits new staff.

On 1 and 2 November the Committee will have a presence at the Murwillumbah Show. Activities are as follows:

**a) Information table**

- The EAAC booked one outdoor site alongside three other Council sites.
- Information will be provided by the EAAC and Social Futures with a focus on information *not branding*.

**b) Access at a Glance**

- There will be laminated signs highlighting accessible features at the Show.
- The Murwillumbah Show secretary will update the online map to include accessible features.

**c) True or False**

- The public will be asked True / False questions to gauge their understanding of access and inclusion.
- Responses will be collected using two different formats:
  - Questions / answers written on a large board located at the stall; and
  - Filmed interviews which can be organised in a discreet location near the stall for willing participants.

**d) Tweed Link / Media Release**

- A draft media blurb for the Murwillumbah Show is with the Communications Team.
- Cr Polglase will mention the event on radio.

**e) Transportation**

Tweed Shire Council is providing transportation for EAAC members to attend or help out at the event.



**f) Assistance**

Show organisers will have people at the grounds advising and assisting patrons with access inquiries and issues.

**g) Schedule**

- The Show hours are from 8:00am to 11:15pm (Stall holders concluding at 5:00pm each day).
- Social Futures and TSC staff will be available to cover both days.

**Action:** *Meet with Lynda Hope on 28 October to carry out a mini Site Access Audit and decide where to put signage. Responsible Officers: Jennifer Grainger and Prospero Aplet.*

**OM5. Committee Membership**

Membership nominations must go to Council before anyone can be formally recruited to the Committee. Jenifer needs to have Expression of Interests as soon as possible, or the task will fall to the new Community Development Officer once appointed. Council is doing a review of its Advisory Committees so now is a good opportunity to update membership. Lynda Hope has two people who are potential members. One is a carer whose daughter has early onset dementia. Suzi has someone interested in joining and thought she had already submitted an EOI but this has not been received by Council.

**Action:** *Names and contact details of potential community representatives of the EAAC to Jennifer Grainger. Responsible Officers: EAAC members.*

**Agenda Items:**

**A1. Access and Inclusion Planning (Disability Inclusive Action Plan).**

Held over until December meeting.

**A2. Open Space Strategy and Inclusive Play Spaces Presentation: Jodie Hewett**

Part of the Open Space Strategy focuses on inclusive play spaces for children and carers / supervisors. During the consultation period the community prioritised more inclusive and nature based play experiences. The Strategy is a comprehensive document, but a summarised implementation plan is available.

**Action:** *Send a copy of the Strategy to members, including a Plain English version and a pictorial version when they are available. Responsible Officer: Jodie Hewett.*

**Action:** *Consult with EAAC on planning for inclusive play spaces and on the upgrade of district and regional parks. Responsible Officer: Jodie Hewett.*

Council was successful in its grant application for an inclusive play space at Fingal Head. The proposed design includes inclusive play equipment (eg. Swings, carousel etc), sensory elements, accessible park furniture, rubber soft fall, 1.5 meter pathways through the park, and an upgrade of the existing viewing platform (to be more inclusive and to improve views for people in wheelchairs). The 'Everyone Can Play' guidelines have been developed, and this park will apply the new guidelines (design principles and a checklist). Jodie distributed the concept plan to the committee and requested feedback. Prospero provided a few comments related to pathway width and the two designated accessible parking bays next to the Final Head Surf Club. She was concerned about their width and the continuous path of travel to

and from the parking bays to the park elements and potential conflict between users. Jodie pointed to nodes for passing on the pathway and noted that access to the disabled car parks may require a review to allow people to exit from the rear of a vehicle safely. Jodie is required to submit the concept plan to the NSW Government for approval and she encouraged further comments from the Committee be forwarded to her as soon as possible (within four weeks). A Cultural Heritage Assessment is currently being undertaken and the project is dependent on the results of this assessment.

**Action:** *Provide comments on the Fingal Foreshore Park concept plan directly to Jodie or through the Community Development Team within four weeks. Responsible Officer: Community Development Officer - Aged and Disability and EAAC community members.*

### **An Inclusive Play Space to be Installed at Jack Evans Boat Harbour**

Council has been approached to provide an inclusive play space at Jack Evans Boat Harbour. Council has been offered a grant of \$30,000 from Variety, Livvi's Place to review the initial concept plan for Ebenezer Park and apply it to Goorimahbah - Place of Stories (where practical). The Aboriginal Advisory Committee was supportive of the concept and has provided some design ideas to incorporate cultural values into the plan. In a report to Council it was proposed that the funds originally allocated to the All Inclusive Play Space proposed for Ebenezer Park be used to integrate inclusive play features across Council's network of playgrounds in the Tweed, rather than directing all funds to one location. It was also proposed in the Council report that Council commit funds to further engage people with disabilities to ensure their needs are identified and addressed when we are planning inclusive play spaces, parks and other open spaces. Jodie is seeking to engage the committee to look at how best to direct consultation activities. In relation to Goorimahbah - Place of Stories, Prospero noted that it would be good to seek advice on the needs of people with autism spectrum disorder (ASD) and to engage with service providers. Susi identified demand for a Liberty Swing, as there is not one located in the Tweed. Robert noted that Liberty Swings could be isolating for the participant and also are often vandalised or not maintained. Jodie advised that there are numerous swing options available now and that demand for a Liberty Swing (as a high cost item) will be identified through the community engagement process.

**Action:** *Send engagement suggestions directly to Jodie Hewett or through the Community Development Team. Responsible Officers: Community Development Officer - Aged and Disability and EAAC community members.*

**Action:** *Research who is currently using wheelchair swings and if they are well utilised and functional. Responsible Officer: Jodie Hewett.*

### **General Business:**

Presentation by representatives of Social Futures on NDIS and GP support training, grant opportunities and capacity building projects.

### **Next Meeting:**

The next meeting of the Equal Access Advisory Committee will be held Wednesday 18 December 2019.

The meeting closed at 11:45am.

**EXECUTIVE LEADERSHIP TEAM'S COMMENTS:**

Nil.

**EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

Terms of Reference - Equal Access Advisory Committee adopted 12 December 2013 (ECM 2847116)

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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30 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held 24 October 2019

SUBMITTED BY: Roads and Stormwater

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**People, places and moving around**

*Who we are and how we live*

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

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

ROLE: **Advocate**

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**SUMMARY OF REPORT:**

The Minutes of the Local Traffic Committee Meeting held 24 October 2019 are reproduced in the body of this report for the information of Councillors.

These minutes have also been circulated to members and support of regulatory items from both NSW Roads and Maritime Services and NSW Police has been obtained.

**RECOMMENDATION:**

That:

1. The Minutes of the Local Traffic Committee Meeting held 24 October 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

**A1 [LTC] Condong Street and Riverview Street, Murwillumbah**

*That the installation of a yellow 'No Stopping' edge line on Condong Street from Riverview Street to the driveway of 48 Condong Street be supported.*

**A2 [LTC] Clareville Road, Smiths Creek**

*That 'No Parking 3 to 4.30pm school days' signage be supported in the bulb of Clareville Road to safely manoeuvre the school bus.*

**A3 [LTC] Tweed Coast Road, Chinderah**

**That:**

- 1. The right turn lane from Tweed Coast Road into Morton Street be shortened and install a back to back right turn into the golf course.**
- 2. Signage on the southbound approaches to Morton Street, Chinderah, from the service station be reviewed.**
- 3. Crash history and possible treatments for a possible Black Spot nomination for 2021/2022 be considered.**

**A4 [LTC] Minjungbal Drive and Lloyd Street, Tweed Heads South**

**That a 'No U-Turn' sign be installed in the centre median of Minjungbal Drive on the southern approach to Lloyd Street, Tweed Heads.**

**A5 [LTC] 2020 NSW Surf Life Saving Country Championships - 31 January to 2 February 2020**

**That the Traffic Management Plan for the NSW Surf Life Saving Championships from Friday 31 January to Sunday 2 February 2020 be supported subject to the following conditions:**

- 1. NSW Police approval being obtained.**
- 2. Conformance with a Traffic Management Plan and associated Traffic Control Plans (submitted to Council at least 2 weeks before the event) implemented and controlled by Roads & Maritime Services accredited persons.**
- 3. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.**
- 4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link and local newspapers, at their expense, a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.**
- 5. Adequate public liability insurance being held by the event organiser.**
- 6. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.**
- 7. Consultation with emergency services and any identified issues addressed.**
- 8. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.**
- 9. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.**
- 10. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.**

**A6 [LTC] Hastings Road and Reef Water Circuit, Bogangar**

***That a continuity line be installed on Hastings Road at the intersection of Reef Water Circuit.***

**REPORT:**

The Minutes of the Local Traffic Committee Meeting held 24 October 2019 are reproduced as follows for the information of Councillors.

**VENUE:**

Mt Warning Meeting Room

**TIME:**

Commencing at 9.30am

**PRESENT:**

**Committee Members:** Cr James Owen (via teleconference), Katherine Boulton, Roads and Maritime Services of NSW, Detective Chief Inspector Matt Keogh, NSW Police, Mr Col Brooks on behalf of Janelle Saffin MP, Member for Lismore, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed.

**Informal:** Mr Ray Clark (Chairman), Ms Judith Finch (Minutes Secretary).

**APOLOGIES:**

Miss Alana Brooks, Snr Constable Chris Davis, Janelle Saffin MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Mr Nic Harrigan.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MIN1 [LTC-MIN] Confirmation of Previous Minutes Meeting held 26 September 2019**

**ORIGIN:**

Roads & Stormwater

**RESOLVED** that the Minutes of the Local Traffic Committee Meeting held 26 September 2019 be adopted as a true and accurate record of the proceedings of that meeting.

**SCHEDULE OF OUTSTANDING RESOLUTIONS**

**SCH1 [LTC-SOR] Schedule of Outstanding Resolutions - 24 October 2019**

**B2 [LTC] Fraser Drive, Banora Point**

**ORIGIN:**

Roads & Stormwater

**FILE NO:** ECM5785148; Traffic - Committee; Fraser Drive – Banora Point; Harrier Street; Speed Zones

**SUMMARY OF REPORT:**

Request received for a reduction of the 80km/h speed limit on Fraser Drive.

**Applicant's Information:**

The applicant is concerned that the speed limit is inconsistent and inappropriate given the adjacent developments.

**Officer's Comment:**

The 80km/h section on Fraser Drive is approximately 1km in length from Harrier Street to just north of Vintage Lakes Drive. There is 60km/h sections north and south of this speed zone.

A review of the five year crash history found one non-injury and one injury crash, both single vehicle run off road.

The new developments accessing Fraser Drive have 2 intersections which have been designed for an 80km/h speed zone.

The Chairman requested that this item be added to the Schedule of Outstanding Resolutions.

**COMMITTEE ADVICE:**

**That:**

1. The request for a reduction of the 80km/h speed limit on Fraser Drive, Banora Point be referred to the Roads and Maritime Services, who are the authority on speed limits in NSW.
2. This item be placed on the Schedule of Outstanding Resolutions.

*Current Status: That Fraser Drive, Banora Point (B4) from Local Traffic Committee meeting held 26 September 2019 remain on the list of Outstanding Resolutions.*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 2 May 2019 (Item B4).*

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**B3 [LTC] Dulguigan Road, North Tumbulgum**

**ORIGIN:**

**Roads & Stormwater**

FILE NO: ECM 6013170; ECM5960501; Traffic - Committee; Safety; Speed Zones; Heavy Vehicles; Dulguigan Road, North Tumbulgum, Kynumboon, Dulguigan, Uriup

**SUMMARY OF REPORT:**

**Applicant's Information:**

Following risks identified in a heavy vehicle route assessment the Tumbulgum Community Association has requested a reduction in speed limit from a default 100km/h to 80km/h.



**Officer's Comment:**

The road has a number of heavy vehicle movements to access Hy-tech quarry. The speed limit for trucks on Dulguigan Road is 60km/h. The 85<sup>th</sup> percentile for cars on the straight sections of Dulguigan Road is approximately 86km/h.

The Chairperson requested that this item be moved to Schedule of Outstanding Resolutions to allow for review by Roads and Maritime Services.

**COMMITTEE ADVICE:**

**That the request for speed limit reviews on Dulguigan Road be referred to the Roads and Maritime Services, who are the authority on speed limits in NSW, being:**

1. 100km/h speed limit for light vehicles be reduced to 80km/h
2. 60km/h speed limit for heavy vehicles be reduced to 50km/h

*Current Status: That Dulguigan Road North Tumbulgum (B5) from Local Traffic Committee meeting held 26 September 2019 remain on the list of Outstanding Resolutions.*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 22 August 2019 (Item B5).*

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**BUSINESS ARISING**

Nil.

**A. FORMAL ITEMS SECTION**

**DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH**

**A1 [LTC] Condong Street and Riverview Street, Murwillumbah**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM6075904; Traffic - Committee; Traffic - Line Marking; Traffic - Parking Zones; Riverview Street; Condong Street

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received regarding drivers parking too close to the intersection of Condong Street and Riverview Street, Murwillumbah, on the north east corner of the intersection in Condong Street.

Due to vehicles parked close to Riverview Street buses have to continue onto Prince Street. The applicant believes there is a need for a yellow line near the intersection.

**Officer's Comment:**

To support the local bus company a yellow edge line could be installed to improve manoeuvrability of the bus.

**RECOMMENDATION TO COUNCIL:**

That the installation of a yellow 'No Stopping' edge line on Condong Street from Riverview Street to the driveway of 48 Condong Street be supported.

*FOR VOTE - Cr James Owen (via audioconference), Detective Chief Insp Matt Kehoe, NSW Police, Col Brooks on behalf of Janelle Saffin, Member for Lismore, Katherine Boulton, Roads and Maritime Services of NSW*

*PRESENT. DID NOT VOTE - Rod Bates on behalf of Mr G Provest, Member for Tweed*

**A2 [LTC] Clareville Road, Smiths Creek**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM 6103385; Traffic - Committee; Traffic - Safety; Signs - Traffic Issues; Transport - Bus Services - General; Clareville Road, Smiths Creek

**SUMMARY OF REPORT:**

**Applicant's Information:**

The bus operator has requested 'No Parking' signs at the bulb on Clareville Road to allow a turn-around area for the school drop offs as vehicles that may park there would prevent the bus from safely turning around.

This item was originally discussed at the Local Traffic Committee meeting held 2 May 2019 and the following advice was provided to the bus company:

*"that the current practice of dropping off students on the incorrect side of the road is unsafe and should be discontinued. The preferred option is for the operator to enter Clareville Road and carry out a "U" turn at a safe location."*

**Officer's Comment:**

The bus company now has approval from Transport NSW to enter Clareville Road to drop off the high school students. The operator has requested 'No Parking' signage to be installed in the bulb of Clareville Road to safely manoeuvre the bus. 'No Parking 3 to 4.30pm school days' signage at this location has now been installed and retrospective endorsement is being sought. At this stage, the Primary School students are remaining on the bus and being dropped off on the return trip on the same side of Smiths Creek Road as Clareville Road. However if this changes the signage will cover Primary and High School drop offs.

**RECOMMENDATION TO COUNCIL:**

That 'No Parking 3 to 4.30pm school days' signage be supported in the bulb of Clareville Road to safely manoeuvre the school bus.

*FOR VOTE - Cr James Owen (via audio conference), Detective Chief Insp Matt Kehoe, NSW Police, Col Brooks on behalf of Janelle Saffin, Member for Lismore, Katherine Boulton, Roads and Maritime Services of NSW*

*PRESENT. DID NOT VOTE - Rod Bates on behalf of Mr G Provest, Member for Tweed*

**DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS**

**A3 [LTC] Tweed Coast Road, Chinderah**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM 6103349; Traffic - Committee; Traffic - Safety; Signs - Traffic Issues; INF15 - Tweed Road Development Strategy Review; Morton Street; Tweed Coast Road, Chinderah

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received from a customer to review two safety issues on Tweed Coast Road, Chinderah. The first is the right turn into the golf course and the risk of rear-end crashes from through traffic travelling southbound on Tweed Coast Road. The second issue is the risk of rear-end crashes for through traffic travelling southbound on Tweed Coast Road with motorists turning left into Morton Street. Customer suggests improved signage and left turn arrows into Morton Street.

**Officer's Comment:**

There have been two rear-end crashes involving motorists turning right into the golf club. This could be prevented by shortening the right turn into Morton Street and providing a right turn lane into the golf course. A concept design will be tabled at the meeting.

There have been 4 southbound crashes on the approach to Morton Street: lane change right; U-turn; run off road and a rear-ender. The Tweed Road Development Strategy plans to relocate the Morton Street southbound, further from the merge points, which should improve safety. However, the new intersection is subject to the surrounding land being developed.

**RECOMMENDATION TO COUNCIL:**

That:

1. The right turn lane from Tweed Coast Road into Morton Street be shortened and install a back to back right turn into the golf course.
2. Signage on the southbound approaches to Morton Street, Chinderah, from the service station be reviewed.

**3. Crash history and possible treatments for a possible Black Spot nomination for 2021/2022 be considered.**

***FOR VOTE - Cr James Owen (via audioconference), Detective Chief Insp Matt Kehoe, NSW Police, Rod Bates on behalf of Mr G Provest, Member for Tweed, Katherine Boulton, Roads and Maritime Services of NSW***

***PRESENT. DID NOT VOTE - Col Brooks on behalf of Janelle Saffin, Member for Lismore***

**A4 [LTC] Minjungbal Drive and Lloyd Street, Tweed Heads South**

**ORIGIN:**

Roads & Stormwater

**FILE NO:** ECM6090749; TRA19/0041; Traffic-Committee; Traffic-Safety; Street-Signs; Minjungbal Drive, Tweed Heads South; Lloyd Street, Tweed Heads South

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received for the provision of a 'No U-Turn' sign at the intersection of Lloyd Street and Minjungbal Drive, heading north. It is reported that people are stopping in the right hand lane on Minjungbal Drive to do a U-Turn to head back south along Minjungbal Drive.

**Officer's Comment:**

It is unsafe to carry out a u-turn at this location.

**RECOMMENDATION TO COUNCIL:**

**That a 'No U-Turn' sign be installed in the centre median of Minjungbal Drive on the southern approach to Lloyd Street, Tweed Heads.**

***FOR VOTE - Cr James Owen (via audioconference), Detective Chief Insp Matt Kehoe, NSW Police, Rod Bates on behalf of Mr G Provest, Member for Tweed, Katherine Boulton, Roads and Maritime Services of NSW***

***PRESENT. DID NOT VOTE - Col Brooks on behalf of Janelle Saffin, Member for Lismore***

**A5 [LTC] 2020 NSW Surf Life Saving Country Championships - 31 January to 2 February 2020**

**ORIGIN:**

Roads & Stormwater

**FILE NO:** Traffic - Committee; Surf Life Saving Club - Cudgen/Kingscliff; Community Events on Council Administered Land; Festivals / Events - Other; Traffic - Local Area Traffic Management; Marine Parade; Turnock Street; Seaview Street

**SUMMARY OF REPORT:**

**Applicant's Information:**

The NSW Surf Life Saving Championships will be held from Friday 31 January to Sunday 2 February 2020.

Over 1,500 competitors and 150 officials will arrive late in the week and depart Monday:

- Thursday 30 January - craft trailers and equipment arrival
- Friday 31 January - meetings, briefing, water and beach arena build
- Saturday 1 February - Day 1 of competition
- Sunday 2 February - Day 2 of competition

There are no road closure applications for this event however it is expected to have a significant impact on local traffic and a traffic management plan will be tabled at the meeting.

**Officer's Comment:**

This event is using a similar traffic management plan to the recent IRB Championships in July 2019. We have not received any negative traffic feedback for that event.

**RECOMMENDATION TO COUNCIL:**

**That the Traffic Management Plan for the NSW Surf Life Saving Championships from Friday 31 January to Sunday 2 February 2020 be supported subject to the following conditions:**

1. **NSW Police approval being obtained.**
2. **Conformance with a Traffic Management Plan and associated Traffic Control Plans (submitted to Council at least 2 weeks before the event) implemented and controlled by Roads & Maritime Services accredited persons.**
3. **Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.**
4. **The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link and local newspapers, at their expense, a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.**
5. **Adequate public liability insurance being held by the event organiser.**
6. **All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.**
7. **Consultation with emergency services and any identified issues addressed.**
8. **That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.**
9. **The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.**
10. **A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.**

**FOR VOTE - Cr James Owen (via audioconference), Detective Chief Insp Matt Kehoe, NSW Police, Rod Bates on behalf of Mr G Provest, Member for Tweed, Katherine Boulton, Roads and Maritime Services of NSW**

**PRESENT. DID NOT VOTE - Col Brooks on behalf of Janelle Saffin, Member for Lismore**

**A6 [LTC] Hastings Road and Reef Water Circuit, Bogangar**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM6074286; Pedestrian Safety; Traffic-Committee; Traffic-Safety; Hastings Road, Bogangar; Reef Water Circuit, Bogangar.

**SUMMARY OF REPORT:**

**Applicant's Information:**

A resident of Reef Water Circuit has forwarded videos and an attachment of what they believe to be a very dangerous 'T-Intersection' at Reef Water Circuit and Hastings Road, Bogangar. The resident claims cars are illegally parked and block the view for drivers. It has been suggested that Council could consider installing a 'No Standing' sign.

**Officer's Comment:**

The installation of prohibitive signage is generally not supported in residential areas. Minor changes to the linemarking may assist in drivers' recognition of the intersection. A concept linemarking will be tabled at the meeting for review.

*Detective Chief Inspector Matt Kehoe declared an interest in this item and will therefore not vote.*

**RECOMMENDATION TO COUNCIL:**

**That a continuity line be installed on Hastings Road at the intersection of Reef Water Circuit.**

***FOR VOTE - Cr James Owen (via audioconference), Rod Bates on behalf of Mr G Provest, Member for Tweed, Katherine Boulton, Roads and Maritime Services of NSW PRESENT. DID NOT VOTE - Detective Chief Insp Matt Kehoe, NSW Police, Col Brooks on behalf of Janelle Saffin, Member for Lismore***

**B. INFORMAL ITEMS SECTION**

**GENERAL TRAFFIC ADVICE - MURWILLUMBAH**

**B1 [LTC] Bakers Road, Byangum**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM5687631: Traffic - Committee: Weight of Vehicles: Bakers Road, Byangum.

**SUMMARY OF REPORT:**

**Applicant's Information:**

This item is brought forward from the Outstanding Resolutions report being recently discussed at the Local Traffic Committee meeting held 26 September 2019 and was first listed on 28 February 2019 (Item B1).

The applicant would appreciate if the 'Traffic and Road Safety Committee' consider requesting a vehicle weight limit of 14.5 tonnes on Bakers Road in Byangum.

The road has many blind corners, trees near the edge of the road and steep drop offs. Recently there has been an increase in very large water tankers using this road and making it extremely dangerous.

There has been some feedback on social media about how this road has become more dangerous.

Attached is a heavy vehicle trip planner showing the recommended route through Murwillumbah. It also shows some of the tight blind corners on Bakers Road.

**Officer's Comment:**

There is no evidence of the increase in heavy vehicle movements on Bakers Road and it is recommended that traffic volumes surveys be carried out to determine the actual number of heavy vehicles. However, it would be unlikely that heavy vehicles would use this road to bypass Murwillumbah town centre. Google Maps indicates that it would take longer and increased distance using Bakers Road to get to the roundabout at Alma Street at Tweed Valley Way.

Traffic and speed surveys were conducted on the week 26 September to 3 October 2019. The average daily traffic volume was 461 being 6.5% for medium heavy vehicles and long vehicles 0.3% (11 vehicles total) and no B-Doubles or road trains.

**COMMITTEE ADVICE:**

**That on review of the traffic data it was considered that there is not a significant heavy vehicle issue on Bakers Road and that no further action is required.**

**GENERAL TRAFFIC ADVICE - TWEED HEADS**

**B2 [LTC] Rivendell Drive, Tweed Heads South**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM6090763; TRA19/0047; Traffic-Committee; Street-Signs; Traffic Safety; Traffic-Parking Zones; Rivendell Drive, Tweed Heads South.

**SUMMARY OF REPORT:**

**Applicant's Information:**

The applicant has requested that the Rivendell Drive cul-de-sac bulb be turned into a 'No Parking' zone. There are two transport companies based in the cul-de-sac. Trucks are unable to turn around when vehicles are parked. The applicant claims that the trucks are then forced to either attempt multiple turns which are dangerous or that they have to reverse down an incredibly busy street putting the general public at risk.

**Officer's Comment:**

Heavy vehicles should be carrying out all turning movements on site. Installing 'No Parking' signage in cul-de-sac bulbs may set unwanted precedents.

**COMMITTEE ADVICE:**

That:

1. **The installation of 'No Parking' signage in the cul-de-sac bulb of Rivendell Drive, Tweed Heads South is not supported as all heavy vehicles should be entering and leaving the commercial sites in a forward direction.**
2. **Individual bay parking be reviewed and implemented if considered necessary.**

**B3 [LTC] Dianella Drive, Casuarina**

**ORIGIN:**

Roads & Stormwater

FILE NO: ECM6091270; Traffic-Committee; Traffic-Safety; Traffic-Speed Zones; Pedestrian Safety; Dianella Drive, Casuarina.

**SUMMARY OF REPORT:**

**Applicant's Information:**

It is reported that on Google Maps Dianella Drive is not a dead-end. Cars often drive along Dianella Drive, then turn around once it is known that there is a dead-end, usually at speed due to their frustrations. During school holidays when there is more than usual traffic, the amount of cars travelling at this speed creates a dangerous situation.

The resident feels that as there are children with learning disabilities who live in the street, the unnecessary high volume of traffic, especially vehicles with speed, is a recipe for disaster.

It is suggested that consideration be given to placing traffic signs such as 'Local Traffic Only' or 'Beware of Children Crossing/Playing'.

**Officer's Comment:**

The installation of a 'Local Traffic Only' sign could be placed on Dianella Drive at the roundabout with Casuarina Way and advice is sought from the Committee on its suitability in this instance.

**COMMITTEE ADVICE:**

**That a 'Local Traffic Only' sign be installed on Dianella Drive (west) at the roundabout on Casuarina Way and the customer be advised that this will be treated as an advisory sign only.**



## **GENERAL BUSINESS**

### **L1 [LTC-LATE] Limpinwood Road, Tyalgum**

**ORIGIN:**  
**Roads & Stormwater**

FILE NO: ECM 6111627; Traffic - Committee; Traffic - Safety; Limpinwood Road, Tyalgum

#### **SUMMARY OF REPORT:**

The Police representative requested that a late item be tabled at the meeting in relation to recent motorcycle crashes occurring on Limpinwood Road.

Two crashes have occurred on a bend near number 999 within days of each other, one being a fatality and the other involving major injuries.

Roads and Maritime Services of NSW (RMS) provided the most recent crash data for the site which was reviewed by the committee. Five motorcycle crashes have occurred in this vicinity this year.

Council officers and police representatives inspected the site prior to the meeting to determine any contributing factors to the crashes.

Additional CAMS (Curve Advisory Marker Signs) have been installed on the curve and "motor cycle slow down" signage will be installed on the afternoon of Thursday 24 October.

Council has applied to RMS for funding (\$150,000) under the Fatal Crash Response Program to reshape and reconstruct the curve and RMS advice has been received that this funding has been approved in principle subject to further detail being provided. This work would be given priority.

The RMS also advised that until road improvement works are carried out, a temporary "at risk" speed reduction is being considered.

A request has been received to immediately remove the trees on the outside of the curve. At the present time, until the proposed road works have been completed, this is not considered a feasible option.

*Cr James Owen left the meeting at 10:55am*

RMS requested that Council put forward a proposal under the Safer Roads Program which may be accelerated for funding. Police are committing resources to tasking in the area.

#### **COMMITTEE ADVICE:**

**That Council officers continue to liaise with the Roads and Maritime Services and NSW Police to address the crashes occurring on Limpinwood Road at the curve near no. 999.**

**NEXT MEETING:**

The next meeting of the Local Traffic Committee will be held Thursday 21 November 2019 in the Mt Warning Meeting Room commencing at 9.30am.

There being no further business the Meeting terminated at 11:06am.

**SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:**

**EXECUTIVE LEADERSHIP TEAM COMMENTS:**

**A1 [LTC] Condong Street and Riverview Street, Murwillumbah**

*Nil.*

**A2 [LTC] Clareville Road, Smiths Creek**

*Nil.*

**A3 [LTC] Tweed Coast Road, Chinderah**

*Nil.*

**A4 [LTC] Minjungbal Drive and Lloyd Street, Tweed Heads South**

*Nil.*

**A5 [LTC] 2020 NSW Surf Life Saving Country Championships - 31 January to 2 February 2020**

*Nil.*

**A6 [LTC] Hastings Road and Reef Water Circuit, Bogangar**

*Nil.*

**EXECUTIVE LEADERSHIP TEAM RECOMMENDATIONS:**

**A1 [LTC] Condong Street and Riverview Street, Murwillumbah**

*That the installation of a yellow 'No Stopping' edge line on Condong Street from Riverview Street to the driveway of 48 Condong Street be supported.*

**A2 [LTC] Clareville Road, Smiths Creek**

*That 'No Parking 3 to 4.30pm school days' signage be supported in the bulb of Clareville Road to safely manoeuvre the school bus.*

**A3 [LTC] Tweed Coast Road, Chinderah**

*That:*

- 1. *The right turn lane from Tweed Coast Road into Morton Street be shortened and install a back to back right turn into the golf course.***
- 2. *Signage on the southbound approaches to Morton Street, Chinderah, from the service station be reviewed.***
- 3. *Crash history and possible treatments for a possible Black Spot nomination for 2021/2022 be considered.***

**A4 [LTC] Minjungbal Drive and Lloyd Street, Tweed Heads South**

*That a 'No U-Turn' sign be installed in the centre median of Minjungbal Drive on the southern approach to Lloyd Street, Tweed Heads.*

**A5 [LTC] 2020 NSW Surf Life Saving Country Championships - 31 January to 2 February 2020**

*That the Traffic Management Plan for the NSW Surf Life Saving Championships from Friday 31 January to Sunday 2 February 2020 be supported subject to the following conditions:*

- 1. *NSW Police approval being obtained.***
- 2. *Conformance with a Traffic Management Plan and associated Traffic Control Plans (submitted to Council at least 2 weeks before the event) implemented and controlled by Roads & Maritime Services accredited persons.***
- 3. *Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.***
- 4. *The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link and local newspapers, at their expense, a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.***
- 5. *Adequate public liability insurance being held by the event organiser.***
- 6. *All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***
- 7. *Consultation with emergency services and any identified issues addressed.***
- 8. *That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.***
- 9. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.***
- 10. *A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.***

**A6 [LTC] Hastings Road and Reef Water Circuit, Bogangar**

*That a continuity line be installed on Hastings Road at the intersection of Reef Water Circuit.*

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice v3.0.

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

Not applicable.

**c. Legal:**

Not applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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31 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held via Email 5 and 6 November 2019

SUBMITTED BY: Roads and Stormwater

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**People, places and moving around**

*Who we are and how we live*

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

- 3 People, places and moving around
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

**ROLE:** Advocate

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**SUMMARY OF REPORT:**

The Minutes of the Local Traffic Committee Meeting held via email on 5 and 6 November 2019 are reproduced in the body of this report for the information of Councillors.

The Agenda was circulated to members and support of this event from Roads and Maritime Services and NSW Police has been obtained.

**RECOMMENDATION:**

**That:**

1. The Minutes of the urgent Local Traffic Committee Meeting held via email on 5 and 6 November be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

**U1 [LTC] Falls Festival Byron at North Byron Parklands**

***That the proposed Falls Festival Byron at North Byron Parklands from 31 December 2019 to 2 January 2020 be supported, subject to:***

1. ***NSW Police approval being obtained.***
  2. ***Conformance with a Traffic Management Plan and associated Traffic Control Plans (submitted to Council at least 2 weeks before the event) implemented and controlled by Roads & Maritime Services accredited persons.***
  3. ***Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.***
-

4. ***The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.***
5. ***Adequate public liability insurance being held by the event organiser.***
6. ***All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***
7. ***Consultation with emergency services and any identified issues addressed.***
8. ***Arrangements made for private property access and egress affected by the event.***
9. ***That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.***
10. ***A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.***
11. ***The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.***
12. ***Monitoring of vehicle volumes that arrive and depart the festival site and on the local road network.***
13. ***Bus bays utilised within the Tweed Shire are to be monitored and kept free from excess rubbish.***

## **REPORT:**

The Minutes of the urgent Local Traffic Committee Meeting held via email on 5 and 6 November 2019 are reproduced as follows for the information of Councillors.

### **MEETING CONDUCTED VIA EMAIL**

#### **Committee Member Responses:**

Detective Chief Inspector Matt Kehoe, NSW Police - in support  
Ian Shanahan, Roads & Maritime Services of NSW - in support  
Cr Owen James - in support

### **GENERAL TRAFFIC ADVICE - TWEED HEADS**

#### **U1 [LTC] Falls Festival Byron at North Byron Parklands**

##### **Applicant's Information:**

The Traffic Management Plan and its associated traffic control plans were submitted to Council offices via email on 12 September, however these were overlooked by officers for the Local Traffic Committee meetings of September and October.

As the event will be conducted at the end of December advice is sought from an urgent teleconference meeting of the Committee on the submitted documents to enable tabling at the Council meeting scheduled for 21 November 2019.

The Delegation to Councils for the Regulation of Traffic RMS guidelines under Item 5.3.1 Meeting Formats it is stated that:

*"While there is no need for a specific quorum to allow an LTC meeting to proceed, it must be remembered that any advice can only be returned the elected Council by the LTC if the views of the RTA and the NSW Police have been obtained.*

*Acceptable alternative meeting formats include:*

- *Electronic meetings - where the advice of the members is sought via facsimile or email. This allows items to be considered as they arise and may reduce response time.*
- *A combination of electronic (for minor issues) and face-to-face meetings. This allows minor issues to be addressed between meetings. The response time for minor issues may be reduced using this format and this format can result in shorter face to face meetings. It may even be possible to increase the interval between meetings."*

Whilst the Traffic Management Plan states that the event is capped at 25,000, an amended application has been requested to go to Stage 2, with a capacity of 30,000 and this is currently awaiting approval from the Department of Planning.

The event days are 31 December 2019 until 2 January 2020 with the campgrounds opening on 29 December and closing on 3 January allowing wider spread of traffic movements.

Traffic controllers are proposed at Wooyung Road to trial the additional camping departures and at the intersection of Wooyung Rd/Tweed Valley Way.

**Officer's Comment:**

Very limited information has been provided on bus provision and routes within the Tweed. Previous events have resulted in complaints to Council regarding rubbish left behind by patrons at bus stops.

It is noted that the Traffic Control Plan for the gate E access to Wooyung Road directs patrons to Tweed Valley Way.

**COMMITTEE ADVICE:**

**That the proposed Falls Festival Byron at North Byron Parklands from 31 December 2019 to 2 January 2020 be supported, subject to:**

1. NSW Police approval being obtained.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans (submitted to Council at least 2 weeks before the event) implemented and controlled by Roads & Maritime Services accredited persons.
3. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
5. Adequate public liability insurance being held by the event organiser.
6. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
7. Consultation with emergency services and any identified issues addressed.
8. Arrangements made for private property access and egress affected by the event.
9. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to [www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au) and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
10. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.
11. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.
12. Monitoring of vehicle volumes that arrive and depart the festival site and on the local road network.
13. Bus bays utilised within the Tweed Shire are to be monitored and kept free from excess rubbish.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice v3.0.



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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## CONFIDENTIAL ITEMS FOR CONSIDERATION

### MAYORAL MINUTE IN COMMITTEE

#### C1 [MM-CM] General Manager Annual Review for 2018/19 and determination of the General Managers Performance Agreement for 2019/20

#### REASON FOR CONFIDENTIALITY:

This report details the outcomes of the 2018/19 annual review of the General Manager's Performance Agreement under his Contract of Employment.

It also contains details of the General Managers 2019/20 Performance Agreement for formal confirmation by Council.

In accordance with the terms of the Guidelines for the Appointment and Oversight of General Manager's issued by the Office of Local Government, it is to be considered in a Confidential Meeting.

#### Local Government Act

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

- (a) personnel matters concerning particular individuals (other than councillors).

mhm



#### Behind the scenes

*Providing support to make it happen*

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

- 2 Making decisions with you
- 2.2 Engagement
- 2.2.4 Councillor and Civic Business - To make informed decisions in the best interest of the community.

ROLE: **Leader**

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## REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

### REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

#### C2 [GM-CM] Compulsory Acquisition of Council Land at Pottsville for the Exchange of Land for a Koala Holding Facility

#### REASON FOR CONFIDENTIALITY:

This report relates to the negotiated outcomes between the parties, and set out in a Memorandum of Understanding that states that the contents must remain confidential.

#### Local Government Act

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

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

mhm

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### Leaving a Legacy

*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.1 Natural Resource Management
- 1.1.1 Biodiversity Management - To protect and manage the environment and natural beauty of the Tweed for current and future generations.

**ROLE:** Collaborator

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### C3 [GM-CM] Acquisition of Land

#### REASON FOR CONFIDENTIALITY:

##### Local Government Act

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

mhm

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#### People, places and moving around

*Who we are and how we live*

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

- 3 People, places and moving around
- 3.1 People
- 3.1.9 Local Emergency Management - To support strong and co-ordinated emergency services for the Tweed.

**ROLE:** **Provider**

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## REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT IN COMMITTEE

### C4 [SCE-CM] Renaming of Chillingham Sports Fields

#### REASON FOR CONFIDENTIALITY:

To prevent potential impact on individuals or their family subject to a submission for park naming should Council resolve not to support the submission.

#### Local Government Act

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

(e) *information that would, if disclosed, prejudice the maintenance of law*

mhm

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### People, places and moving around

*Who we are and how we live*

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

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

**ROLE:** **Provider**

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## REPORTS FROM THE DIRECTOR ENGINEERING IN COMMITTEE

### C5 [E-CM] Clarrie Hall Dam - Land Acquisition - 91 Rockface Road, Doon Doon

#### REASON FOR CONFIDENTIALITY:

This report discusses commercial negotiations and private financial arrangements, which should not be disclosed to the public in order to protect the privacy of the affected individual.

#### Local Government Act

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

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

mhm

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#### Leaving a Legacy

*Looking out for future generations*

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

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

ROLE: **Provider**

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**C6 [E-CM] Proposed Water Supply Links to City of Gold Coast and Seqwater**

**REASON FOR CONFIDENTIALITY:**

There is confidential information in this report relating to the pricing of water, which would be at a disadvantage to Council if it was disclosed.

**Local Government Act**

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

mhm

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**Leaving a Legacy**

*Looking out for future generations*

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

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

**ROLE:** **Provider**

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